

# INVESTIGATION SERVICES

**Investigate: to carry out a systematic or formal inquiry to discover and examine the facts of (an incident, allegation, etc.) so as to establish the truth.**

– OXFORD DICTIONARY

**“It is quite a three pipe problem.”**

– SHERLOCK HOLMES  
in the *Red Headed League*

**“The facts are an ally to the truthful person.”**

– MICHAEL FLOYD  
author of *Get the Truth*

**“Three things cannot be long hidden: the sun, the moon, and the truth.”**

– BUDDHA



**N**obody likes to deal with people problems. Perhaps the biggest risk management mistake is to ignore, bury or deny that one exists. Just as bad is when executives make critical risk management decisions without getting all the available facts. That is why a competent investigator is an important part of your legal and risk management team.

A quality independent investigation is not about taking sides. It's about getting to the facts and the truth in a way that does not cause additional harm to the participants or the company.

I've been an employment lawyer for over 30 years. I am an active member of the Association of Workplace Investigators. I know how to talk with people and get to the truth. Without causing additional problems.

What follows is a quick outline of my investigation approach along with a report I wrote for EPLiC Journal on *Investigations that Work*.



## My Approach to an Independent Investigation

A quality investigation requires a quality client relationship. I will begin by listening to understand the known facts of the problem, the desired scope of the investigation and company objectives. I will then share my suggested approach and answer any questions. If we agree we are a good fit we will enter into a retainer agreement detailing the scope of the investigation.

Investigations begin with the gathering of all known facts, documents and witnesses. Documenting and preserving evidence is a legal requirement as is the thoroughness of any investigation.

I like taking a checklist approach to identifying possible facts, documents and witnesses. I will provide an admonition to anyone interviewed. A decision will be made in advance whether to record any or all interviews. If needed I'll work with or bring in third party experts to help with forensics, translation, transcription, etc.

After taking all evidentiary leads to their end – when all facts, documents and witnesses have been considered – I will provide either an oral report or written one, as requested. Part of that report will include credibility assessments of those persons interviewed. I will also make recommendations where that is within the scope of services.

My number one goal is to provide a quality independent investigation. One that helps the company make sound legal, risk management and ethical decisions.

If you are interested in my services please contact me today at the information below.

Here's to a compliant workplace,  
Don Phin, Esq.

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## About Don Phin, Esq

Don Phin has been an employment lawyer since 1983. After a 17 year litigation career, which included numerous investigations, Don launched HR That Works, an inspired HR program he ran for ten years until selling it to ThinkHR in 2014.

Don is a polished speaker having presented for Vistage CEO and Key Executive groups about compliance, inspired HR practices and emotional intelligence more than 350 times. He is a highly rated presenter at HR and industry association meetings.

He is also an author, coach of HR groups for Vistage, consultant and entrepreneur.

Don lives in Coronado, CA where he enjoys nothing more than time with family and friends.