

Conducting Internal Investigations

LABR 7030

Course Description

This course explores internal investigations in the workplace, which may be mandated by law, company policy, and/or the desire to avoid or limit liability, or preserve a company's assets and competitive position. Internal investigations may be undertaken by Human Resources, Compliance, or Legal, and may entail retaining outside investigators or consultants. HR and Compliance professionals will often be involved in such investigations, and may well be the main investigator or one of an investigatory team. This course will enable such professionals to appreciate when such investigations are appropriate, understand the considerations in deciding who should investigate, and provide practical guidance on how to effectively conduct an investigation consistent with h legal constraints.

Readings

All readings for this course are available in a [custom-made textbook published by Academic Pub.](#)

Weekly Schedule

| | |
|----------|--|
| Week 1-2 | Topic: The When and Who of Internal Investigations |
| Week 3-4 | Topic: Getting Started and Maintaining Confidentiality |
| Week 5-7 | Topic: Gathering Facts: Searches, Interviews, and Challenges |
| Week 8 | Topic: Concluding the Investigation |

Course Outcomes

Upon completion of the course, students will be able to:

- CO 1. Recognize situations in which an internal investigation ought to be conducted
- CO 2. Articulate the goals of an internal investigation and the various steps necessary to achieve those goals
- CO 3. Explore whether an internal investigation ought to be conducted by in-house or outside personnel
- CO 4. Appreciate actions that ought to be taken at the outset of an investigation to preserve documents and confidentiality and prevent further liability risks
- CO 5. Identify the key limitations on investigatory searches and monitoring of spaces and communications
- CO 6. Understand the nature and extent of legal constraints on conducting investigatory interviews
- CO 7. Describe potential variations in state and national laws potentially affecting workplace investigations
- CO 8. Analyze what, if any, actions to take on the basis of the facts uncovered during an internal investigation

Overview of Course Activities

Activity #1: Tutorial Questions

The Tutorial Questions are weekly assignments designed to ensure that you have an accurate understanding of the key points in the readings. Answers to these questions can be any length. Your goal should be to accurately state the relevant points of law as concisely as possible. Your professor will provide feedback and guidance on your responses.

Answers are due by 11:59PM on Wednesday.

Tutorial Questions for week 1 are available with the [first week's assignments](#). Tutorial Questions for the remaining weeks of the course are available on the Blackboard course site.

Activity #2: Discussion Questions

A "threaded discussion" is a discussion forum that allows students to respond to questions posted by the professor (original responses), which can then be read by other users who add their own comments in response (secondary postings). Unlike chat rooms and other "real-time" interaction forums, threaded discussions do not require different users to be logged on at the same time.

Discussion questions are assigned each week. **Original responses to these questions must be posted by Thursday at 11:59PM.** Original responses must be at least **250 words** and must incorporate concepts from the lectures and assigned readings.

Secondary Responses/Postings: Each student must post **two or more** secondary responses to other students' postings **for each discussion question**. Secondary responses are due by **11:59PM on the Monday following the week in which the questions were assigned**. They must be a minimum of **150 words** and, like original responses, should incorporate concepts from the lectures and assigned readings. Students are encouraged to embark on interactive discussions that go beyond the minimum number of secondary postings.

Although the discussion board is expected to be student-driven, professors will be participating in the discussions as well.

Discussion Questions for week 1 are available with the [first week's assignments](#). Discussion Questions for the remaining weeks of the course are available on the Blackboard course site.

Activity #3 – Who Should Investigate?

This activity is due on Saturday of Week 2. Further information is available on the Blackboard course site.

Activity #4 – Script for Preliminary Interviews

This activity is due on Saturday of Week 4. Further information is available on the Blackboard course site.

Activity #5 – Instructions for Witnesses

This activity is due on Saturday of Week 7. Further information is available on the Blackboard course site.

Activity #6 – The Aftermath of an Investigation

This activity is due on Saturday of Week 8. Further information is available on the Blackboard course site.

Grading

| ACTIVITIES | % OF FINAL GRADE |
|--|------------------|
| Activity #1: Tutorial Questions | 25% |
| Activity #2: Discussion Questions | 25% |
| Activity #3: Who Should Investigate? | 12.5% |
| Activity #4: Script for Preliminary Interviews | 12.5% |
| Activity #5: Instructions for Witnesses | 12.5% |
| Activity #6: The Aftermath of an Investigation | 12.5% |

Responses to the Tutorial Questions and Discussion Questions will be graded each week in which they are assigned. At the end of the course, the lowest grade you receive for the Tutorial Questions and for the Discussion Questions will be dropped and will not be counted towards your final grade for the course. The purpose of this policy is to accommodate unanticipated professional or personal scheduling conflicts that may arise during the course.

IMPORTANT: You are required to post a *minimum* of one 250-word main post plus two 150-word secondary posts to each weekly discussion thread/topic. Your weekly discussion board grade will be based upon the quantity and overall quality of your postings.

Late Activities: For purposes of grading, activities and assignments that are submitted late will be treated as not having been submitted at all. The professor may make exceptions to this policy for true emergencies, such as serious illness. Requests for exceptions should be made in advance of the deadline, if possible. The professor's decision to grant or deny a request for an exception is final and unreviewable.

The following grade scale will be used to calculate final grades. The following is an explanation of how points equate to grades, based on a 4.33-point scale:

| Grade | Quantitative | Qualitative | Definition |
|-------|--------------|----------------|--|
| A+ | 4.33 | Excellent | Superior understanding of the content and method of the course, extraordinary ability to recognize relationships between concepts, initiative in doing work in which quality consistently surpasses that required. |
| A | 4.00 | | |
| A- | 3.67 | | |
| B+ | 3.33 | Good | Good understanding of the content and method of the course, demonstrated ability to recognize relationships between concepts, substantial achievement of course objectives and fulfillment of course requirements. |
| B | 3.00 | | |
| B- | 2.67 | Fair | Rudimentary understanding of the content and method of the course, limited recognition of relationships between concepts, basic but incomplete achievement of course objectives and requirements. |
| C+ | 2.33 | | |
| C | 2.00 | | |
| C- | 1.67 | Unsatisfactory | Little understanding of the content and method of the course, inability to demonstrate minimum recognition of relationships between concepts, unsatisfactory achievement of course objectives and requirements. |
| D+ | 1.33 | | |
| D | 1.00 | | |
| F | 0.00 | Failure | Lack of understanding of the content and method of the course, failure to achieve objectives and/or complete requirements of the course. |

Grades are based strictly on individual performance, not on any external factors (e.g., tuition reimbursement policies at your place of employment). Any questions about grades must be made in writing.