



INTERNAL WORKPLACE Investigations

Course Introduction:

This comprehensive seminar and workshop has been designed to provide you with training on how to best conduct an Internal Investigation.

This course starts by providing you with an understanding of the laws and requirements – as well as the employer's obligations – governing an investigation, and then teaches you the specifics for doing and concluding an investigation. The course then concludes with three practice investigations where you can apply what you have learned!

Course Objectives:

By the end of the program, participants will be able to:

- Information-packed training covering everything you need to perform an Internal Investigation, plus
- Interactive sessions throughout the course to test your new knowledge, plus
- Three mock investigations where you can apply all of what you've learned, plus
- Access to our Internal Investigations Training & Certification Program!

Who Should Attend?

HR/employee relations advisers, line managers and anyone else likely to be involved in advising on or conducting disciplinary, grievance, or bullying/harassment investigations.

This programme is particularly popular with public sector employers.

Course Outline:

Identifying The Key Drivers Of Employee Complaints

- Why employees complain - and what they complain about
- How to identify what is - and isn't - a valid complaint that requires an investigation
- How to define boundaries in HR to set expectations on issues HR does and does not own
- How to push back on employee complaints that do not require a workplace investigation
- Leadership and organizational issues that must be addressed to minimize the risk of litigation
- The role HR plays in handling employee issues - and how to obtain investigative authority

Federal Labor & Employment Law: Understanding Your Compliance Requirements When Conducting Workplace Investigations

- The "Alphabet Soup" of Compliance: Title VII, ADEA, PDA, ADA, IRCA, USERRA, FMLA, FLSA, DFWA, FCRA, NLRA, OSHA, ECPA

- In-depth review of Title VII of the Civil Rights Act and anti-discrimination and harassment laws
- Employer obligations regarding when and how to conduct workplace investigations
- When it is necessary to take remedial action

Interactive Exercise:

- Various case studies and exercises on materials learned in this Lesson.

Common Laws That Add Compliance Obligations When Conducting Investigations

- Common laws that create additional "boundaries"
- Retaliation: Review of Supreme Court case that has redefined retaliation—and how to avoid claims
- Negligence: How to avoid claims of negligent hiring, supervision, retention, and investigation
- Assault & Battery: Knowing your responsibilities in handling toxic and dangerous employee situations
- Defamation: Understanding slander and libel and how to avoid claims
- Privacy: Understanding the three kinds of privacy issues and why a Search & Seizure policy is necessary
- How to handle electronic communications and employee use - and abuse - of social media
- Understanding today's "must-have" company policies to minimize risk of litigation

Developing An Investigative Strategy To Manage A Case Effectively

- Why "picking up the phone" to call witnesses is a lousy strategy for beginning an investigation
- How pre-planning minimizes the risk of negligence - and improves productivity
- How to determine who is an appropriate investigator
- Whether or not you must recuse yourself from an investigation
- The skills you must possess in order to be an effective investigator
- The three things you must consider when selecting investigative team members
- The potential pitfalls - and politics - to assess problems before a case begins
- How to resolve leadership conflicts and turf issues in order to set the stage for an investigation
- How to plan your strategy to get the "trifecta" of evidence in every case
- The preparation needed to minimize "he said/she said" investigations

Conducting Witness Interviews To Cut Through The Nonsense And Get To The Truth

- Learning that preparation is the key to effective witness interviewing
- How to choose and set up an appropriate space for conducting effective interviews
- How to set up the seating arrangement for maximum investigative benefit

- Weingarten rights and requirements for interviewing in union shop environments
- The "Bulls Eye" interviewing technique to keep your questioning on track
- How to determine if a witness is telling the truth - or telling you a "story"
- Techniques to gain witness cooperation and overcome reluctance
- Your responsibility if an interview gets out of hand - and how to handle it
- Strategies on how to deal with aggressive witnesses who fail to cooperate

Interactive Exercise:

- Various case studies and exercises on materials learned in this Lesson.

Conducting The Initial Meeting With Leadership

- How to conduct a preliminary meeting to identify potential organizational risks
- How to communicate assertively to stand behind your investigative work
- How to present findings, succinctly, to enable leaders to visualize organizational impacts
- Identifying current policies - and past practices - before making decisions
- Recognizing leadership decisions that can lead to negligent retention claims
- Determining when it becomes necessary to leverage internal or external legal team support

Interactive Exercise:

- Various case studies and exercises on materials learned in this Lesson.

Organizing Evidence In Preparation For Writing The Investigative Report

- Using contemporary software to streamline the documentation collection and collation process
- How to align allegations against applicable policies and laws
- The "golden nuggets" that support each allegation
- How to evaluate evidence to determine if you have collected enough

The Do's And Don'ts Of Writing An Effective Investigative Report

- The various formats for investigative reports: memos vs. formal report structures
- How to write an effective report that demonstrates good faith and minimizes risk
- What does go into an investigative report—and what does not
- When a case really is a "he said/she said" to keep leadership from making a poor decision
- Effective communication to complainants and witnesses in order to close out a case
- How to set up appropriate security protocols to safeguard investigative documents
- How to avoid legal liability for prematurely disclosing or destroying evidence

Skills Building Workshop: Practice Investigations

Course Methodology:

A variety of methodologies will be used during the course that includes:

- (30%) Based on Case Studies
- (30%) Techniques
- (30%) Role Play
- (10%) Concepts
- Pre-test and Post-test
- Variety of Learning Methods
- Lectures
- Case Studies and Self Questionnaires
- Group Work

Course Fees:

To be advice as per course location. This rate includes participant's manual, Hands-Outs, buffet lunch, coffee/tea on arrival, morning & afternoon of each day.

Course Certificate:

International Center for Training & Development (ICTD) will award an internationally recognized certificate(s) for each delegate on completion of training.

Course Timings:

Daily Course Timings:

08:00 - 08:20	Morning Coffee / Tea
08:20 - 10:00	First Session
10:00 - 10:20	Coffee / Tea / Snacks
10:20 - 12:20	Second Session
12:20 - 13:30	Lunch Break & Prayer Break
13:30 - 15:00	Last Session