

KYLE LAMBERT EXPLAINS WHAT YOU SHOULD DO WHEN CONDUCTING A WORKPLACE INVESTIGATION IN THE OTTAWA BUSINESS JOURNAL

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From January to November 2018, a group of McMillan LLP lawyers will be writing for the [Ottawa Business Journal](#) about issues such as workplace harassment, filing a trademark application and how to ensure you get paid for construction projects. This month, employment lawyer Kyle Lambert, explains what you should do when conducting a workplace investigation.

Now more than ever, employers must be both proactive in managing the spectre and fallout of an incident, or alleged incident, of workplace harassment – the legal definition of which includes sexual harassment. A good investigation requires more than mere sleuthing and should never be done in a panic. An effective investigation and harassment response strategy requires knowledge of one's legal obligations and a keen awareness of any unique factors that might influence both the investigation itself and any desired outcomes.

An employer's starting place is knowing what legal obligations must be met. Ontario's Occupational Health and Safety Act contains a number of very specific obligations designed to prevent and address workplace harassment. Employers must have both a workplace harassment policy and a written program designed to ensure the policy's implementation. In the event of a harassment complaint, employers must promptly conduct an investigation and inform the complainant and alleged harasser of the investigation's results and corrective action to be taken, if any.

To read the full article please head to the [Ottawa Business Journal](#).