



## Essentials of Workplace Investigations

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### **CALPELRA 41st Annual Training Conference** Monterey, CA

Workplace investigations can involve the most trivial of workplace disputes to allegations that could lead to significant legal liability. How an employer conducts and documents a workplace investigation raises numerous legal issues that often play out during subsequent litigation, such as claims of privacy, privilege, and admissibility of evidence, including witness statements and investigation reports. In this session you'll learn: the obligations of employers and managers to investigate, analyze, and make fair decisions about workplace complaints; basic principles for conducting adequate and lawful workplace investigations; the risks and benefits of using neutral third party investigators versus conducting investigations in house; how to document workplace investigations and employee discipline and what makes documentation effective; the scope of the attorney-client privilege, attorney work product doctrine, and discovery during litigation; recent trends regarding the disclosure of investigation and discipline documents under the Public Records Act; and how social media evidence can and cannot be used in workplace investigations and employee discipline matters.

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