CAPABILITIES / LABOR & EMPLOYMENT

Internal Investigations

Our Internal Investigations team helps employers respond to internal incidents and employee complaints, reporting in a prompt, objective way that reduces our client's risk of liability.

OVERVIEW

Our approach to internal investigations is tailored to the long-term needs of our clients, as well as more immediate circumstances. Our services range from responding to informal calls from human resources personnel or managers regarding whether an employee should be terminated, to conducting full-scale investigations and preparing formal reports and recommendations. Thanks to our extensive employment litigation experience, we know that an improper investigation can lead to problems in the courtroom down the road. We anticipate and prevent these problems by helping employers conduct prompt, thorough investigations, reaching appropriate conclusions, and taking proper action when warranted.

Our Value

Our attorneys have experience in various niche areas of employment law that are often used in internal investigations, which allows our team to efficiently identify and address issues that may arise during an investigation. In addition, we collaborate with other Obermayer attorneys on investigations that have overlapping disciplines, making us especially well-equipped to recognize and address complex, intersecting issues.

The Internal Investigation team's breadth of legal experience makes the group uniquely qualified to correctly investigate and address issues to avoid future litigation, or to put clients in the best position if litigation is filed. Obermayer understands that no two employers are the same, and we avoid a cookie-cutter approach. We develop knowledge of each client's business and consider how our recommendations will impact each client and fit into their "big picture" objectives.

Our Clients

We work with management to investigate claims of wrongful or illegal activities made by "whistleblowers," allegations of discrimination, harassment or retaliation, conflicts between employees,

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and other workplace incidents. Regardless of the type of complaint or incident, our most important objective is helping employers strike a balance between minimizing potential future liabilities while fostering a positive work environment. We also help our clients understand the best approach to internal investigations so that they can address issues more effectively in the future.

Our Focus

Our attorneys help clients weigh the risks of action versus inaction. For example, employers are sometimes faced with the choice between terminating an employee who is the target of allegations (and facing a potential claim from that employee) or retaining an employee (and facing a potential claim from the complaining employee). Our experience allows us to effectively assess those competing risks.

We understand that a truly objective investigation process, which takes into account both helpful and problematic facts, is often the best defense to future claims. We also know firsthand the importance of taking swift action where appropriate.

While our clients cannot control whether an employee or former employee will file a claim, we partner with our clients to help significantly reduce future exposure. In addition, we believe that an effective investigation process can help foster a positive work environment where employees feel that their concerns are being heard and taken seriously.

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