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**DENTONS**

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# **Navigating workplace investigations Part 2: More of your FAQs answered**

Grow | Protect | Operate | Finance

# Moderator



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# **Navigating workplace investigations**

Our services

# Workplace Investigations Group

- Dentons' Workplace Investigations Group consists of labour and employment law specialists who provide comprehensive workplace investigation and risk management solutions
- Our services include:
  - Conducting external workplace investigations
  - Supporting employers with internal workplace investigations
  - Risk assessments and prevention
  - Policy development
  - Workplace investigations training
  - Harassment training



# **Navigating workplace investigations**

Questions for the panel

# Navigating a workplace investigation

**Q:** Who should get a copy of the investigation report once the investigation is concluded?

# Navigating a workplace investigation

**Q:** What is your opinion on recording an investigation meeting, either through voice recording or a virtual platform?

# Navigating a workplace investigation

**Q:** Can you avoid an investigation by terminating without cause, in cases where it is believed there is misconduct, but the employer would prefer to avoid the costs of investigating to make out just cause?



# Navigating a workplace investigation

**Q:** To what extent should an employer intervene in and investigate an incident between two employees that occurs outside of work?

# Navigating a workplace investigation

**Q:** If an employee is within their probationary period and there are complaints against them, would the investigation process change?

# Navigating a workplace investigation

**Q:** Can you clarify the boundary between the investigation, and then the actions to be taken based on the outcome of the investigation? Are those separate activities undertaken by different people?

# Navigating a workplace investigation

**Q:** Is it good practice to provide the investigation interview topics and main questions in advance to interviewees, including the respondent? If yes, how far in advance should this information be provided?

# Navigating a workplace investigation

**Q:** Is there a difference between a written or formal complaint and a verbal or informal complaint? If so, is an investigation handled differently depending on the type of complaint?

# Navigating a workplace investigation

**Q:** Can an investigator interview witnesses that are not employees who may have been present at the incident?

# Navigating a workplace investigation

**Q:** Can refusal to participate in an investigation be considered insubordination?

# Navigating a workplace investigation

**Q:** How can HR professionals strengthen their skills and expertise in conducting workplace investigations? Any recommendations?



# Navigating a workplace investigation

**Q:** Should an organization have a policy on workplace investigations? Can an organization mandate participation in an investigation as part of a policy?

# Thank you



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