



Employment Investigations



Be prepared.

When a workplace complaint is made, you are legally required to investigate it. The Courts are setting an increasingly high benchmark for employment investigations and it is easy to get the process wrong. Getting the process right from the outset will save time and money in the long run.

Dundas Street Employment Lawyers offers a range of targeted workplace investigation solutions. Whether your goal is to build your in-house investigations capability, or to engage an independent expert to manage the end-to-end process, we can deliver for you.

Enhance your in-house capability.

We can assist with developing and upskilling your in-house capability:

- We can deliver a targeted and interactive two-hour training session designed for human resources staff and managers, at a competitive cost.
- We can partner with you to provide ongoing advice and support through the investigation process.
- We can upskill your staff on investigative interviewing and evidence-gathering techniques. The Employment Court has recently stated that employees are expected to have upskilled their managers and HR staff on how to properly conduct employment investigations to avoid adverse findings.¹

Independent investigations.

Some workplace complaints require an independent investigator. This may arise when:

- Your organisation does not have a sufficiently skilled or experienced internal investigator available to conduct the investigation;

¹ *Harris v The Warehouse Limited* [2014] NZEmpC 188 at [229].



- If there is an actual or potential conflict of interest in appointing an in-house investigator;
- The allegations involve serious issues or senior employees;
- The outcome of any investigation is likely to be subject to external scrutiny or challenge;
- Your usual legal advisor cannot be considered to be independent, or will be assisting you in other processes arising out of the investigation;
- The investigation requires the protection afforded by legal professional privilege.

We can help.

- We run effective investigation processes that are impartial, sensitive and will withstand legal scrutiny.
- We work within clear and agreed terms of reference to produce reports which clearly identify the factual and legal findings.
- We provide practical and targeted recommendations for your organisation.
- We provide cost effective outcomes and do not “over cook” the process.

To discuss your needs and how your organisation can be best prepared, please contact us:



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