

Workplace Investigations

Contributing Editors

Phil Linnard at Slaughter and May
Clare Fletcher at Slaughter and May

20. What if the employee under investigation goes off sick during the investigation?

Finland

Author: *Anu Waaralinna, Mari Mohsen*
at Roschier

As a general rule, sick leave does not prevent an investigation from progressing. Depending on the nature of the sickness, the employee can attend hearings and take part in the procedure. If the sickness prevents the employee from participating, the employer can put the process on hold temporarily.

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Vietnam

Author: *Stephen Le, Trang Le*
at Le & Tran Law Corporation

Workplace investigations do not require the presence or active cooperation of the employee under investigation. Thus, the investigation may start or continue in the employee's absence due to illness.

If the employee's presence is necessary for the conclusion of the investigation, the employer may invite the employee to provide information either by submitting his or her answers to a written questionnaire or attending a virtual meeting. However, the employee may not accede to the employer's requests and proposals, especially if the employee has an illness. As a result, the employer may not be able to conclude the investigation due to the absence of the involved employee.

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Contributors

Finland

Anu Waaralinna
Mari Mohsen
Roschier



Vietnam

Stephen Le
Trang Le
Le & Tran Law Corporation

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