

How to Engage Employees in Compliance

In the September 2011 issue of the Harvard Business Review, in an article entitled “*How to Cultivate Engaged Employees*”, author Charalambos A. Vlachoutsicos wrote about his experiences in working for a family-owned multi-national organization. From his experiences he learned how to “engage contributions from and thereby promote engagement by, local employees” in a multi-national organization.” His article detailed some of his lessons learned in “fostering a sense of mutual dependence” or what he termed “mutuality”. I believe that the principles that he set out in his article can be of guidance to a compliance practitioner who is working across a wide spectrum of countries and cultures to foster a better working relationship between the Compliance Department and business units in an organization.

1. Be Modest

Here Vlachoutsicos believes providing “condescending, absurdly detailed instructions” together with irrelevant stories is not the way to move forward in a meeting. If you recount your own experiences, relate them to your audience. Make clear to your business team that your ideas and advice can help them do more, and better, business. More importantly, show that you are human, that you make mistakes but that the point is you learn from your mistakes, not that the business unit personnel will be sanctioned immediately for one foul-up.

2. Listen Seriously and Show It

Most companies teach managers the value of listening. However, communication is a multifaceted exercise and you must be aware of your cultural setting and surroundings. In some cultures it is viewed as rude to take extensive notes while listening to another person. If you must do this, explain in advance that you are taking notes and explain that no disrespect is intended. Conversely in some cultures it is viewed as an insult if you do not take notes because the employee you are listening to will feel that what they are saying is not even worth writing down. Managing these signals is critical. But whatever culture you are in do not keep looking at your watch or take a cell phone call when involved in such a conversation.

3. Invite Disagreement

You should view every interaction as an opportunity to tap into the expertise of your workforce. This requires you to let employees say what they think. One of the first (and most insistent) questions you will face as a compliance practitioner is explaining how and why the Foreign Corrupt Practices Act (FCPA) applies to a country and culture far from the United States. Another related question is often along the lines of the endemic corruption in a country and how the business unit personnel cannot do business any other way. Let your co-workers express these thought and sentiments and then explain why the law(s) applies and how they can do business going forward. The business unit will usually have a solution to these problems and if you can get them to engage with you, it may well be a solution for you and the company.

4. Focus the Agenda

You will still need to focus the agenda of any group meeting. Failure to do so can lead to lengthy discussions and critical agenda items are never reached in the time allotted for a meeting. Vlachoutsicos suggests sequencing your issues according to importance so that the key issues are reached. If issues of lesser importance are not reached, they can be held over for another meeting or handled offline.

5. Don't Try to Have All the Answers

I learned from a very wise law school professor that only Socrates has all the answers and those were only to the questions which he posed to his students. A compliance professional should seem him or herself as a catalyst for problem solving. As a lawyer I understand that you are required to know law and compliance requirements. But remember-it is OK not to know everything. That is the whole point of collaboration.

6. Don't Insist that a Decision Must be Made

If you make a decision all the time the chances are that, some of that time, you may well make the wrong decision. But beyond this factor, people may stop proposing ideas to you because either think that “you already have your mind made up in advance” or that you know some fact that they do not which was pertinent to the decision. This could well quell any information which might come to you through dissent. The key here is not to avoid making a decision; it is to follow a process which allows input before final decision is made.

Vlachoutsicos' six factors can be used by any company to help them work through collaboration issues. They show how you can create ‘mutuality’ with the work force. As a compliance practitioner your strongest asset is how you are perceived by the business folks. I think that if you take these factors to heart it will greatly help you to sell and improve the compliance message in your company.

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