

Compliance Officers and Crisis Response: *Added Value In the Era of COVID*



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Agenda

Intro to Panel & the Conversation

Defining Compliance in a Crisis

Roles & Scopes

Takeaways & Action Items

Compliance Continuity
Coming Back from COVID

Q&A

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Speaker Disclaimer

The views and opinions expressed by the panelists are their own and do not necessarily represent those of their respective companies.

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Tiffany A. Archer

- Regional Ethics & Compliance Officer, Corporate Counsel (Americas & Europe)
- Oversees global activities related to ethics and compliance, anti-bribery and corruption, regulatory risk, cross-border internal investigations, and reputational risk management
- Over 18 years of experience across financial institutions, leading global law firms and Fortune 500 companies
- Roles spanning Asia-Pacific, Europe, and Latin America regions
- Experience representing multinationals before U.S. regulators, including the SEC and DOJ, as well as Federal Monitors



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AP Capaldo-Aoun

- Director, Ethics & Compliance, Americas
- Prior Associate General Counsel, Laureate Education
- Global experience focused on anti-corruption, internal investigations, regulatory matters



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Marcia Narine Weldon

- General Counsel for MDO Partners
- Lecturer in law at the University of Miami teaching and writing on regulatory compliance, corporate governance, employment law, transactional lawyering, and legal communications
- Served as Vice President and Deputy General Counsel, Vice President, Global Compliance and Business Standards and Chief Privacy Officer of Ryder System, Inc., a Fortune 500 global transportation and supply chain management solutions company
- Former member of Whistleblower Protection Advisory Commission, Department of Labor



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Defining Compliance in a Crisis

- o Anatomy of a Crisis
- o What do we mean when we say compliance?
- o What role does compliance play in a crisis
- o Getting a seat at the table

What's the reality for the largest companies? Organizations with 5,000+ employees most likely to experience crises related specifically to cybercrime (26%), natural disaster (22%), leadership (17%) or **ethical misconduct (16%)**, including fraud, corruption, and corporate malfeasance.*

*PWC Global Crisis Survey 2019

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Lessons & Takeaways from Crisis

- o Examples of prior crisis situations
- o Decision-making and communication in ambiguous environment
- o How compliance can help the organization navigate novel issues
- o Practical Takeaways

47% of surveyed board members say their organizations have the capabilities or processes they would need to meet a crisis with the best possible outcome

Fewer than half of the total respondents say they have a "playbook" that sets out some of the options, actions and decisions that may be required for specific, defined crisis scenarios

*Deloitte 2015 Crisis Management Survey

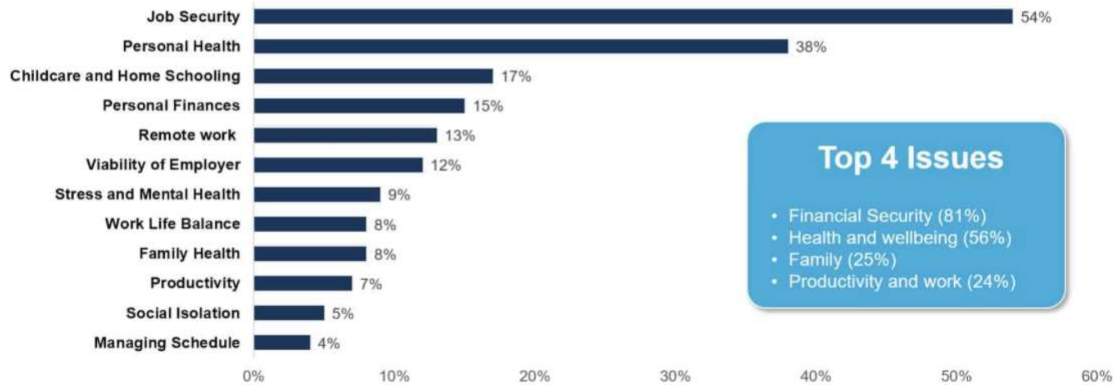
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Top Issues On Employees' Minds

COVID-19
PULSE OF HR

joshberlin
culturex
Sloan

Top Issues Weeks of April 1-18, 2020



Top 4 Issues

- Financial Security (81%)
- Health and wellbeing (56%)
- Family (25%)
- Productivity and work (24%)

Online survey conducted by CultureX and Josh Berlin between March 31 through April 5. By role, the sample consisted of CHROs (21%), HR VPs, directors, or managers (32%), HR specialists or business partners (34%). Organizations with more than 10,000 employees represented 21% of the sample, 1,000-10,000 (31%), 200-1,000 (27%), and fewer than 200 employees (20%). Information technology (21% of responses), professional services (14%), and financial services (9%) were the most common of 18 sectors represented in the sample.

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Culture and Continuity: The Road Ahead

- o Compliance leading the continuity conversation
- o Contingency planning
- o Culture challenges during a crisis and compliance 'wins'
- o Regulatory and other risk considerations

*"The main impact Ethics & Compliance has had is a seat on the Task Force to provide realtime input on Ethics & Compliance/HR considerations on a company-wide basis." - Terry Stringer, Head of E&C Center of Excellence at HP**

*via © 2020 Convercent, Inc. Covid-19 Webinar

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Action Items | Compliance Checklist Items

- Understand unforeseen challenges employees are facing, participate in dynamic responses to novel issues, personalized messaging
- Assess and/or re-evaluate compliance priorities and KPIs (help leadership understand fluid helpline metrics)
- Emphasize and pivot communication strategy
- Consider your third parties
- Anticipate control gaps or adjustments to your current control framework
- Determine whether new supplemental/provisional/updated guidance, policies, or FAQs need to be communicated (for example, disclosure options)
- Communicate updates on reporting channels (where needed) – for example, compliance virtual office hours
- Be a stalwart for equity and institutional justice



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Nearly 30% of crisis professionals believe that employees are the most overlooked stakeholders when their organization is dealing with a crisis.

smarp

Deloitte

Consider including individual contributors as part of your crisis management teams / focus groups

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Questions Thank You for Joining