

New Employee Training SOP# 1400

Employment Discrimination Bureau
North Carolina Department of Labor

Procedure approved by: Tiffany Lathan, Bureau Chief

Signature:

Tiffany Lathan

Date:

7/28/14

Prepared by: Kathy Woodford

Signature:

Kathy Woodford

Date:

7/28/14

STANDARD OPERATING PROCEDURE MANUAL

1. PURPOSE and SCOPE

1.1. Purpose

This SOP establishes the procedure used to train new employees. This procedure has the following goal(s):

- To ensure consistency across the training process;
- To ensure that new employees receive adequate and thorough training so that they will be prepared to conduct investigations independently.

1.2. Scope

This SOP outlines the necessary steps involved training new employees, including education on REDA and SOP's, in-depth case review and evaluation, investigative and analytical skills training, and explanation of administrative procedures. This training procedure may be implemented when training the basic investigative procedures for all investigations, including Occupational Safety & Health (OSH) investigations. However, the OSH Discrimination Manual remains the authority for all OSH investigations and, as such, shall be referenced accordingly.

1.3. Regulations

The following statutes, rules and/or codes must be followed while performing this SOP (click the links for the most up-to-date rules and laws):

1.3.1. [Article 21 of NCGS 95 \(NCGS §95-240, et al\)](#);

1.3.2. [13 NCAC 19](#)

2. PERSONNEL RESPONSIBILITIES

The following is a list of people who participate in the procedure and the overall responsibilities of each role.

Role	Responsibilities
Bureau Chief	<ul style="list-style-type: none">• To ensure that the new employees have an understanding of the SOP's and REDA;• To ensure that the new employees have or develop the necessary skills for in-depth interviews and analytical thinking and writing;• To ensure that all employees are trained adequately so that they are capable of conducting thorough investigations independently.

Investigator	<ul style="list-style-type: none">• To assist in training whenever necessary;• To provide feedback during any shared interviews or opening and closing conferences;• To answer questions from the new employees.
--------------	--

3. HEALTH AND SAFETY ISSUES

Refer to the *Employee Safety and Health Program Policies*, the *Employee Safety and Health Manual*, and the *Employee Safety Rules* on the DOL Intranet for information related to safety matters affecting EDB personnel. For information related to the Americans with Disabilities Act, refer to the *ADA Checklist* on the Intranet as well. To access these policies and checklists, click on the links above or visit the DOL Intranet *Safety and Health Program* and the EDB *Standard Operating Procedures* pages.

4. PROCEDURE

4.1. Trigger

This procedure is triggered when a new employee is hired as an investigator for REDA retaliation complaints.

4.2. Primary Procedure

4.2.1. The Bureau Chief shall thoroughly educate a new employee on REDA and the administrative rules.

- a. The Bureau Chief shall be sure to discuss each of the protected activities and adverse employment actions, as handled within EDB.
- b. The Bureau Chief shall discuss the different laws referenced under REDA and provide examples of protected activities under those specific provisions. For instance, a person who is fired for attending NC National Guard training (after giving appropriate notice to the employer) may be protected under REDA.
- c. The Bureau Chief shall discuss the issuance of right-to-sue letters, including when and in what circumstances the letters are issued.
- d. The Bureau Chief shall discuss the importance of early resolution and settlements, as conciliation efforts are required by REDA.
- e. The Bureau Chief shall provide the employee with a hard or electronic copy of the administrative rules.

4.2.2. The Bureau Chief shall provide a new employee with up-to-date EDB SOP's.

- a. The Bureau Chief shall discuss the processes with the new employee so that he/she has an understanding of every aspect of an investigation from the opening of a complaint file to the final closing.

4.2.3. The Bureau Chief shall conduct in-office training sessions to:

a. Work on the development of an investigative plan.

- i. The new employee shall be given a file for review. The file may be a newly assigned case that the employee is to open or may be a closed file merely used for training purposes to strengthen investigative planning skills.
- ii. The investigator shall develop a witness list for potential future interviews, a list of relevant issues/questions that must be addressed, and an evidence list regarding what documents or evidence should be gathered to support or refute the complaint allegations.
- iii. The Bureau Chief shall review the plan and provide feedback.

b. Assist in the development of interview skills.

- i. Mock interview sessions may be used, especially in group trainings, to help employees hone their skills for obtaining relevant information from interviewees. Feedback will be given as to whether any relevant questions were not asked and why that information should have been obtained.
- ii. If the Bureau Chief prefers a one-on-one setting for training, the employee may jointly participate in a current investigator's interview in order to observe and to actively participate by asking follow-up questions when possible. Feedback regarding relevant information will also be given here, with an explanation of why certain things were asked, etc.. The new employee should observe and participate in several interviews if possible.
- iii. The Bureau Chief (or investigator) should review the employee's case notes after the interview/s to ensure that the relevant information was noted for the record.

c. Assist in the development of analytical writing skills.

- i. The Bureau Chief shall provide the new employee with sample Reports of Investigation (ROI's) for the new employee's review.
- ii. Additionally, the Bureau Chief may train the new employee on the analysis portion of the ROI by requiring the employee to draft and submit for review a complete analysis of the four elements of a case used specifically and only for training purposes. This practice analysis may be done after a mock interview session, for instance. Feedback will be given in such a training situation.

d. Provide training on opening and closing statements.

- i. The employee may be permitted to observe other investigators' opening and closing statements or may be required to participate in a mock opening and closing, at the Bureau Chief's discretion.

4.2.4. The Bureau Chief shall observe (in office or in the field):

- a. At least one witness interview, one Complainant interview, *and* one Respondent interview conducted by the new employee;
- b. At least one opening and one closing conference conducted by the new employee;
- c. Additional observations will be conducted at the discretion of the Bureau Chief;
- d. Feedback will be provided to the new investigator.

4.2.5. The Bureau Chief shall review the employee's case files prior to closure.

The level of scrutiny given to the case files will vary based on the employee's progress throughout the training or probationary period. Upon initial reviews, however, the Bureau Chief shall:

- a. Require a witness list to be provided with case files at the time of submission for review. The list shall name all witnesses provided by the parties, which witnesses were interviewed, and then state why any were not interviewed, assuming not all witnesses were contacted.
- b. Review interview notes and evidence to ensure that enough relevant information was obtained.
- c. Review the ROIs for factual and analytical accuracy.
- d. Review the ROI and letters for grammar and punctuation etc.
- e. Provide verbal and/or written feedback on the reviewed cases and instruct the investigator to close the case once any corrections are made.

4.2.6. The Bureau Chief should train employees to act in the "information officer" capacity.

- a. The Bureau Chief or Investigator should take calls from the public, when acting as information officer of the day, and have the new employee observe their responses. This "shadowing" of the information officer should occur over a period of a week, or two if possible, so that the employee is exposed to a wide range of questions from the public.
- b. The investigator should also be observed by the Bureau Chief or an investigator when taking calls and answering questions in an information officer capacity. How many calls are observed will depend on how well and confidently the new employee is answering the questions from the public.

4.2.7. The Bureau Chief shall train new employees on administrative functions.

- a. The Bureau Chief shall show the investigator how to use Beacon and Oracle.

- b. The Bureau Chief shall instruct the investigator on other basic administrative functions, such as how to get supplies, where to gather new cases for assignment, mail, and email.
- 4.2.8. **The Bureau Chief shall provide the new employee with electronic copies of form / sample letters used by EDB regularly during the course of investigations.**
 - a. Examples of form letters include the different right-to-sue letters, uncooperative letters, ROI template, etc..
- 4.2.9. **The Bureau Chief shall provide the new employee with a copy of the OSH Discrimination Manual to be followed for all for OSH investigations.**
 - a. The employees shall be required to be familiar with the OSH Discrimination Manual, as there are extra requirements and some procedures differ.

4.3. Alternative Procedure

- 4.3.1. The Bureau Chief may, at his/her discretion, alter the above training process as necessary to tailor training to specific individual needs.

4.4. Exception Procedures - N/A

5. CUSTOMER SERVICE REQUIREMENTS

The following table lists the customer service requirements that must be satisfied for each Customer of the procedure.

Customer	Requirements
New investigator	It is necessary for the Bureau Chief and current investigators to communicate clearly with new employees and to provide constructive feedback so that the new employees understand the law and the investigative process. In providing feedback and instruction, the Bureau Chief and current investigators must remain courteous and treat the new employees respectfully throughout this learning period.

6. DATA AND RECORD MANAGEMENT

6.1. Data Entry in Oracle – N/A

6.2. Performance Log

- 6.2.1. The Bureau Chief must maintain a performance log to document the training process and the new employee's progress.

6.3. Record Retention – N/A

7. Exhibits – N/A