Workplace Investigations

Contributing Editors

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

13. Can non-disclosure agreements (NDAs) be used to keep the fact and substance of an investigation confidential?



Portugal

Author: André Pestana Nascimento at Uría Menéndez - Proença de Carvalho

Please see question 12 above. NDAs are not admissible.

Last updated on 15/09/2022



Author: *Laura Widmer, Sandra Schaffner* at Bär & Karrer

In addition to the above-mentioned statutory confidentiality obligations, separate non-disclosure agreements can be signed. In an internal investigation, the employee should be expressly instructed to maintain confidentiality.

Last updated on 15/09/2022



Thailand

Author: *Ratthai Kamolwarin, Norrapat Werajong* at Chandler MHM

Non-disclosure agreements can be made between an employer and employees who are involved in an investigation. This may include investigators and witnesses, apart from the employee under investigation. This minimises the risk of information being leaked, which can affect all parties related to the workplace investigation. However, an NDA is not absolute means to prevent the disclosure of confidential information, as the court has the authority to compel disclosure.

Contributors



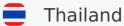
Portugal

André Pestana Nascimento Uría Menéndez - Proença de Carvalho



Switzerland

Laura Widmer Sandra Schaffner Bär & Karrer



Chandler MHM

Ratthai Kamolwarin Norrapat Werajong

www.internationalemploymentlawyer.com