

# Workplace Harassment Investigations

## AGENDA

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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*

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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

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10:30 – 10:45 a.m.      **Break**

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

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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)

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

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

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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

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4:00 p.m.

### **(VI) Wrap-up Session**

Final Discussion Q&A

Summary and Closing Comments

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