

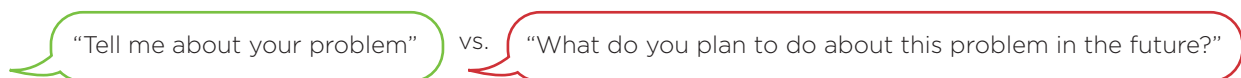
INVESTIGATIONS

ASKING BETTER QUESTIONS

No one says everything you want to hear in the exact order, depth and detail that you'd prefer. That is why the chief tool of a good listener is a good question. Well-crafted questions can stimulate, draw out and guide discussion.

Guidelines When Developing Questions

1. **Plan your questions.** Before your meeting, outline your information goals and a sequence of related questions to help you follow the conversation and cue your notes.
2. **Know your purpose.** Every question you ask should help you gather either facts or an opinion. Know which kind of information you need and frame your questions accordingly.
3. **Open the conversation.** Open questions are broad and basically unstructured; they simply indicate the topic to be discussed and let the interviewee structure the answer as he or she sees fit. Unlike simple yes-or-no questions, open-ended questions invite the respondent to talk — and enable you to gather much more information. Open questions may vary in their degree of openness. For example:



“Tell me about your problem” is much broader than “What do you plan to do about this problem in the future?” The open question is often the best way to start a discussion with a grievor. Sometimes it is important to focus the open question on a specific area or period of time so that you are not hearing an entire life story.

4. **Speak your listener’s language.** Relate questions to the listener’s frame of reference and use words and phrases that your listener understands. If someone doesn’t seem to understand what you’re asking, try rephrasing.
5. **Use neutral wording.** This allows the other party to truly express their thoughts and elicits accurate information instead of introducing bias.
6. **Follow general questions with specific ones.** Build a hierarchy of questions that begins with the big picture and gradually drills down into specifics with follow-up questions.
7. **Focus your questions so they ask one thing at a time.** To get more complete answers, craft short questions, each of which covers a single point. If you really want to know two different things, ask two different questions.
8. **Ask only essential questions.** If you don’t really care about the information that’s likely to come, don’t ask the question. Respect the other person’s time and attention.
9. **Don’t interrupt.** Listen to the full answer to your question. The art of good questioning lies in truly wanting the information that would be in the answer.
10. **Transition naturally.** Use something in the answer to frame your next question. Even if this takes you off your planned path for a while, it shows that you’re listening, not just hammering through your agenda, and it ensures that the conversation flows naturally.

PRO TIP: Questions that are really statements of assumptions put in the form of a question can be aggressive, which often leads to hostility. Make sure to break down questions so the other party has an opportunity to provide you with information that can further your understanding.

INVESTIGATIONS

ASKING BETTER QUESTIONS *continued*

Create Open Questions Using the 5 Ws

An important step when preparing to conduct an investigation is to compile a list of questions that need to be answered. Answers to these questions should help you to fill in the blanks on your chronology so that you are able to recount a thorough and fulsome story of what happened.

Best practice to ensure thoroughness while investigating is to attempt to answer the 5 Ws — **WHO, WHAT, WHEN, WHERE, and WHY.**

The following are examples of questions that should be considered and asked when conducting your investigation:

WHO

- > Are the parties?
- > Are the witnesses?
- > Else is involved in the grievance?
- > Caused/contributed to the problem?
- > Will be affected by the outcome?
- > Has the information you need?
- > Will provide signed statements?
- > Did the grievor tell?
- > Else has this problem, now or in the past?
- > Will investigate?
- > Will “hurt” your case?
- > Will “help” your case?

WHAT

- > Happened? (distinguish between facts and opinions)
- > Is the issue to be resolved?
- > Does the grievor want?
- > Is the Employer’s position?
- > Has the Employer done?
- > Has the member done?
- > Is the background of the problem?
- > Are the contributing factors?
- > Does the Collective Agreement say?
- > Is past practice?
- > Is the legal test?
- > Are the mitigating factors?
- > Will the impact of the grievance be on the Union?
- > Are the options to solve the problem?
- > Can be done to prevent a reoccurrence?
- > Is consistent in the facts?
- > Are the gaps in the story?

WHEN

- > Did the issue/incident occur? (consider evidence to support your timeline — emails, call logs, text messages etc.)
- > Did you become aware of the issue/incident?
- > Did you bring it to (...)’s attention?

WHERE

- > Did the issue/incident occur? (consider a diagram of the scene)
- > Was the grievor?
- > Were the witnesses?

WHY

- > Is this a violation of the Collective Agreement?
- > Is this grievance important?
- > Did the Employer do what it did?
- > Did the grievor do what they did?
- > Do people think the grievor innocent/guilty?
- > Do people support/not support the grievor?
- > Was this grievor treated differently than other members?

Do a Status Check

- Have I correctly identified the issue?
- Have I correctly identified the articles of the Collective Agreement that have been breached?
- Have I been thorough in my investigation?
- Have I communicated clearly and regularly with the grievor?
- Is it an inherent area of Employer responsibility such as Occupational Health & Safety?

After you collect enough information by seeking answers to the 5 Ws, consider answering:
How can this issue/incident/grievance be resolved?