

# AI in Workplace Investigations: Friend and Foe

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**VM  
MASTERED**  
Training for Internal Investigators  
*A Division of Van Dermyden Makus*

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# Meet Your Instructor

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# Poll Question #1



How many workplace investigations have you completed?

- A. None
- B. 1 – 10
- C. 11 – 50
- D. +50



# Poll Question #2



How is your organization incorporating AI into the HR function?

- A. No action
- B. Informal discussions, no concrete plans
- C. Actively implementing AI tools
- D. Extensive experience using AI tools in HR



# AGENDA

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- I. Investigations in HR
- II. What is Generative AI?
- III. Impact of Generative AI on Investigations
- IV. Q&A





# Investigations in HR

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# What is an “Investigation”?



# The State of Investigations

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- »» Higher Volume of Complaints
- »» Greater Scrutiny
- »» Cost Pressure
- »» Explosion of Technology



# Types of Workplace Investigative Issues

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Statutory EEO



Misconduct



Criminal



Performance



# The Investigative Process

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# Necessary Skills for Investigators

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## Investigators should be able to:

Define Scope

Interview Parties and Witnesses

Gather Evidence

Analyze the Reliability of Evidence

Document Findings

### **New Required Skill**

Understand technology and the impact of generative AI





# What is Generative AI?

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# What Makes Generative AI Different?

## Previous Machine Learning

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Used volumes of **structured** data to teach the machine

## Generative AI

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Produces meaningful responses to **unstructured** data



# AI Examples

## Previous Machine Learning Examples

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- Email Spam Filters
- Sales Forecasting
- Inventory Inspectors

## Generative AI Examples

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- Content Generation (Chat GPT, Claude AI)
- Image or Sound Generation
- Marketing Optimization





# Impact of Generative AI on Investigations

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# Impact of Gen AI on Investigations

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# Intake

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## Opportunities for Gen AI:

- Transcribe an Oral Complaint
- Categorize the Complaint Based on Past Cases
- Facilitate Metrics and Tracking
- Integration with Case Management System

# Planning

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## Opportunities for Gen AI:

- Identify Potential Issues, Allegations, and Scope
- Identify Potential Witnesses and Evidence
- Identify Potential Policy Violations
- Compare a Complaint Against Past Cases

# Evidence Gathering

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## Opportunities for Gen AI:

- Prepare Topic Outlines and Suggested Questions for Interviews
- Transcribe Interviews
- Prompt the Investigator as to Whether They have Adequately Addressed Topics in Interviews

# Documenting the Investigation

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## Opportunities for Gen AI:

- Summarize Evidence
- Summarize Factual Background
- Describe Issues and Scope
- Analysis? Findings?

# Witness' or Party's Use of GenAI

Parties and witnesses may use Gen IA to:

- 1 Draft complaints
- 2 Manipulate evidence
- 3 Create images or sounds

**Example:** Pikesville High School investigation into a recording of offensive comments



# Risks of GenAI

- »»» Hallucination
- »»» Bias
- »»» Relying too heavily on any function
- »»» Security and confidentiality
- »»» Ownership of the data
- »»» Rapid speed of changes in technology



# Ethical Obligations of Using GenAI

You are responsible for everything it does

It is not a “one button” solution

Disclose the use of AI and mitigation strategies

Understand bias in AI tools



# QUESTIONS?





# Contact VM Mastered



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