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Conducting Remote Investigations

Considerations and Best Practices for Employers in the COVID-19 Environment

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Agenda

- 1 | Introduction and Premise
- 2 | Advantages and Disadvantages of Conducting a Remote Investigation Interview
- **3** | Additional Preliminary Instructions Needed in a Remote Investigation Interview
- 4 | How To Build Rapport in a Video Conference
- 5 | Technical Considerations and Platforms for a Remote Investigation Tips and Ideas

SIX STAGES OF A GOOD INVESTIGATION PROCESS





Introduction and Premise

- Remote work and video conferencing forever?
- Pressure to avoid non-essential travel
- In-person investigations will lag, not lead
- We need to add or improve the skill of conducting remote investigations



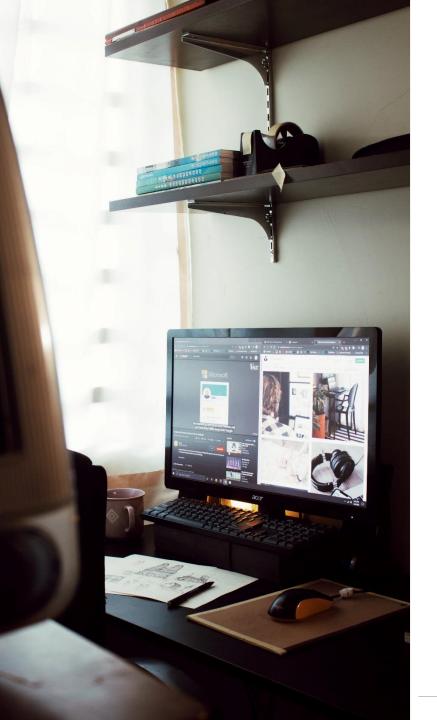
Advantages of Conducting a Remote Investigation (Other than Avoiding COVID-19)

- Solves the challenges of where to conduct investigations at the worksite
- Minimizes expenses and logistics
- Promotes promptness
- Enables greater volume of interviews in a shorter duration
- Use of complex electronic documents
- Ability to join note takers or witnesses



Disadvantages of Conducting a Remote Investigation

- Potentially challenging to
 - develop a human connection
 - assess credibility
 - share exhibits
- Inability to completely control interview space
- Unique wage and hour considerations
- Complications or objections related to COVID-19



Remote Investigations – Key Considerations

- Videoconferencing software needs
 - Eye contact
 - Document sharing needed?
 - What technology will witness use?
- Develop new logistics and pre-scheduling process
- Revisit introductory instructions and add new ones
- To record or not record? Notes?



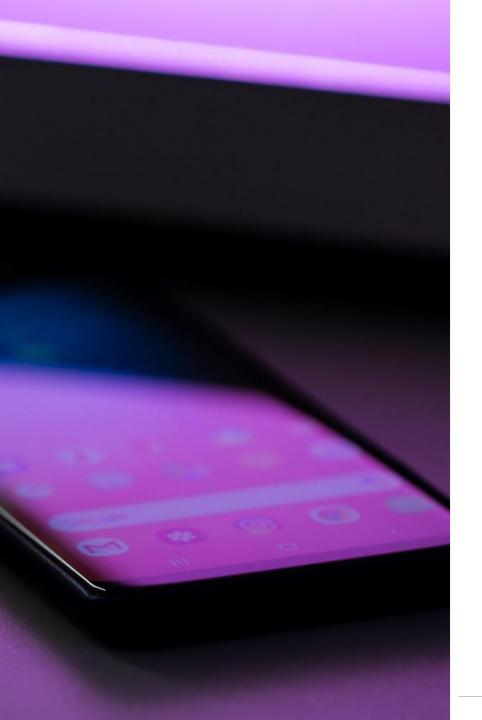
Remote Investigations – Interview Logistics

- Exhibit preparation and sharing
 - What kind and what format?
 - Video files
 - Sharing documents on screen (demo)
 - Sending documents in advance
 - Email?
 - Secure File Transfer



Remote Investigations – Interview Logistics

- Pre and Post-Interview Communication with Witness
 - Phone
 - Email
- Witness Pre-Call
 - Confirm videoconferencing software works
 - Confirm camera and sound quality



Remote Investigation Interviews – Additional Preliminary Instructions

- No Recording
- Nobody Else Present



Remote Investigation Interviews – Additional Preliminary Instructions

- No Multi-Tasking
- Camera/Screen Position
- Speaking Ground Rules



Remote Investigation Interviews – Additional Preliminary Instructions

- Obligation to Tell the Truth
- Confidentiality
 - Insist upon confidentiality (no longer constrained by *Banner Health Systems*)
- No Retaliation



How To Build Rapport in a Video Conference: Creating a Human Connection

- Be mindful of interviewee's work from home situation
- Be thoughtful of how you and interviewee appear on screen
- Repetition of interviewee's comments to demonstrate active engagement
- Informal conversation style at the outset to build trust



- Ensure you have a strong Wi-Fi or internet signal
 - Be close to your wireless router or use hardwire connection
 - Ensure you have good bandwidth/internet speed
 - Try and use a router that is specifically and solely for your connection



- Maximize audio and video quality
 - Check audio and video feed prior to the beginning of investigation
 - Ensure proper lighting
 - Close out as many browser windows and programs as possible



- Position camera in a way that permits continual eye contact
- Maintain visibility of the witness on your screen at all times



- Notetaking during interviews
 - Notify the witness
 - Promote engagement at all times
- Sharing documents in real time
 - Consider the most appropriate means
 - Maintain witness visibility



- Be prepared for mishaps
 - Build in additional time at the beginning of the interview for setup and managing unforeseen problems
 - Make sure you have the witness' telephone number

Thank You!





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