Law Society
of British Columbia

Complaints about lawyers conducting workplace investigations

Do you have a complaint about a lawyer who has conducted a workplace investigation?

An employer may conduct a workplace investigation as a result of concerns raised about bullying, harassment and other safety incidents under WorkSafeBC requirements. A federally regulated employer may conduct a workplace investigation under the Canada Labour Code. In addition, an employer's policies may require an investigation. Sometimes an employer may retain an external investigator to conduct the investigation. The external investigator may be a lawyer or law firm.

You may have concerns about the ethical conduct or competency of a lawyer conducting a workplace investigation that may fall within the Law Society's jurisdiction. This includes potential conflicts of interests, misrepresentations, and rudeness or incivility. We will review all concerns provided to us in accordance with our mandate to protect the public interest. Only those complaints that raise a substantiated concern that a lawyer may have engaged in professional misconduct or acted incompetently will generally warrant an investigation.

Concerns outside the Law Society's jurisdiction

You may have other concerns about a lawyer conducting a workplace investigation that do not fall within the Law Society's jurisdiction. Examples include concerns about whether an investigation ought to have been initiated, the scope of the investigation and the findings made by a lawyer.

There are limits to our authority in the complaints process. We cannot intervene in a workplace investigation or change any findings made by a lawyer in their role as the workplace investigator. If you dispute the process followed by the lawyer or the findings made in a workplace investigation, you may want to seek advice from your own legal counsel or union representative about the options available to you.

Some information about employer investigations can be found on the WorkSafeBC webpage: Conducting an employer investigation - WorkSafeBC.