

# A General Counsel's Guide to Handling Workplace Complaints



**TREATY OAK**  
EMPLOYERS' LAW GROUP

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Employee complains to leaders regarding:  
*harassment, discrimination, or hostile work environment.*

**Now  
What?**

**Company  
Takes No Action**

**Illegal.**

- Employee can initiate EEO process
- Personal liability risk
- Company tried in court of public opinion

**External HR Team  
Investigates**

**Illegal.**

- Unlicensed investigation is a felony
- Distracted employees
- Bad witnesses
- New allegations from improper investigation
- Company tried in court of public opinion

**Internal HR Employee  
Investigates without  
Proper Training**

**Risk & Liability.**

- Distracted employees
- Bad witnesses
- New allegations from improper investigation
- Litigation team still needed
- Company tried in court of public opinion

**You  
Investigate without  
Proper Training**

**Counterproductive.**

- You are a potential witness
- Distracted employees
- New allegations from improper investigation
- Company tried in court of public opinion

**Contact Lynch Law  
for a Workplace Investigation**

**35+ years of experience**

**Trained in:**

- sensitive investigations
- investigative use in litigation
- efficient practices
- culture-building-techniques

**How We Make You Look Good**

- Protect company liability by focusing on avoiding litigation
- Keep your work running smoothly while we investigate
- Are the perfect witness IF it goes to trial
- Help you create a better outcome by uncovering the root cause of the issue – so you can prevent future incidents
- Are mindful of company costs
- Offer a multidisciplinary team of workplace psychology, employment, HR, & litigation counsel scaffolding your process & outcomes
- Have the highest ROI in terms of root cause analysis, preparation for negotiation & litigation, & workplace preservation

## What Possible New Allegations Can Result from an Improper Investigation?

*Intimidation, retaliation, wrong standard of proof, false imprisonment, & destruction of culture.*

**Federal personal  
liability damages:**  
\$50k - \$300k

**Litigation team to  
argue about this:**  
\$45k

**Company liability:**  
\$75k - \$150mil+

**TOTAL:**  
\$95k - \$150mil+

**Inadmissible / Unusable HR  
Work:**  
\$15k

**Federal personal  
liability damages:**  
\$50k - \$300k

**Litigation team to  
argue about this:**  
\$45k

**TOTAL:**  
\$110k - \$360k

**Earn AWI Credentials:**  
\$50k - \$300k

**Still must hire  
litigation team:**  
\$45k

**Internal HR time:**  
\$4k (2wks)

**TOTAL:**  
\$59k

**Still must hire  
litigation team:**  
\$45k

**Company liability:**  
\$75k - \$150mil+

**TOTAL:**  
\$120k - \$150mil+

**COSTS:**

~\$2,000 per participant from interview to report

**STATE AVERAGE:**

\$20,000