

Culture Risk and Sensitive Investigations

Problematic workplace culture issues can affect organizations of all types and in all jurisdictions. Toxic culture and non-financial misconduct can not only expose organizations to myriad risks through accusations of unlawful discrimination, intimidation, other forms of harassment, unethical conduct, or even violence--but it can also obscure compliance failings, including safety, fraud, or bribery, particularly when employees are afraid to speak up.

Jenner & Block's Culture Risk and Sensitive Investigations Practice specializes in conducting nuanced investigations and reviews that uncover what is actually happening within an organization, including whether that on-the-ground experience is inconsistent with the direction from company leadership. Leveraging the deep credibility and bench-depth of our market-leading Investigations, Compliance, and Defense Practice, our global, multi-disciplinary team of investigations, employment, criminal law, administrative law, public policy, and health and safety specialists conducts independent reviews – often under privilege – to help clients understand the facts and the risks and to advise on the best path forward. Coordinating with Jenner & Block's Organizational Values and Strategy Task Force, we have significant experience investigating diversity, equity and inclusion issues, and we advise organizations how to comply with the often competing legal and political imperatives in different jurisdictions including in the U.S., UK and Europe.

From isolated incidents of non-financial misconduct to systemic company or industry-wide cultural problems, our clients trust us with their most high-profile, complex and sensitive culture-related challenges. We help our clients to identify legal, reputational and commercial risks and prevent or mitigate damage in a 360-degree approach: press/reputation, government interest, policies and procedures, employment law issues, internal and external stakeholder management, including handling whistleblowing concerns. We also help our clients through organizational transformation to assist them in foreseeing and proactively managing new areas of risk and ensuring their organizations continue to be productive, effective, and competitive in the future.

Representative Experience

The Culture Risk and Sensitive Investigations Group handles a variety of investigations and compliance matters for public, private, nonprofit, and for-profit organizations in many industries. A few illustrative examples:

- Led a highly sensitive investigation on behalf of the University of Michigan into allegations involving the President of the institution.
- Conducted an internal culture review and assessment for Better.com after its CEO terminated 900 employees in a Zoom meeting.
- Conducted investigation into allegations of reverse discrimination in highly regulated institutions.
- Conducted investigation for a global engineering company into toxic workplace culture allegations and related compliance failings.
- Advised a number of senior representatives of global organizations in connection with their evidence to a UK Parliamentary Select Committee looking at workplace culture.

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