

## Compliance Today – August 2023



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### New to compliance? Read on

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by Debbie Nemeth

“In a gentle way, you can shake the world.” – Mahatma Gandhi

Welcome to the profession! I hope you will find compliance to be a rewarding career choice, just as I have. No day is ever the same, and the ability to make a positive impact is abundant.

I have now worked in compliance for almost 20 years. But it wasn't my initial plan, and like some of you, I “fell” into it. I had just graduated with a degree in communications with plans to pursue public relations. I applied for an entry-level corporate communications job at a national airline. I did not get it, but the hiring manager liked me enough to pass around my resume to other hiring managers in the company. Sure enough, a training compliance analyst role was available. I'd never heard of “compliance” before; however, when I learned I would be reading and understanding laws, incorporating them into required training, and being responsible for ensuring employees and third-party vendors completed those trainings, I was hooked!

Fortunately, they hired me, and ever since that day, I've built a solid, well-rounded compliance career, spanning various industries and risk levels and working under the guidance and regulations of dozens of state and federal agencies.

As I look back on my career thus far, three key trends have emerged based on my experience:

- **Compliance is not simple, nor is it always straightforward:** Early in my career, I was sure that any compliance question could be easily answered if I just found the right law, the right guidance, or the right policy. Then, all we would need to do was just follow it. This thought process worked for a while (or so I thought) while I was in that entry-level compliance analyst job; however, as I matured in my career, I figured out that complicated quandaries rightfully don't have easy solutions. Often in compliance, you will see yourself without a direct, verbatim requirement to simply cite and obey. You will frequently make informed decisions based on other related or similar guidance or find yourself making operational recommendations based on possibilities or past precedence that may or may not specifically relate to your particular situation. Break out your analytic and research skills, keep your ethical mindset sharp, and get to work unraveling the “complicated.”
- **Compliance awareness is universally recognized as critical for a corporation's success:** One of the first things you'll discover as a compliance professional is the U.S. Department of Justice Criminal Division's *Evaluation of Corporate Compliance Programs*.<sup>[1]</sup> This document lays out the formula of how a corporate compliance program should operate. It is a guidebook for federal prosecutors as they consider criminal charges for a corporation accused of conducting criminal acts—specifically telling them that as they

contemplate those charges, they should review the organization’s compliance program. This document, therefore, lays out the types of controls and risk oversights that should be part of an organization’s compliance program. It will certainly follow you from one industry to the next, making it the most “transferable” piece of paper in your arsenal.

- **Compliance skills are transferable:** I’ve worked in compliance in a variety of industries—from transportation to home goods manufacturing to pharmaceutical manufacturing to managed care. If you can master the following skills, you can be successful within the compliance field, regardless of industry.
- **Self-starter mentality:** To be successful in compliance, it’s essential to have a “self-starter” mentality. Keep that fire, continue to sharpen that skill, and bring it with you as you grow and move into other industries. Starting in a new industry or a company requires being motivated to begin building your knowledge. In what, you ask? Start with these: First, understand your company’s purpose, mission, goals, and people. Second, understand the industry, who regulates it, where those regulations or guidance documents are found, what the industry norms are, and where the main risks are.
- **Ability to research and an inquisitive spirit:** Time spent researching requirements, guidance, or regulations will vary—depending on your industry—as some industries are more regulated than others. But every organization in every industry will have at least some federal or state requirements they need to adhere to, even if it is as simple as obtaining and maintaining a proper state business license. Regardless of your industry, you will need to know how to research. You must also understand where, how far, what to include, and when to end your research. As a new compliance analyst, I didn’t know this and would be continually frustrated, wondering if I’d missed something. You, as the researcher, need to determine and draw that line—however it makes sense to the research and topic at hand.
  - **Relationship-builder and effective communicator:** Everything we do as compliance professionals centers around relationship-building and effective communication. Without those two skills, we are unable to achieve “buy-in” from leadership, convey vital standards to our frontline workers, or build the all-important trust with our entire organization that is required for employees to feel comfortable approaching us with potential risks or concerns.
  - **Engaging trainer:** As you convey standards, policies, procedures, and federal and state regulations, you need to be able to train them in such a way that your audience (company employees) can comprehend the *why* and the *how* enough to follow them. You need to be engaging with the content and able to connect with all levels of your company when it comes to training. If training is engaging, exciting, and meets the audience at their level, they’re much more likely to internalize it and inhabit it.
  - **Unafraid of asking questions or replying with, “I don’t know, but I’ll find out”:** As compliance professionals, you may think you have to know it all because you feel you must catch it all. No matter what industry, you will never know everything about everything. So, when you don’t know, it is ok to admit it. Then tell the person you’ll find out and promptly get back to them with the answer. Further, if you are in a meeting but don’t know or understand something, be bold and ask the questions—you need to understand the topic at hand. If it doesn’t make sense to you, you’re going to have a hard time effectively participating or explaining it to someone else.
  - **Unwavering integrity and ethics:** Integrity is consistently acting in a manner aligned with your personal moral standard. Ethics drive how we make decisions when the documented standard doesn’t specifically tell us what to do. It encompasses what we *should* do rather than what we *have* to do or are *allowed* to do. Your organization—especially its leadership team and board of directors—

depends on you as their compliance professional to exhibit unwavering integrity and an ethical mindset.

- **Ability to stay organized:** In compliance, you will face numerous issues, questions, and challenges. Learn to keep organized. Categorize folders in a streamlined manner. Straighten your organizational chart so that each employee knows the scope of their role. One of the best suggestions I have received was to proactively block out free time during each week on my calendar to ensure I have time to complete projects or respond to work generated from meetings, and it's been a game-changer.

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