OHPELRA

OHIO PUBLIC EMPLOYER LABOR RELATIONS ASSOCIATION

Invites you to attend:

Conducting Internal Investigations:

Tools, Tips, & Traps to Avoid

10/25/19

9:00 a.m. to 3:00 p.m.

Presented by: Douglas E. Duckett, Esq., of Duckett Law Firm, LLC and Marc A. Fishel, Esq., of Fishel Downey Albrecht & Riepenhoff, LLP

Dublin Community Recreation Center

5600 Post Rd.

Dublin, OH 43017

$175 for OHPELRA Members

Memberships are individual, not by jurisdiction.

$275 for Non-Members

Those who choose to join OHPELRA at this time will be billed at the member rate and invoiced separately for membership.

Register online @ www.ohpelra.org

CANCELLATION POLICY

Cancellation notice must be received **no later than October 18, 2019,** for the registration fee to be returned. After that date, the full cost will be charged. Substitutions may be made at any time. E-mail questions to ohpelra@ohpelra.org.

9:00-9:30 am — Registration & Continental Breakfast

9:30-11:45 am — Session 1: Deciding That You Need an Investigation: What kinds of events or issues trigger the need to conduct an investigation?

- First questions to consider: Who, what, and how?
- Nature of the issue: administrative/disciplinary, criminal, or both?
- When a criminal issue may be present, how do you handle *Garrity*?
- Tips, cautions, and twists on using *Garrity*.
- Examples of *Garrity* notices and other investigatory notices.

Session 2: How Do You Start the Investigation?

- Preserving independence.
- Defining the scope—flexibly.
- Planning the "road map."
- Conducting the interview.
- Target interviews vs. bystander interviews.
- *Weingarten* representation rules: when required? Permitted?
- What the union representative or attorney can and can't do.
- Issues for the interview itself.

11:45-12:30 pm — Lunch Provided

12:30-3:00 pm — Session 3: What Comes Next?

- Role of the investigator working with outside counsel.
- When is the report privileged? Public records issues—report and notes.
- Moving forward with discipline.
- Role of pre-disciplinary hearing?
- Review of just cause standard?
- How the investigation fits in with arbitration.

Session 4: Investigation Case Studies and Audience Questions

An application has been submitted to the Supreme Court of Ohio for CLE hours for this program .