

INVESTIGATORY MEETING PROTOCOL

Investigatory Meetings- Rights and Responsibilities:

- ✓ The Employer has a right to conduct an investigatory meeting by asking questions of an employee which only the employee may answer
- ✓ The Employee has the right to request, and shall be granted, Union representation at an investigatory meeting
- ✓ The employee has the right to share information about their accounts of the matter under investigation
- ✓ The Union has the right to clarify answers or elicit further relevant information during the investigatory meeting
- ✓ The Employee does not have any protection against self-incrimination and must answer the Employer's questions to the best of their ability.

The Union's Role during Investigatory Meetings:

- During the investigation meeting it is NOT the Union's role to "argue the case". In fact this is prohibited. The Union can file a grievance and advocate for the employee if they are disciplined as a result of the investigation. The Union's role is to:
 - Meet with Employee in advance to ask questions about the investigation and strategize
 - Provide moral support
 - Take good notes
 - Call for breaks as needed (e.g. if the employee is getting upset)
 - Clarify questions and answers

Do and Don'ts for the Employee during an Investigatory Meeting:

- ✓ Do Answer the questions directly
- ✓ Don't elaborate
- ✓ Do answer the questions truthfully
- ✓ Don't make excuses such as: "someone is out to get me" or "it's not my fault". If the Employer decides to issue discipline the Union can raise these issues as a defence during the grievance proceedings
- ✓ Do provide factual information if the Employer's information is incorrect
- ✓ Do try to stay calm
- ✓ Do ask for breaks if you feel yourself becoming overwhelmed, angry or emotional OR if you would like to ask the steward for advice before sharing information.