

# INVESTIGATIONS



**CONNIE CORNELL**

[www.cornellsmith.com](http://www.cornellsmith.com)

Austin, Texas (512) 328-1540



1

## An Affirmative Defense May Exist if:

Once the Employer knew or should have known of a violation;

- it investigated
- &
- took prompt action reasonably calculated to correct the problem.



2

# Who Should Investigate?

- Supervisor
- HR
- In House Counsel
- Outside Investigator
  - Non-Attorney
  - Attorney

# Identify the Investigator's Role

- To Be Neutral
- To Gather Information
- To Present Information to Whom?
  - **Orally?**
  - **In Writing? (Signed Witness Statements?)**
- To Draw Conclusions?
- To Make Recommendations?

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

## Title search: Investigating Sensitive Employment Complaints

Also available as part of the eCourse

[2019 Essential Employment Law eConference](#)

First appeared as part of the conference materials for the  
2019 Essential Employment Law: A Practical Course in the Basics session  
"Investigating Sensitive Employment Complaints"