Audits & Internal Investigations

When workplace incidents or compliance gaps emerge, the resulting regulatory scrutiny can threaten an organization's stability and reputation. We provide the strategic legal counsel necessary to navigate these high-stakes moments through privileged, thorough, and defensible internal investigations.

Our Audits and Internal Investigations team partners with employers to mitigate legal risk, safeguard personnel, and ensure long-term operational integrity.

Range of Work

Whether responding to a critical whistleblower complaint or conducting a proactive audit to identify hidden vulnerabilities, we structure every engagement to protect sensitive findings while enabling meaningful corrective action. Our comprehensive services are designed to strengthen workplace culture and compliance.

- Conducting and directing privileged audits and investigations.
- Investigating workplace injuries, catastrophes, and near-miss investigations.
- Managing whistleblower, discrimination, and retaliation claims.
- Preparing for and responding to OSHA and MSHA inspections.
- Developing privileged (and non-privileged) reports and strategic recommendations.
- Conducting witness interviews and high-stakes credibility assessments.
- Performing enforcement and litigation risk development.
- Creating governance programs and performing gap analysis.

Internal Investigations & Incident Response

We conduct impartial, defensible investigations into workplace incidents and allegations of misconduct, including:

- Accidents, injuries, fatalities, "near-miss" incidents.
- Complaints raised by third parties or government regulators.
- Allegations of discrimination, harassment, and retaliation.
- Ethics hotline reports, theft, and misconduct.
- Theft, misconduct, and confidentiality breaches.
- Misappropriation of trade secrets and breaches of non-compete agreements.
- Strategic management of internal and external whistleblower reports.

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- Unpaid overtime, minimum wage violations, off-the-clock work, and misclassification.
- Alleged failure to properly calculate bonuses, commissions, and incentive pay.
- FLSA and state wage and hour laws addressing claims such as misclassification, overtime, tip credit/tip pool/service charge, off-the-clock work, unpaid interns, and payment of bonuses and commissions.
- FMLA, military leave, and state parental leave laws.
- S. Department of Labor (DOL) Wage and Hour Division investigations.

Strategic Compliance Audits & Risk Assessments

We partner with employers to conduct proactive reviews that strengthen operational performance and minimize regulatory risk, including:

- Evaluating exempt/non-exempt classifications, timekeeping practices, and payroll recordkeeping.
- Reviewing onboarding and offboarding procedures to safeguard company interests.
- Establishing identification, classification, and retention policies.
- Analyzing non-solicitation and non-disclosure agreements for enforceability.
- Formulating policies for digital monitoring and secure device recovery.
- Evaluating employee handbooks and internal reporting structures.
- Performing programmatic and facility-level OSHA and MSHA compliance reviews.
- Drafting protected audit reports and managing sensitive internal messaging.
- Developing defenses for MSHA’s unlimited enforcement lookback periods.

Training & Program Development

We design and deliver training tailored to your organization’s specific operational needs:

- Training on root-cause analysis and incident response.
- Building documentation discipline and effective interview questioning techniques.
- Educating in-house teams on legal privilege protections.
- Report-writing workshops.
- Implementing systems for tracking the progress of corrective actions.
- Specialized training for HR, management, and employees on safeguarding confidential information.

Representative Experience

- Advised a national employer by developing and implementing a comprehensive trade secret protection strategy, including confidentiality controls, employee training, digital activity monitoring, and structured exit protocols designed to prevent unauthorized disclosure or misuse of sensitive information.
- Counseled clients on best practices for aligning trade secret protection measures with evolving state and federal restrictions on restrictive covenants, including non-compete and non-solicitation agreements.
- Identified and corrected safety & health audit findings related to a subsequent OSHA inspection that resulted in no citations.
- Developed complex post-incident root cause analysis with third-party technical experts under privilege to allow facility to make appropriate repairs, while minimizing potential legal exposure.
- Enhanced the safety culture of the facility by implementing opportunities for improvement beyond baseline

OSHA & MSHA compliance.

- Closed out numerous audits, thereby improving overall employee safety and health, as well as OSHA & MSHA compliance.