



Investigations of Employee Misconduct

Managers are required to notify the BC Public Service Agency promptly after being made aware of allegations of employee misconduct that, if confirmed, may result in discipline. In these circumstances, managers must first consult with an Agency representative before commencing any review, investigation or suspension of an employee.

How do I notify the BC Public Service Agency of alleged or suspected misconduct?

The best way to contact us is by submitting an online service request through [AskMyHR](#). Please select "Supervising and Leading People" from the "Services" drop down menu. Your service request will be sent directly to an advisor who can assist you.

If you do not have a government IDIR, or if this is an emergency, you can reach the Agency by phone, Monday to Friday, at 250-952-6000 or toll free at 1-877-277-0772. (Select "Phone Option 2".)

Should a situation arise after regular business hours that necessitates suspending an employee immediately, the Ministry may make the decision and consult with the Agency on the next business day with respect to the merits of that suspension.

What happens after I notify the BC Public Service Agency?

Once the Agency has been informed, a representative will review the allegations with you and make a determination regarding the potential seriousness of the allegations and the extent of the Agency's involvement in any response to, or investigation of, the allegations. If it is determined that there is no need for an investigation, the Agency will provide advice and guidance regarding an appropriate response.

How is an investigation conducted?

If an investigation is required, an investigator will be appointed to gather and examine all the relevant facts regarding the issue. This will usually include conducting interviews with individuals that are relevant to the case, including the complainant, witnesses and the respondent, and reviewing relevant documents. After the necessary evidence has been gathered, the investigator assesses the evidence, makes findings of fact and determines whether the findings support or refute the allegations or concerns that prompted or were subsequently identified during the course of the investigation.

For bargaining unit employees, an investigation will follow applicable collective agreement procedures. A union member has the right to representation during an interview that the employee believes might result in disciplinary action, but can request union representation regardless of the role they play. Respondents are strongly encouraged to secure such representation as disciplinary consequences may flow from an investigation.

What happens at the conclusion of an investigation?

Once an investigation has been concluded the investigator will report on the investigation findings and conclusions to the appropriate decision-maker in the ministry. The findings will also be shared with an Employee Relations Specialist within the Agency. The specialist will analyze the investigation findings and conclusions and discuss options and recommendations with the decision-maker.

In complex cases, a Senior Labour Relations Specialist in the Agency and/or Legal Counsel may be brought in to assist with formulating the appropriate response.

In order to ensure objectivity and fairness and to avoid the perception of a conflict of interest, the role of the Investigator is separate and distinct from the role of the Employee Relations Specialist. Once an investigation is completed, the management representative may question the investigator on the findings or conclusions for the purpose of seeking clarification. However, the investigator should not be involved in follow-up discussions with the Ministry regarding the potential response to the investigation.

The Employee Relations Specialist will provide any necessary assistance regarding the imposition of discipline, meeting with employees, drafting of disciplinary letters, etc.

Does the BC Public Service Agency provide labour relations training and support to managers?

Yes. The Learning Centre offers a series of courses designed to help you learn more about labour relations and to develop the skills you need to address problems in the workplace. (These courses are restricted to managers and supervisors.)

Please visit the [Learning System](#) to register for the following courses:

- **Labour Relations 101** provides a basic, general understanding of the structure of the Collective Agreement, the legislation behind it and how to use the [Collective Agreement](#)
- **Labour Relations 201** is an interactive classroom workshop that will help you develop skills and knowledge to effectively manage and address concerns regarding employee performance, absenteeism or misconduct
- **Labour Relations 301** will provide you with the information and tools you need to investigate workplace issues and make decisions in a fair, productive and defensible manner
- **Labour Relations Investigations 580** is a 90-minute online resource that provides essential information, key steps, skills and tools to conduct routine investigations of allegations of employee wrongdoing

In addition, a Human Resource advisor can provide you with advice and guidance on the following issues:

- Allegations of inappropriate behaviour, attendance or performance and advice on whether the behaviour/performance is culpable or non-culpable
- General inquiries about investigations
- How to address general workplace conflict and team dysfunction

You can submit an [online service request](#) at any time to obtain guidance from a Human Resource advisor. Please select "Supervising and Leading People" from the "Services" drop down menu.

Related Links & Resources

- [Supervisor Resources](#)
- [Working With Others](#)

Useful Contacts

Can't find what you need? Submit an [AskMyHR](#) service request.

Note: This service is only accessible to employees with a valid government IDIR ID. If you are an employee but don't have an IDIR, [contact the BC Public Service Agency](#).