Workplace Investigation Bibliography

Welcome to AWI’s workplace investigation bibliography. Our goal is to supplement this bibliography with additional information and authorities on an ongoing basis. If there are cases, articles, statutes or other information that you would like us to consider including in this bibliography, please email that information to office@aowi.org.

AWI wishes to thank and acknowledge the Alameda County Law Library for its invaluable assistance in creating this bibliography.

I. CASES

A. Adequacy of the Investigation

2. Chavez v. Thomas & Betts Corp., 396 F.3d 1088 (10th Cir. 2005).

B. Attorney-Client Privilege / Attorney Work Product


5.  *Sandra TE v. South Berwyn School District 100*, 600 F.3d 612 (7th Cir. 2010).


C. **Privacy / Employer Access to Employee-Generated Content**


D. **Retaliation**


II. STATUTORY AUTHORITY

A. Federal

1. Fair Credit Reporting Act (15 U.S.C. §1681 et seq.)


B. States - California

1. Civil Code §1785.1 et seq.--California Credit Reporting Agencies Act.


III. REGULATIONS

A. 16 C.F.R. 600.1 et seq. and Appendix to 16 C.F.R. Part 600, “Statements of General Policy or Interpretations” regarding the Federal Credit Reporting Act.

B. 29 C.F.R. 24.100 et seq Labor, Procedures for the handling of retaliation complaints under the employee protection provisions of six environmental statutes and section 211 of the energy reorganization act of 1974, as amended.


IV. PERIODICALS


V. Green, Michael Z., *Against Employer Dumpster-Diving for Email*. South Carolina Law Review. 64 S. C. L. Rev. 323 (Winter 2012).


V. BOOKS


E. Hartsfield, W., *Investigating Employee Conduct*.


VI. OTHER RESOURCES:

A. Blog: Corporate Compliance. Discusses corporate policies, procedures, underlying practices, and management practices

B. California Department of Fair Employment and Housing

C. Government Accountability Project (GAP)

D. Labor & Employment Law Blog

E. Management Practices Group

F. Mountain States Employers Council, Inc.

G. National Employment Lawyers Association (NELA)

H. Society for Human Resource Management (U.S.)
   1. http://www.shrm.org/Pages/default.aspx
I. Society of Corporate Compliance and Ethics (SCCE)

J. US Department of Labor
   4. OSHA Whistleblower Investigations Manual -

   1. http://www.eeoc.gov/
   2. Enforcement Guidance on Vicarious Employer Liability for Unlawful
      Harassment by Supervisors, Number 915.002 (June 18, 1999)
      http://www.eeoc.gov/policy/docs/harassment.html

L. Workplace Investigations Blog