

Workplace Harassment Investigations

AGENDA

9:00 – 9:30 a.m. **(I) Workshop Orientation**
Welcome, Introductions
Housekeeping Items
Workshop Objective Review
Overview of the Ontario *Human Rights Code* and
Occupational Health and Safety Act

9:30 – 10:30 a.m. **(II) Why Investigate?**
Employer Liability
The Duty to Act, “Due Diligence”
Role of the Investigator
Evidentiary Considerations:

- What is Evidence (Types, Forms, etc.)
- Standards and Burden of Proof
- Weighing of (Best) Evidence

10:30 – 10:45 a.m. **Break**

10:45 – 11:15 a.m. **Case Studies: Initial Overview**

11:15 – 12:00 noon **(III) Beginning the Investigation (Pre-Investigation)**
Complaint and Reply
Determining Types of Evidence
Allegations, Facts at Issue
The Investigation Plan (Sample Provided)

12:00 – 1:00 p.m. **Lunch - Provided**

1:00 – 1:30 p.m. **Case Study: Group Discussion**

1:30 – 3:15 p.m. **(IV) The Investigation**
Group Work/Flip Charts:

- Preparation, Focus and Other Considerations
- The Investigation File
- Establishing a Witness List

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- The Interview: Statement Taking
 - Note-Taking Tips
 - Review of Sample Statement
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3:15 – 4:00 p.m.

(V) Dealing with the Investigation Findings (Post-Investigation)

The Investigation Report/Case Analysis

Purpose

Format

Tips for Writing

Recommendations/Resolutions

Concluding the Investigation

4:00 p.m.

(VI) Wrap-up Session

Final Discussion Q&A

Summary and Closing Comments
