



## Workplace Investigations

White Brenner LLP conducts workplace investigations throughout the state of California for both private and public employers. In California, the law requires employers to investigate claims of harassment, discrimination, and retaliation. However, there are numerous situations which may arise in the workplace that will trigger an employer's obligation to investigate. These situations may include complaints of safety violations, government wrongdoing, workplace violence, and bullying/abusive conduct.

Employers also may want to hire a neutral outside investigator to investigate employee performance issues or allegations of general employee misconduct, including, but not limited to, theft, dishonesty, fraud, mismanagement, gross carelessness or neglect of duty, and even allegations that an employee was under the influence of alcohol or narcotics while on duty.

Employment investigations not only help employers make informed decisions in the workplace, but also protect the employer against potential liability. While some workplace investigations can be conducted internally, it is important to have an experienced

attorney investigator who can ask the right questions and review all the appropriate evidence. An experienced attorney investigator also knows how to draft a full and complete investigation report for the employer to rely on when making potential disciplinary decisions regarding staff, as well as how to synthesize large amounts of documentary and/or electronic evidence as needed, look for corroboration, and make credibility determinations on the witnesses.

Moreover, should the matter proceed to litigation, an experienced attorney investigator will be able to testify clearly and comfortably about all aspects of the investigation. Using an independent investigator is also beneficial in that it avoids potential claims of bias or a perceived or actual conflict of interest. An outside investigator also has no personal relationship or reporting relationship with anyone involved in the investigation, including the subject of the investigation or any witnesses.

Our employment attorneys are experienced in conducting workplace investigations for various types of employers and are ready to step in, or even act as a



consultant during the investigation process, should an employer decide to conduct their own investigation. We understand there are unique requirements, specifically for employers in the public sector and for investigations related to peace officers and firefighters, and our attorneys are ready to assist you.



## Firm

White Brenner LLP is a law firm with deep roots in California. Based in the state's capital, we have a particular focus on sound public policy. Our lawyers and lobbyists work in the areas of government relations, regulatory matters, public law, political issues, ethics and conflicts of interest, real estate and land use, environmental and natural resources, water, litigation and more.

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