

# Workplace Investigations for Executives: Governance, Strategy and Risk

OASIS OBRC Conference  
November 21, 2025



*Take a beat. Work it out.*



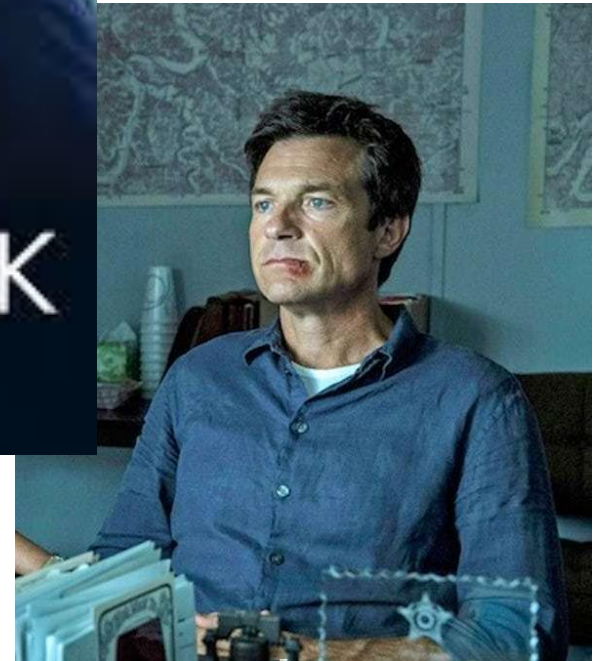
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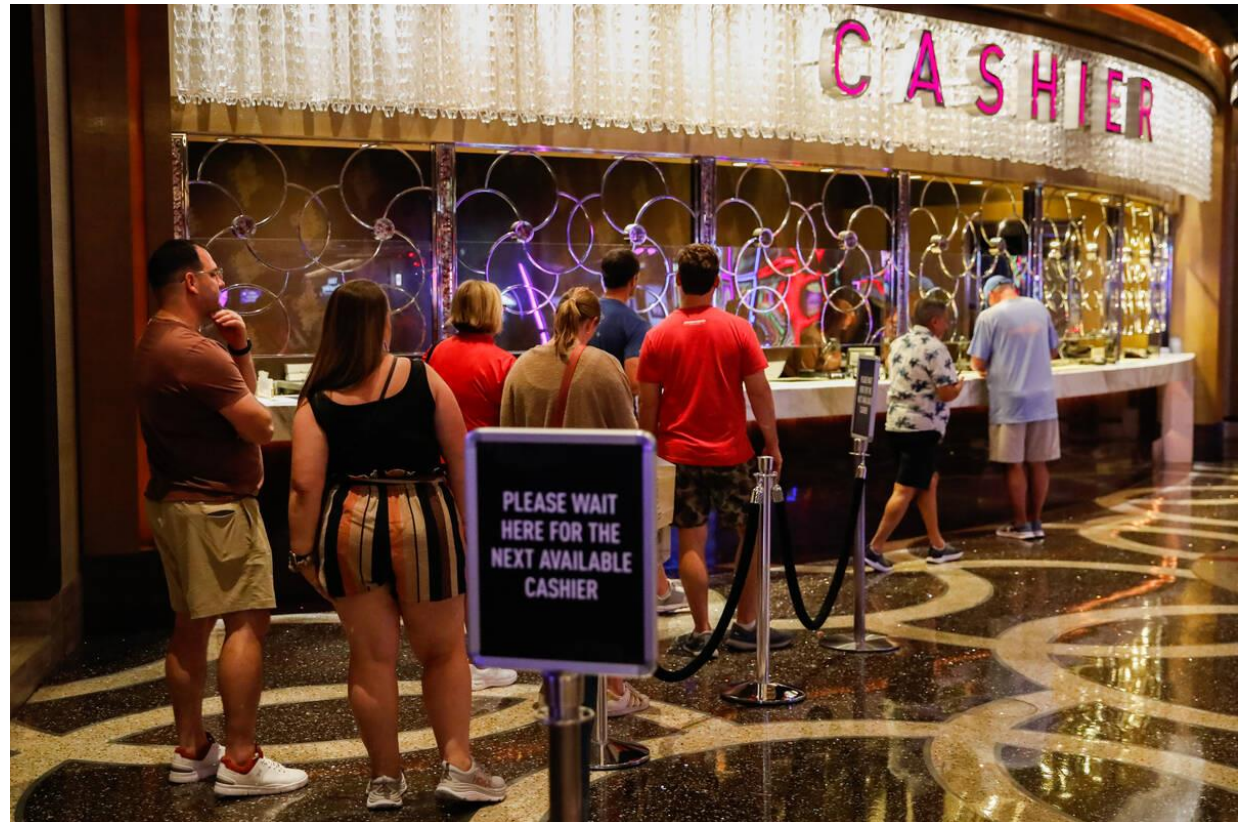
## Audience Q&A

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Ozark, Casinos  
and the Auditor  
General of Ontario



Ozark, Casinos  
and the Auditor  
General of Ontario



## Ozark, Casinos and the Auditor General of Ontario



***...Other findings in our report found that the OLG and casino operators do not have adequate processes and internal controls to prevent money laundering in casinos..."***

Bonnie Lysyk, Auditor General of Ontario  
2022 Value for Money Audit: OLG

# Governance of Workplace Investigations



# Key and Supporting Policies

Respect in the  
Workplace  
Policy and Program

Governance  
Policies, Board Code  
of Conduct and  
Bylaws

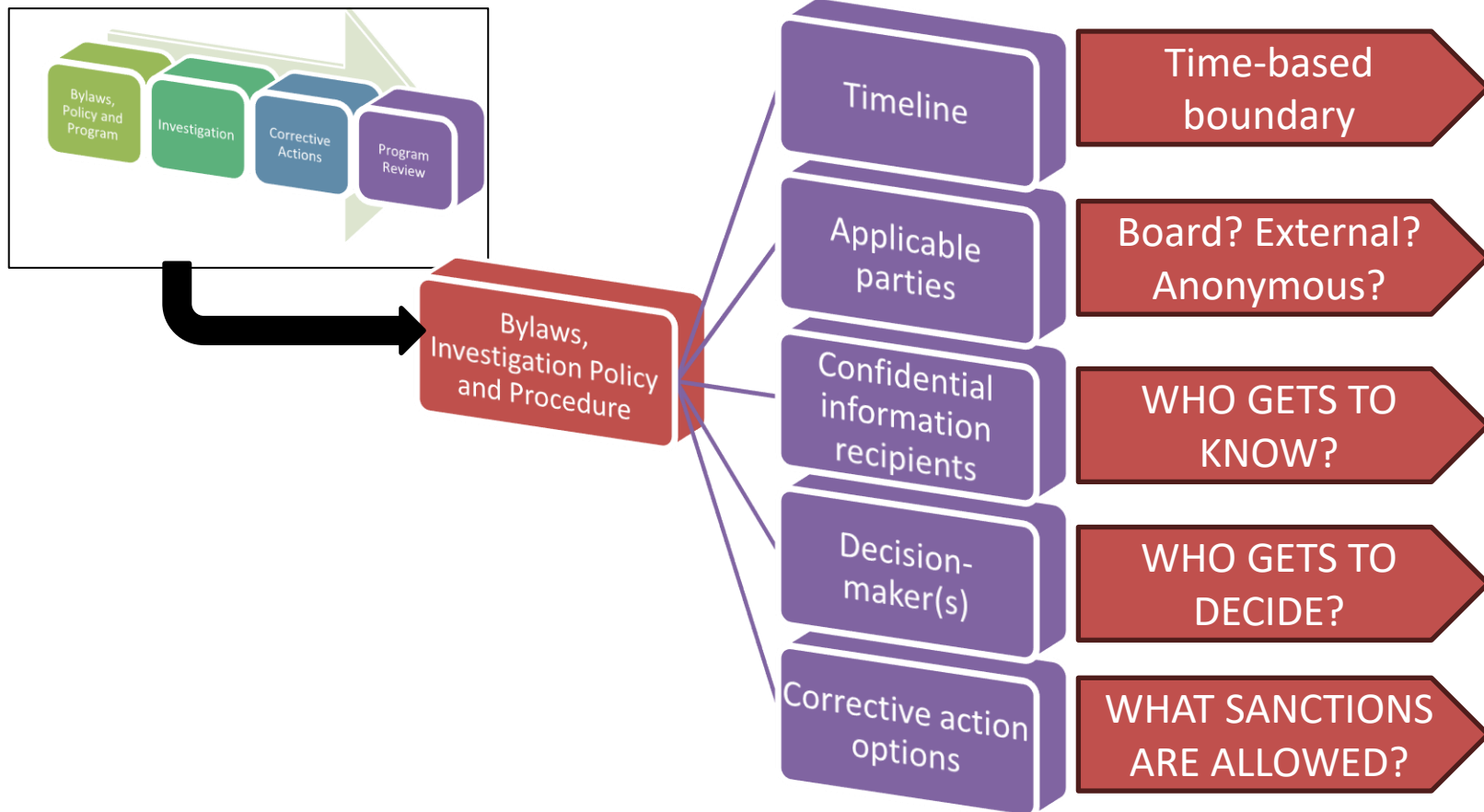
Abuse

Code of  
Conduct

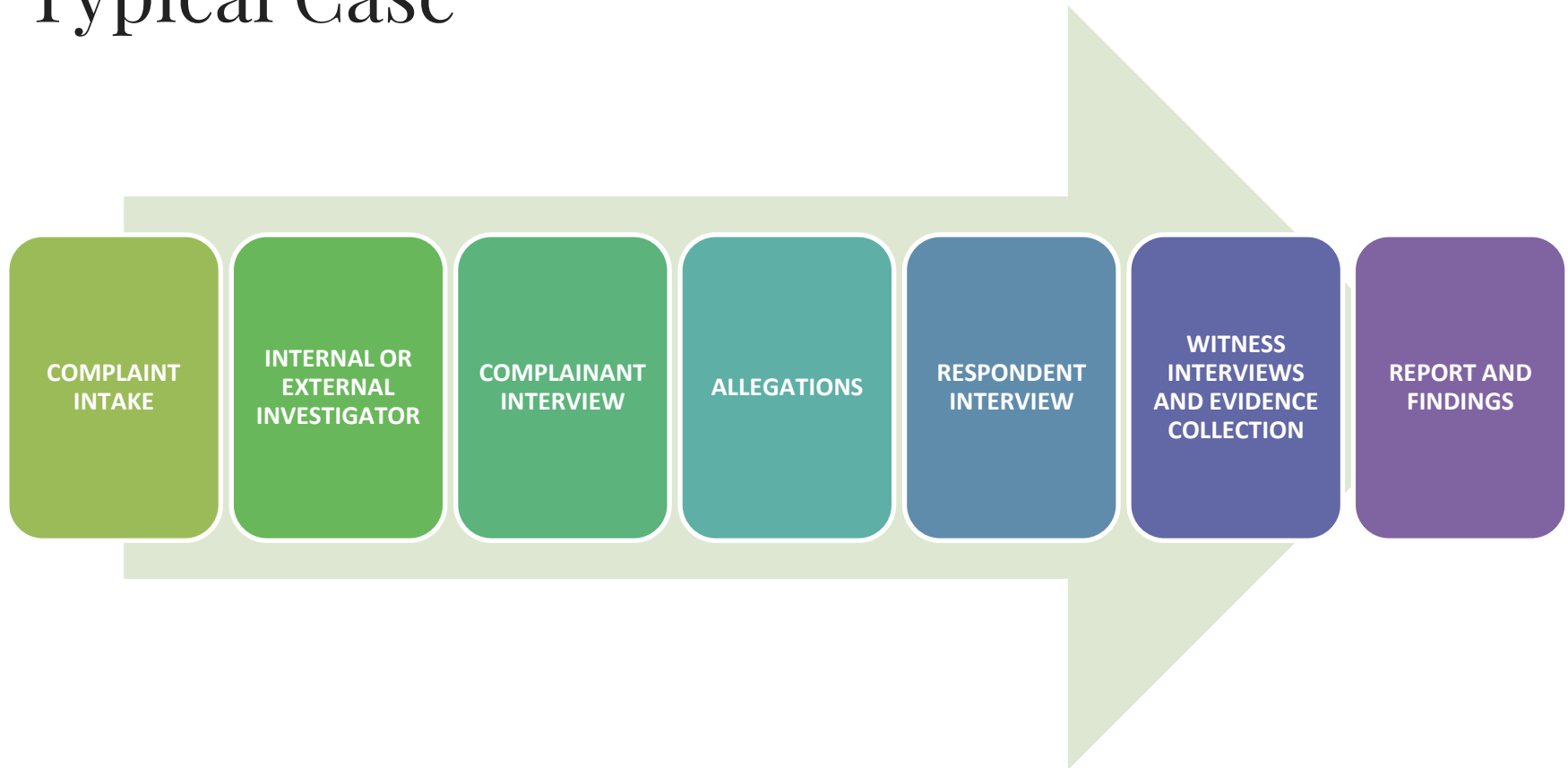
Conflict of  
Interest

Confidentiality  
and Privacy

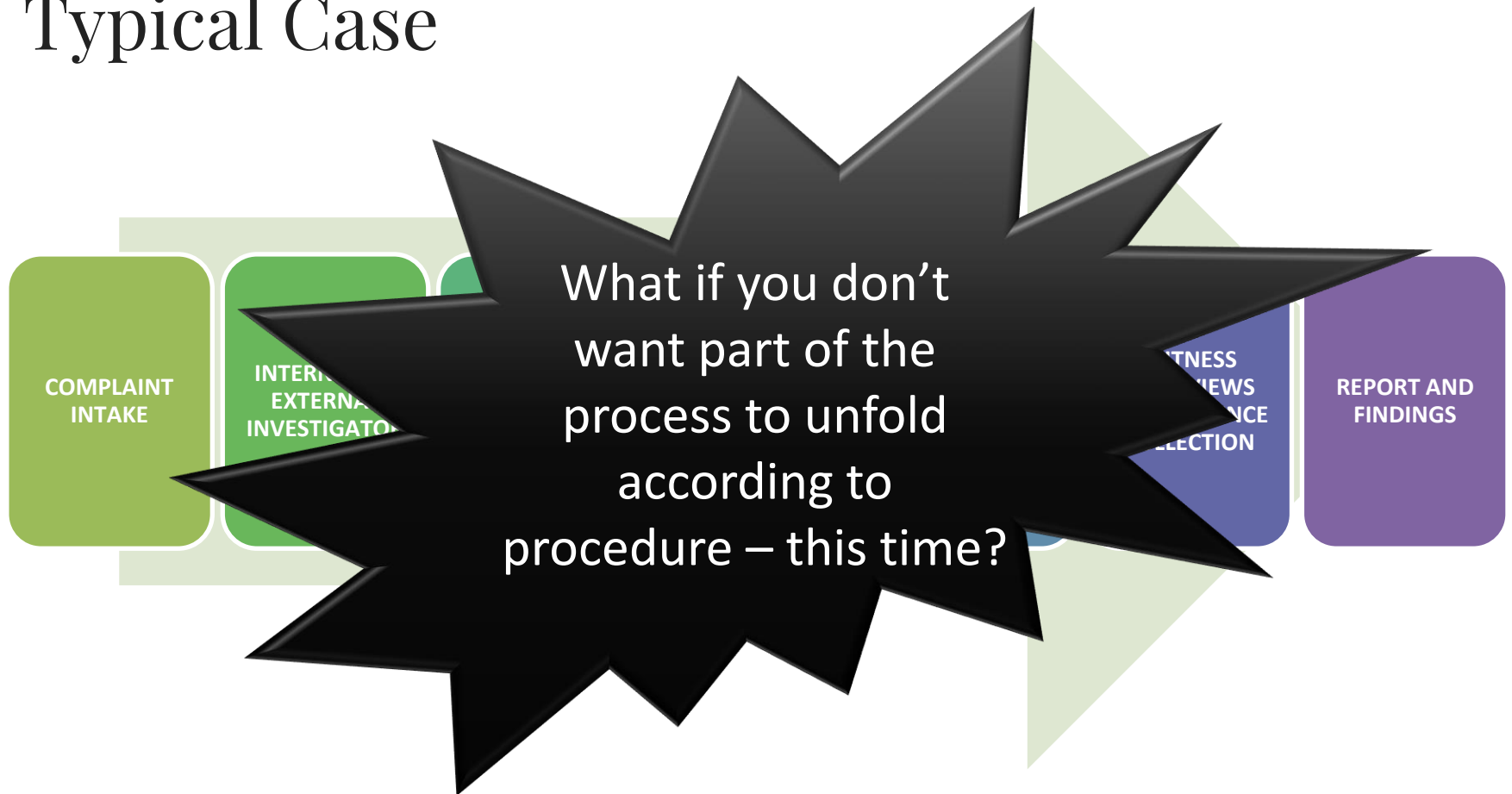
# Governance of Workplace Investigations



# Governance of Workplace Investigations: Typical Case



# Governance of Workplace Investigations: Typical Case



# Case Study: Grand Erie District School Board

**Grand Erie trustee barred from meetings wins court approval to get back to work**

Feud between board and Carol Ann **Sloat** still headed for judicial review in fall, but sanctions have been set aside

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24 Jun 2024 CELESTE PERCY-BEAUREGARD LOCAL JOURNALISM INITIATIVE REPORTER

CELESTE PERCY-BEAUREGARD'S REPORTING IS FUNDED BY THE CANADIAN GOVERNMENT THROUGH ITS LOCAL JOURNALISM INITIATIVE.

CPCERYBEAUREGARD@TORSTAR.CA.

Barred Grand Erie District School Board (**GEDSB**) trustee Carol Ann **Sloat**

**More than \$250,000 spent on trustee disputes for Grand Erie school board**

Brantford 'embarrassing' amount

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27 Sep 2024 CELESTE PERCY-BEAUREGARD LOCAL JOURNALISM INITIATIVE REPORTER

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**Is Grand Erie District School Board being too secretive by using too many in-camera sessions?**

Brantford trustee Carol Ann **Sloat** says she is 'glad for the win,' but 'sorry that I had to go this far (as) the only option to fight for my name.'

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19 Nov 2024 +1 more CELESTE PERCY-BEAUREGARD'S REPORTING IS FUNDED BY THE CANADIAN GOVERNMENT THROUGH ITS LOCAL JOURNALISM INITIATIVE.

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**Ousted trustee wins court case against Grand Erie District School Board**

Elected official 'unfairly targeted' by trustees, divisional court judge rules

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19 Nov 2024 +1 more CELESTE PERCY-BEAUREGARD'S REPORTING IS FUNDED BY THE CANADIAN GOVERNMENT THROUGH ITS LOCAL JOURNALISM INITIATIVE.

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A divisional court has overturned four decisions made by the Grand Erie District School Board against longtime trustee Carol Ann **Sloat**

**Divisional Court sides with barred Grand Erie trustee again**

CELESTE PERCY-BEAUREGARD LOCAL JOURNALISM INITIATIVE REPORTER

Justice Thomas Heeney ultimately ruled the Grand Erie board had no grounds for its latest

The courts have once again sided with Brant trustee Carol Ann **Sloat** in an ongoing dispute with Grand Erie District School Board. The longtime trustee and the Grand Erie board (**GEDSB**) have been butting heads since at least May 2022, seemingly stemming from her concerns the board conducted too much business behind closed doors.

Not only did Heeney find there was "no evidence" **Sloat** shared confidential details, he also said the board broke its own code of conduct when its investigation into the July 2023 incident took place beyond its own six-month limitation. He also took issue with the fact that the board still found her guilty

ous" that **Sloat's** chances of re-election in the future could be "adversely impacted" by having a record of multiple breaches of the code of conduct.

Further, he found it "procedurally unfair" that the board has "continued to stonewall," preventing **Sloat** from seeing the investigation in

# Case Study: Grand Erie District School Board

## **POLICY:**

**No investigation to begin more than 6 months after the alleged contravention occurred.**



## **WHAT HAPPENED:**

**Complainant first interviewed >6 mos after the incident.**



## **CORRECTIVE ACTION:**

**Prohibited from viewing or attending Board meetings.**

## **GOVERNANCE IMPLICATION:**

**Set investigation time limits within the policy that your organization can stand behind consistently.**

## Case Study: Grand Erie District School Board

**Could your organization be tempted to ignore a clear timeline limitation in the same way?**

# Case Study: Grand Erie District School Board

## **POLICY ISSUE #2:**

A copy of the investigator's report shall be delivered to the Board, and the Board's decision shall be made as soon as practicable.



## **WHAT HAPPENED:**

Board given an investigation summary via PowerPoint presentation.



## **CORRECTIVE ACTION:**

Board voted to sanction the Respondent based on the PowerPoint slides.

## **GOVERNANCE IMPLICATION:**

Decide who will be included in the decision-making process and how much information they will receive.

Best Movie Quote - Circle of Trust (2000)



# Case Study: Grand Erie District School Board

## **CALLS TO ACTION:**

- 1. REVIEW YOUR POLICIES FOR STRATEGY,  
NOT JUST COMPLIANCE**
- 2. FOLLOW YOUR POLICY AND PROGRAM**



## Audience Q&A

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# Practical Case Studies

## #1: Board of Director Harassment

**The Investigation:  
An Executive Director and senior staff were found to have been subjected to a long-standing pattern of harassment by a Director in a DS-sector organization. The Board determined that Director removal was the appropriate sanction.**





**What governance issues  
might have created difficulty  
in this case?**

# Practical Case Studies

## #1: Board of Director Harassment

### The Governance Issues:

- **Decision makers**: Some Board Bylaws state Director removal may only be done by a vote of the organization's full membership. Membership meetings are not usually held regularly, and a special meeting of 100+ members may be required.
- **Report disclosure** to the full membership may not be clearly established in the Bylaws or Policy and Procedure.
- **Range of sanctions**: Some Bylaws don't offer a range of sanctions. Perception of removal or nothing.

# Practical Case Studies

## #1: Board of Director Harassment

### Considerations for Bylaws, Policy and Procedure:

- **Defining the decision-maker(s) and 'circle of trust'**
- **Report Disclosure vs. Summary disclosure**
- **Range of sanctions available for Directors or other non-employee parties**

# Practical Case Studies

## #2: Anonymous Complaints

### **The Investigation:**

**A new (8 months tenure)**

**Executive Director is accused of misappropriation of funds, harassment and micro-management via an anonymous email. The complaint is lengthy, but mostly non-specific to conceal the Complainant's identity.**

**Dozens of witnesses are named.**





# What policy, procedure and strategy issues come to mind?

# Practical Case Studies

## #2: Anonymous Complaints

**The Governance Issues we have seen:**

- **The harassment policy only refers to a known Complainant.**
- **Not wanting to investigate anonymous allegations – didn't fill out the Complaint Form.**
- **“Do we really want to tarnish the new ED's reputation so early in their tenure over vague allegations?”**
- **Applying the investigation policy in the absence of an off-ramp to mediation or assessment.**

# Practical Case Studies

## #2: Anonymous Complaints

### **Considerations for Bylaws, Policy and Procedure:**

- 1. Define a management-initiated investigation**
- 2. Reference a path to informal resolution**
- 3. Consider a Whistleblower policy**
- 4. Policy must permit investigation of potential harassment – don't require a complaint form.**

**\*(Consider workplace restoration options)**

# Practical Case Studies

## #3: **VIP Respondents**

**The Investigation:**  
**The Respondent is critical to organizational success. They are overseeing an engineering project with national significance. “If they leave mid-project, our company may fail.”**





**What governance issues  
would a 'VIP' investigation  
potentially raise?**

# Practical Case Studies

## #3: VIP Respondents

### **The Governance Issues we have seen:**

- **Retention: “Can you tell them it’s a workplace assessment, but actually do an investigation?”**
- **Interim measures: Keeping key employees apart during the investigation**
- **Timeline: “Can the investigation start after the critical project is completed?”**

# Practical Case Studies

## #3: VIP Respondents

### Considerations for Bylaws, Policy and Procedure:

- 1. Retention: build in personal support by default through the policy**
- 2. Interim Measures: Build in business continuity into the program.**
- 3. Timelines: start quickly, but investigate pragmatically.**
- 4. Externalize: insulate the organization from the finding.**

# Investigation Governance Recap

**Work backward from the toughest case:**

**Will you comply with your own policy? Test for:**

- **Is there anything in the procedure you would want to modify if the Respondent was you, your ED, or your Board Chair?**
  - **Timeframe**
  - **Decision-makers**
  - **Confidential report recipients**

# Overtime: Financial Investigations

**Common DS Sector financial investigations:**

**RETAIL STORE OPERATIONS**

**CLIENT FINANCIAL ABUSE:  
PETTY CASH, GIFTS, GIFT  
CARDS**



# Overtime: Financial Investigations

**Most fraud is discovered by tip or by accident.**

**Risks:**

- **Single employee access to client bank cards and accounts**
- **Infrequent reconciliation**
- **Single-employee cheque-writing delegation**
- **Relaxed petty cash logs/single employee entry**



# Overtime: Financial Investigations

## Detecting theft and fraud

### **RETAIL MITIGATION:**

- **Float audits**
- **Inventory variance**
- **Void/refund review**
- **Separate cash counts, deposit preparation and deposit verification**



# Overtime: Financial Investigations

## Detecting theft and fraud

### **RESIDENTIAL MITIGATION:**

- **Separate cash counts**
- **Training re: client gifts**
- **Gift cards caution**



# Questions



Paul Nicholson, CHRL, Q. Med  
Workplace investigations and  
dispute resolution. Let's work it ...



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