

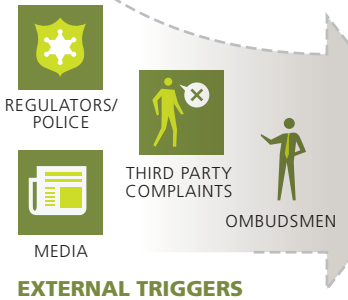
# How to Conduct Global HR Investigations

Every organization should have a strong incident management system that includes reporting systems and processes and a response plan to assess, investigate and resolve issues. This illustration can help you implement or refine an investigation process and focus on important areas.



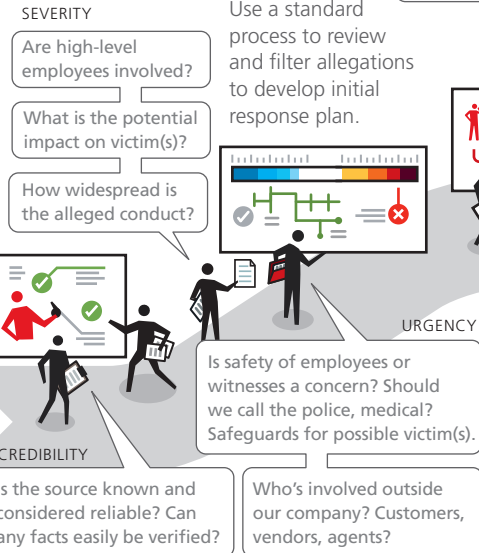
## 1 INVESTIGATION TRIGGERS

A culture that encourages reporting is essential. Workplace issues can occur in and outside the workplace through social media, by words, pictures and actions.



## 2 TRIAGE

Use a standard process to review and filter allegations to develop initial response plan.



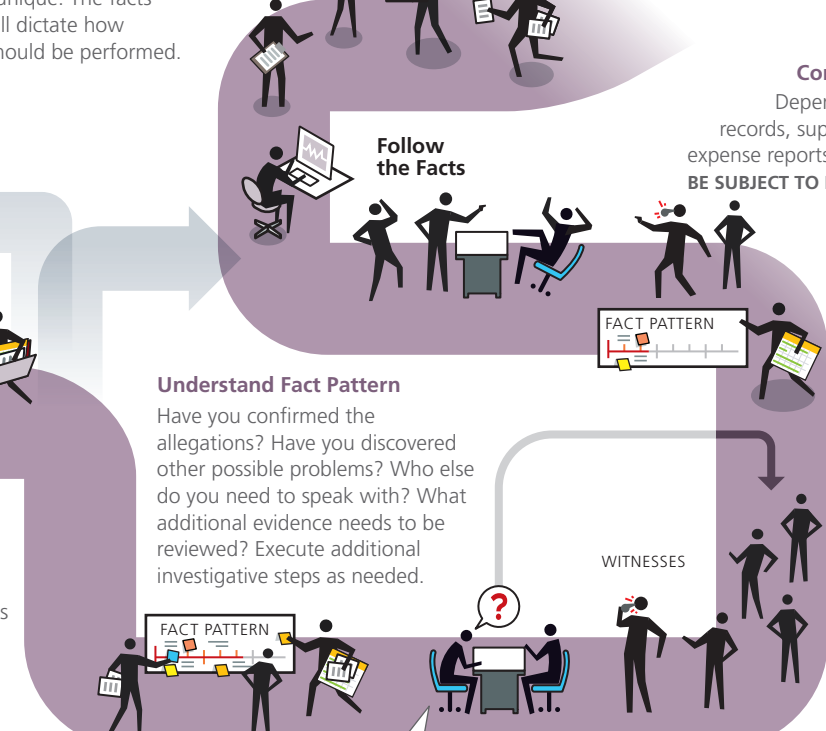
## 3 PLAN AND ASSIGN

For each issue, establish the investigation team, determine any need for privilege and take necessary steps to discover and preserve evidence. Understand employee rights and obligations.



## 4 INVESTIGATION

Each investigation is unique. The facts and circumstances will dictate how specific procedures should be performed.



## INTERNATIONAL ISSUES

Different countries have different requirements. Be sure to check!

Data Privacy	Outside Ombudsman
Hotline Limitations	Employee Representatives
Policies versus Work Rules	Culture, Language
Disciplinary Rules	Attorney Client Privilege
Proportionality Standards	

**Program or Process Improvement Recommendations and Follow Up**

### Discipline and Corrective Action

- Verbal or written warning
- Suspension
- Demotion
- Termination
- Reassignment
- Training
- No action finding

### Inform Appropriate Parties

Follow up with Complainant and Accused.

## 5 REMEDIATION

Management or decision makers need to assess the findings and determine appropriate action.

## COMMON PITFALLS

- THE FIRST 72 HOURS**  
Mistakes in the first 72 hours can cause an investigation to fail. Evidence can be lost; poor documentation can send you down the wrong track.
- MISSING THE FOREST FOR THE TREES**  
Carefully parse through different strands so you neither get sidetracked nor overlook issues which may be important and may need to be revisited or separately investigated.
- COMMUNICATE BACK**  
Don't leave the complainant hanging or they will assume you are doing nothing. Provide updates that you are actively investigating without sharing details.
- TRAMPLING ON EVIDENCE**  
Inexperienced investigators or others in the organization can inadvertently destroy, corrupt or fail to adequately secure critical evidence and can even create new bad evidence.
- ACCEPTING FACE VALUE**  
Investigators may have to assess credibility where evidence or accounts conflict. Be careful to suspend your preconceptions.
- CULTURE CLASH**  
If you don't understand the culture you may miss what they're trying to tell you or not get the info you need from witnesses.
- RETALIATION**  
Retaliation against whistleblowers or witnesses opens you up to additional legal risk and erodes the needed culture of compliance that encourages internal reporting.
- EMPLOYEE RIGHTS**  
Be alert to the need to protect the rights, privacy and reputations of investigation subjects and others, balanced with the need to conduct an effective investigation.
- DRAWING LEGAL CONCLUSIONS**  
The investigation report should never contain legal conclusions. Remediation decisions will be based on the factual findings.