



## Promoting A Fearless Speak-Up Culture in the Age of #MeToo

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### SESSION AGENDA

- It's all about leadership
- Do we really know if we have a fearless Speak-Up Culture in our organization?
- What can we do to get there?
- What can we do to stay there?

### **Why Promote A Fearless Speak-Up Culture?**

- **All organizations experience fraud and misconduct.**
- **Increased responsibility on Management to prevent, detect and correct unacceptable behaviors.**
- **Legal requirements to disclose fraud and certain misconduct.**
- **Risk mitigation.**
- **Key element of a sound E&C Culture.**
- **Makes good sense.**

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### **Does your E&C Program Risk Assessment Address a Fearless Speak-Up Culture?**

#### **Risks associated with a weak E&C Culture**

##### **E&C Program/Culture Risks:**

- Integrity risk
- Compliance risk (ability to comply with mandatory disclosure laws and regulations)
  - Federal Sentencing Guidelines
  - Mandatory Disclosure Rules
  - Other Customer and Government Agency Requirements

##### **Company Risks:**

- Potential Civil & Criminal Liability risk (FSGs)
- Reputational damage risk

##### **CECO Risks:**

- Credibility & Integrity risks

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## Speak Up Culture Codified

1. **Does your company have a Policy/Procedure that addresses a Fearless Speak-up Culture?**
2. **What is your worst case scenario – “what could go terribly wrong”?**
  - Wells Fargo, Harvey Weinstein, Matt Lauer, Roger Ailes et al
3. **Identify your Legal and Compliance risks.**
4. **What are you doing now or what will you do to mitigate those risks?**
5. **Estimate the cost of a worst case scenario.**
  - Consider costs to investigate, report, implement corrective actions and cost of potential litigation settlements, fines, penalties, and business losses.

**How Does your E&C Program address the efficacy of a Fearless Speak-Up Culture?**

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## Fundamental Propositions

- Fair treatment of all employees
- Earn and maintain trust
- Guard against employee retaliation
- Respect confidentiality
- Consistent, uniform, thorough process
- Independent and objective investigations
- Do no harm



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Let's Discuss

# Silence is Golden – NOT!



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Let's Discuss

## What is a “Fearless Speak-Up Culture”?

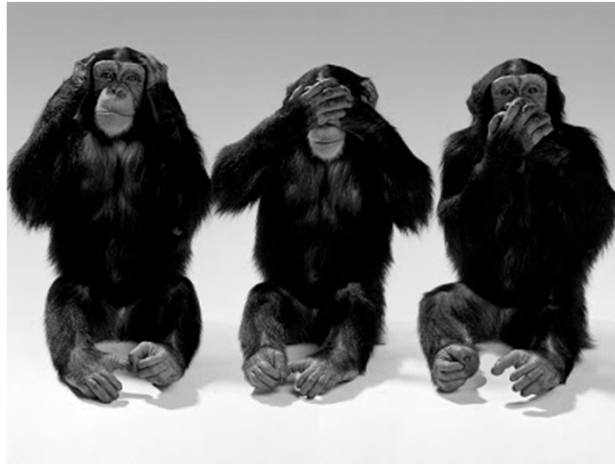
our lives begin to **end**  
the day we become  
**silent** about things that  
**matter.**

*Martin Luther King Jr.*

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### Let's Discuss

Does you believe your organization has a fearless Speak-Up Culture?



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### Let's Discuss

If so, can you prove it and how?



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### **Let's Discuss**

Please share any initiatives you have taken or are taking to communicate your organization's commitment to a fearless Speak-Up Culture.

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### **Let's Discuss**

Is Management, at all levels, engaged in the organization's culture?



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### Let's Discuss

Specifically, what are you doing to engage your Management & Leaders?



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### Let's Discuss

What expectations are you setting for the employees in your organization?



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[illegible]

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# Observations, Comments or Questions?

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