

All private or public companies dealing with whistleblower complaints, face difficult personnel, professional and legal decisions. During these time-sensitive events, due diligence and proper investigative techniques are key to mitigating associated risks. **Fortaris Capital Advisors works alongside legal counsel to guide clients quickly and seamlessly through the investigative process.**



KNOWLEDGE IS POWER

Do not discuss the allegations with other co-workers unless they are in a need-to-know position. These are not conversations for the water cooler or lunchroom.

PROPER DUE DILIGENCE

Ensure your employee handbook addresses whistleblower claims to include whistleblower action under the False Claims Act. Some federal and state laws prohibit certain agreements or releases being offered to the potential whistleblower.

IDENTIFY INTERNAL INDIVIDUALS INVOLVED

Identify internal parties of the complaint. Validation of wrongdoing, criminal versus civil allegations, and fully understanding potential liabilities and risks.

PROTECT CORPORATE DOCUMENTS

Parties who take documents or other evidence may have stolen corporate property or trade secrets or violated privacy laws. In general, there are exceptions to these violations.

USE OF AUDIO OR VIDEO RECORDINGS

Recordings can be powerful evidence when defending fraud, waste or abuse; however, some states prohibit recording conversations and violating those laws can expose you to civil and even criminal penalties, so first discuss this activity with your investigator and attorney.

PROTECT CORPORATE DOCUMENTS

You need to preserve your digital files, documents, recordings or in conversations. For example, company devices will contain evidence, from emails, texts, instant messages, social media posts, and recordings. Most of the time, evidence is on company-issued devices – ideally, being able to quickly identify if an employee is transferring documents provides a strategic advantage.