



**Rethink**  
Compliance

# Mini Summit 37: Fostering a Speak Up Culture at Your Organization

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October 26, 2023

# Introductions

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**Andrea Falcione, JD, CCEP**

Chief Ethics and Compliance Officer  
& Head of Advisory Services,  
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**Nereyda Garcia, JD**

Vice President, Head of Ethics and  
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Business Unit, Takeda  
Pharmaceuticals



**Nanette Almeida, CHC**

Compliance Director,  
Azurity Pharmaceuticals



# About Rethink Compliance

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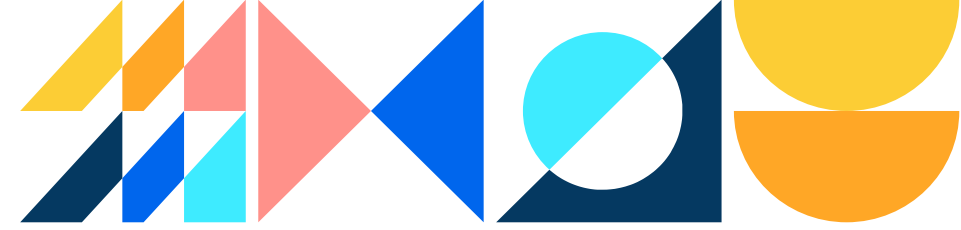
## We are proud of Rethink's many accomplishments:

- We are a certified women-owned business by the Women's Business Enterprise National Council (WBENC).
- We were named an Inc. 5000 fastest growing private company, three years in a row:
  - *Ranked 311 in Business Products & Services in 2023*
  - *Ranked 77 in Colorado in 2023*
- Our three primary principals are members of the EY Entrepreneurial Winning Women™ class of 2021.
- Our founder, literally, wrote the book on compliance training ("*Creating Great Compliance Training in the Digital World*").

**We put people at the center of all we do.**

And it shows through our unparalleled passion, dedication to service, and tangible results.





# Agenda

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- 01 Strategies to remove roadblocks and encourage employees to speak up
- 02 Effective, targeted, creative messaging to foster and improve speak-up culture
- 03 Data to show your reporting system is working



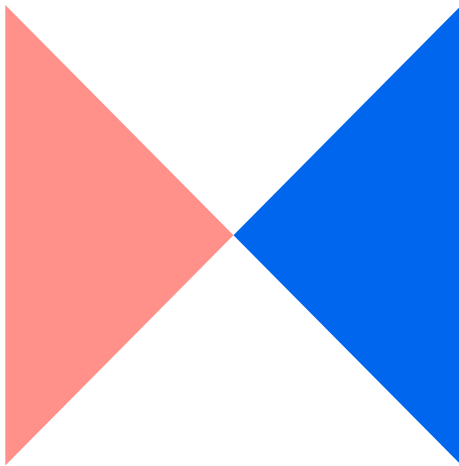


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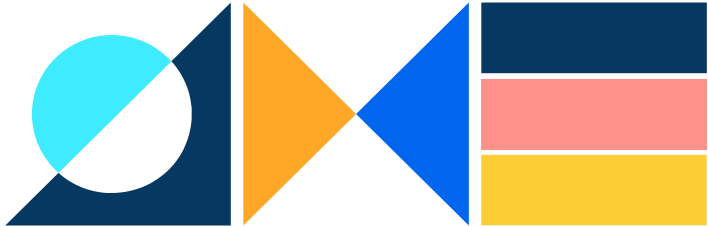
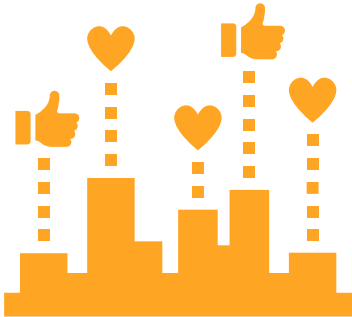
**01**

# Speak-Up Strategies



# What *is* a speak-up culture?

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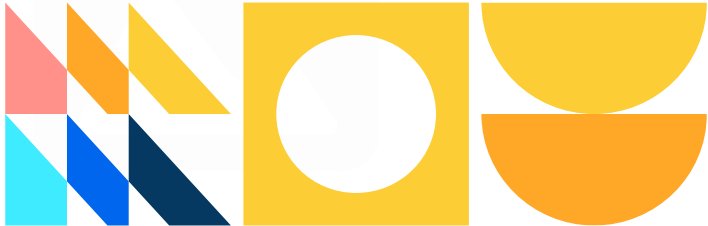




# Who should drive it?

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# EVERYONE!



# Why do people hesitate?

## What Happens When a Report Is Made?



### WHAT TO EXPECT IF YOU MAKE A REPORT

#### Expect that you will be treated fairly.

In accordance with the Hyatt Whistleblower Policy, Hyatt prohibits retaliation against anyone who raises concerns in good faith. We take this very seriously.

#### Expect Hyatt to take action.

The appropriate individuals within Hyatt will review the situation and determine if an investigation is required. If so, the investigation will be conducted fairly and objectively based on the information provided in your report.

#### Expect that we are counting on you to cooperate.

In the event that the Company needs to investigate concerns of misconduct, cooperation is critical to a thorough and efficient investigation. We are counting on you to be patient, thoughtful, and honest.

#### Expect to be treated with respect.

We appreciate any and all good faith reports, as they help to keep us at our best. Hyatt will keep your report as confidential as possible and follow up with you to the extent we are able.

[See Hyatt Whistleblower Policy](#)





# Why do people hesitate? (cont.)

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## U.S. Department of Justice Criminal Division

### Evaluation of Corporate Compliance Programs

(Updated March 2023)

- **Human Resources Process** – Who participates in making disciplinary decisions, including for the type of misconduct at issue? How transparent has the company been with the design and implementation of its disciplinary process? In circumstances where an executive has been exited from the company on account of a compliance violation, how transparent has the company been with employees about the terms of the separation? Are the actual reasons for discipline communicated to employees in all cases? If not, why not? Is the same process followed for each instance of misconduct, and if not, why? Has the company taken steps to restrict disclosure or access to information about the disciplinary process? Are there legal or investigation-related reasons for restricting information, or have pre-textual reasons been provided to protect the company from whistleblowing or outside scrutiny?



**McDonald's C.E.O. Fired Over a Relationship That's Becoming Taboo**

OpenTable employee charged with wire fraud after booking 1,200 bogus seats: Feds

**Goldman Pays Billions—And Takes Millions From Top Execs—To End IMDB Scandal**

**VW fired 204 staff for breaching rules in compliance crackdown**

**Wells Fargo to Claw Back \$75 Million over Incentive Pay Scandal**



# Why do people hesitate? (cont.)

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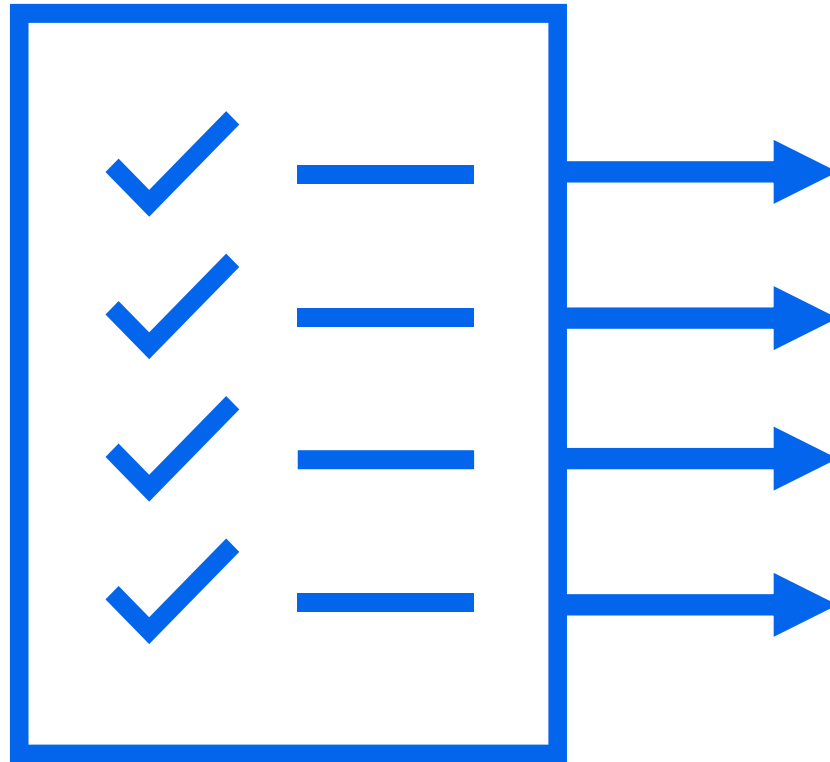


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# Combatting retaliation

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Add retaliation risk to risk assessment and train on how to identify and handle

Review retaliation allegations and cases with HR and the business

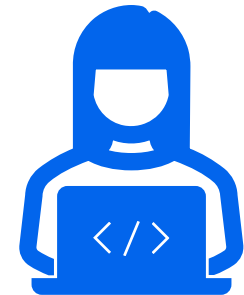
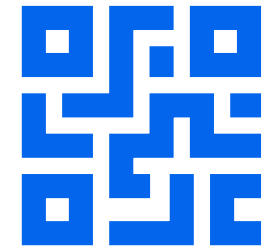
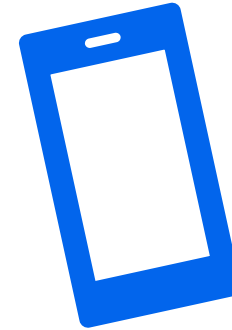
Prepare a communication plan and communicate often

Partner with the business to develop a retaliation risk monitoring plan, and partner with internal audit to develop a retaliation audit plan

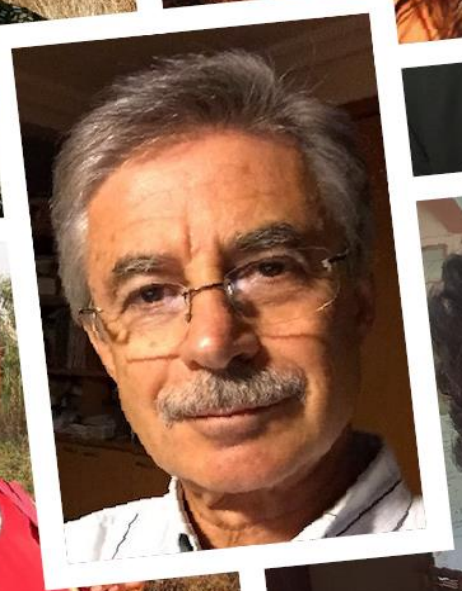
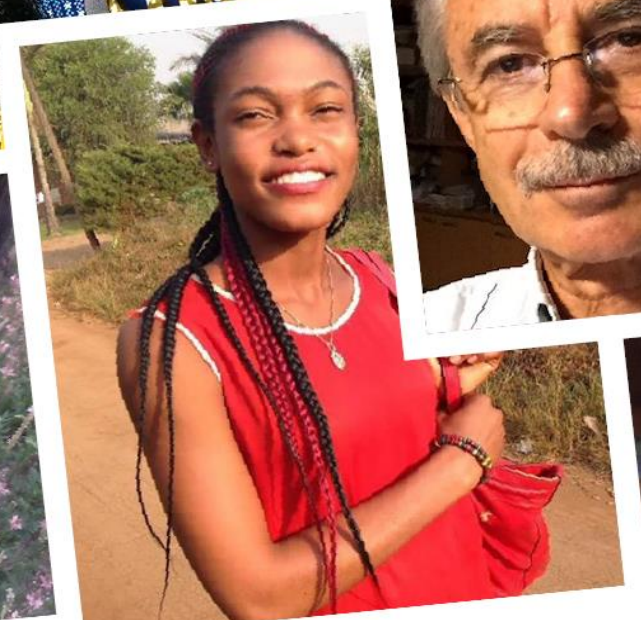


# Speak-up channels

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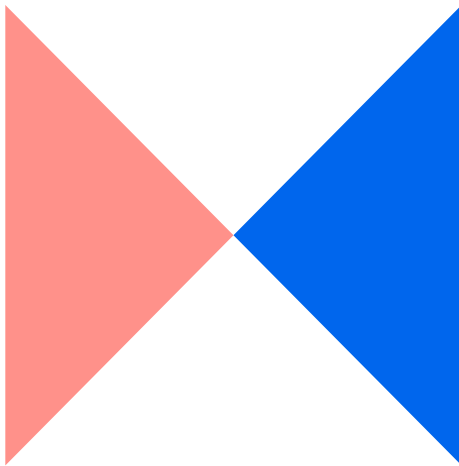




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# Speak-Up Messaging



# Persuasion and influence techniques

Information alone won't change behavior. You have to make your audience care!

## Start with Audience Insights

Learn what matters most to your audience, not what matters most to you.

## Ask: What's Interesting Here?

Only the strongest, most interesting content survives. Be concise, catchy, engaging, and well-crafted.

## Create Feedback Loops

People support what they create (or influence).



## Use Key Messages

Once you know your audience, you can put your message in their terms.

## Be Concise

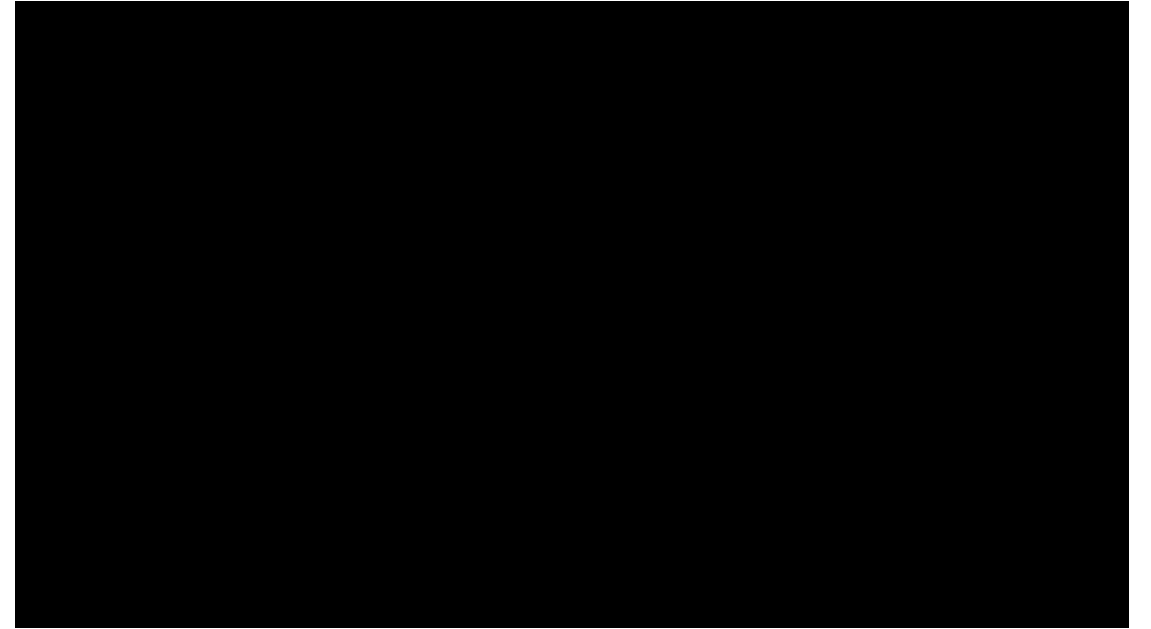
Take advantage of the way the human brain works to make your message "sticky."

## Say it Again

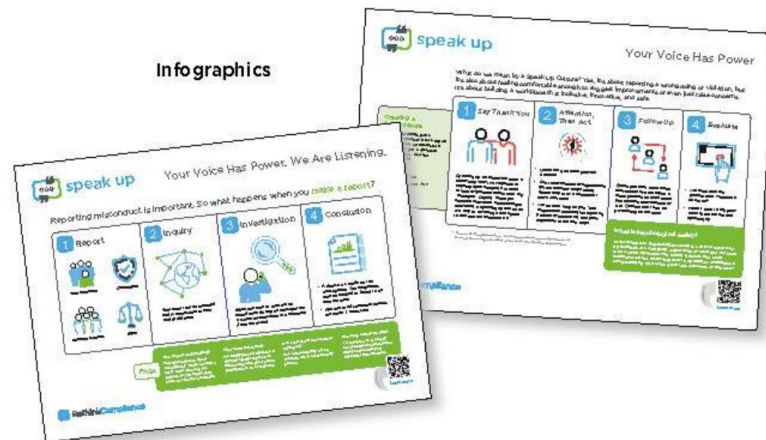
Messages are more effective when they are repeated.



# Creative tactics



# Campaign thinking



Logo & Laptop stickers for each Quarterly Campaign



# Targeted awareness initiatives

**CRUCIAL CONVERSATIONS**  
FACILITATOR'S GUIDE

**Congratulations!**  
Your leadership and commitment to ethics have made you a facilitator of this important conversation with your team. We know you and your coworkers are busy and finding 20 to 30 minutes that coincide on everyone's calendar feels improbable some days, and impossible on others.

But we believe that leading timely discussions about ethics with your team is essential

for creating a culture of ethics and integrity. Taking a moment to meet, converse and analyze relevant examples of noncompliance from popular culture helps to normalize discussions about workplace principles.

As a company and as individuals, we take pride in delivering results in the right way. That's why it's important to be clear about what we mean by good business practices and ethical behavior.

**FAQs**  
**What are CRUCIAL CONVERSATIONS?**  
This series is meant to stimulate open conversations around ethical dilemmas in the workplace using real-life examples from the news and applying them to our own Code of Conduct. Every employee is responsible for knowing and applying our standards in all facets of their work for the company.

**What is the goal of this meeting?**  
It can be hard for employees to recognize potential conflicts of interest, as most people consider themselves to be ethical and therefore at low risk. However, the truth is that conflicts of interest can present themselves despite good intentions.

In this exercise, we will spark engagement and discussion about conflicts of interest using the examples of unethical nondisclosure by former WeWork CEO Adam Neumann as well as a video about social media and how social influencing can lead to conflicts of interest.

**SLIDE 7**  
**BRING IT ON HOME**  
Now is the time to ask your team to reflect on what they have learned. Encourage them to share prior experiences. Use these prompts as well:

**QUESTIONS FOR REFLECTION**

- How can the unethical actions of one person affect their coworkers and the company culture?
- Would you feel comfortable disclosing a potential conflict of interest to your manager, HR representative or a member of the Compliance team?
  - If yes, do you know who to talk to?
  - If no, what would make you willing to do so?
- What are the two most important takeaways from this conversation?

**WRAP IT UP**  
You did it! Wasn't that fun? Thank your team for a rousing discussion and encourage them to share feedback to ensure we're hitting the mark.

**NOTES**

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# Periodic reminders

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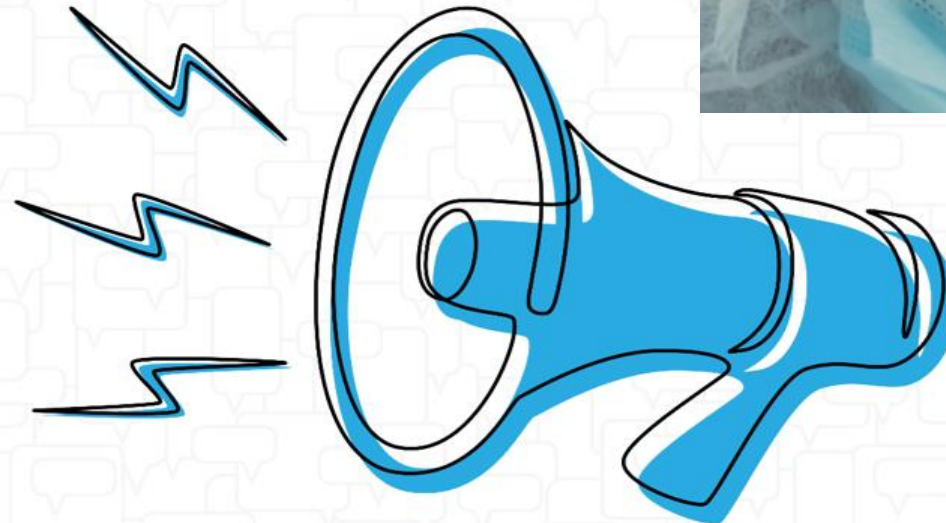


## Your Voice Has POWER

When you speak up, it helps make things better – for you, your coworkers, and our organization.

When we hear about things early, we can often fix issues before they get out of hand.

**We are counting on you!**



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Click **Play** to watch the video.



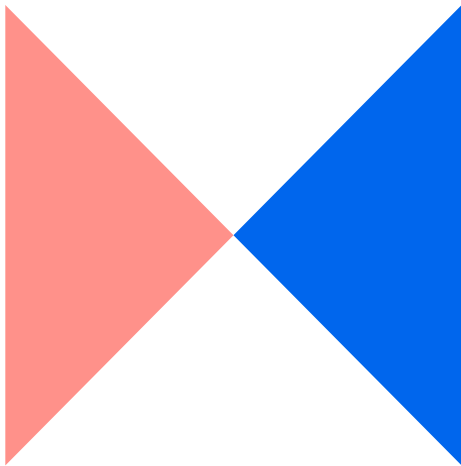




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## Speak-Up Data



# Getting started

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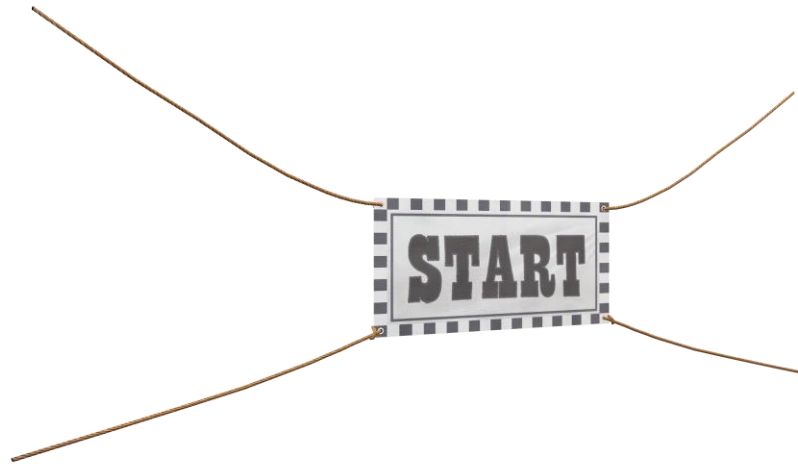
## Typical Things to Track:

- Department/manager/location
- Type of misconduct alleged
- Findings – type of misconduct found versus unsubstantiated
- Outcome – discipline administered
- Root cause/continuous improvement actions

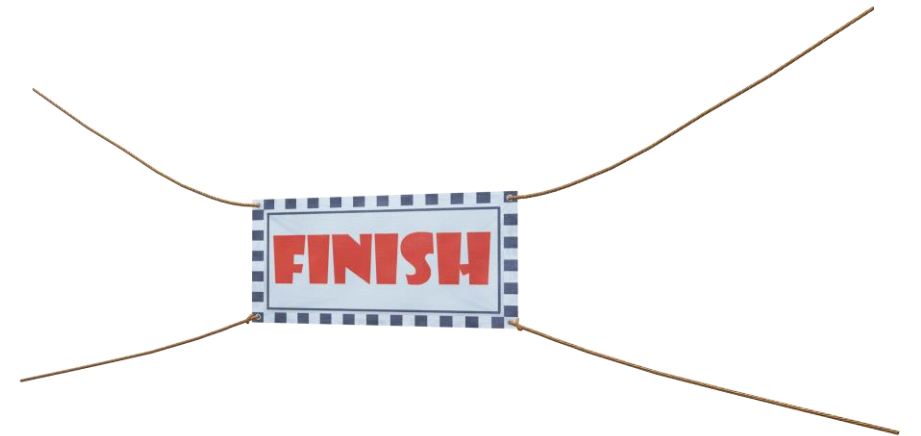


# Process lifecycle

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# Methods of gathering data

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# Data analytics roadblocks



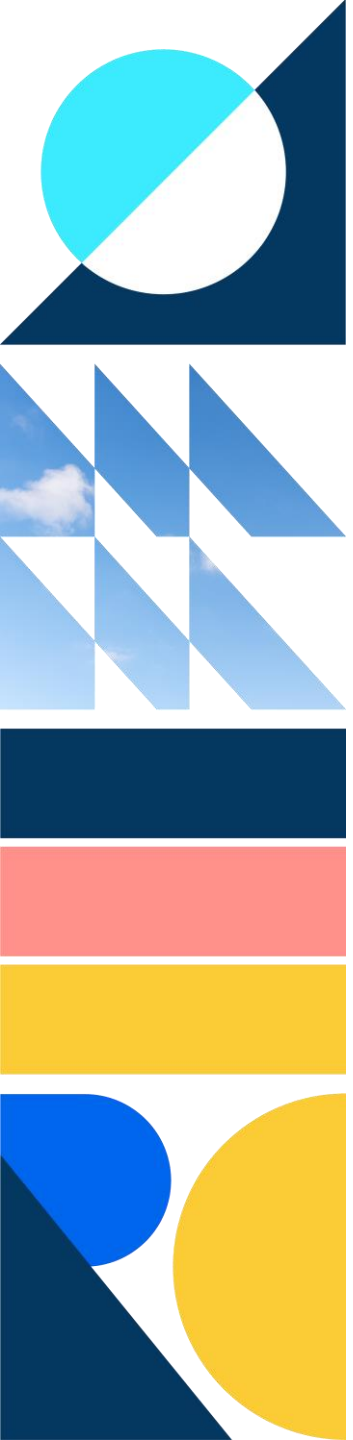
"I knew this organization was full of siloes.  
I just didn't think they'd be so heavily defended!"

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# Questions?