

ethikos Volume 34, Number 12. December 01, 2020 COVID-19 brings compliance communications to the forefront like never before

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Until now, when most people thought about compliance, particularly those outside of the compliance profession, they thought about a department or people charged with enforcing rules. And, of course, they would be correct in thinking that, but, as we know, there's so much more to compliance than "making people do things."

I proselytize that the essence of compliance isn't to make people do anything. It is to create a culture based on motivational techniques—not compulsion—where you enjoy your greatest gains and the true compliance you seek. Proof of this can be found in how Americans and people all over the world respond to COVID-19. But I emphasize Americans, because the culture of freedom is embedded in our constitution and grants the mindset of not being restricted—wholesale or otherwise. We are also (in theory) encouraged to be freethinkers doing as we essentially please. And within that, we are granted freedoms to succeed or fail in life and liberty based on how we feel and what we want for ourselves. It's what makes America such a special place. But as it relates to this unprecedented global pandemic, it creates real problems in helping to gain consistent compliance.

One of the greatest miscalculations within leadership as it relates to communication and getting things done is mistaking a tool for a solution. Telling someone to do something is not the solution to solving most challenges in life. In my basic and advanced communications class, I teach that telling someone to do something is a tool and not a professional solution to real problems.

Enter COVID-19

In order to bend the curve and stop the spread of infections and death from COVID-19, we have to bend human behavior by using more effective communication in what we want done (compliance) and why—by simply administering the motivational reasons why we should listen. However, telling someone to comply is not the most effective way to gain consensus and stop the spread of COVID-19. Compliance relies on a kaleidoscope of things that come from a combination of motivators that—yes—includes compulsion, but compulsion is the least of what it takes for people to do the right thing. Motivational techniques succeed above all!

An example

- If I, as a father and husband, want to be the protector of my wife and my family and not bring the disease home to them because I don't want harm to come to them;
- If I know that my family depends on me for certain things and someone takes the time to intricately express those things to me in detail;

- If I know that I don't want to leave my wife alone to raise our children (conceivably) by herself;
- If I can be reminded about how important it is for my children to have their father in their lives as they grow up, and even after they're considered "all grown," as well as my mother, father, and other family members;
- And lastly, within my own very personal desires, if I can be reminded how important it is for me to see my children graduate, look my daughter's future husband in his eyes and tell him what she means to me and to attend their weddings and see the birth of their children...

I will be more inclined to comply with the order, or ask, to stay home, isolate, and follow strict handwashing protocols. Mind you, none of those things had anything to do with getting in trouble or being told by a city or state leader to do something or face consequences. It was pure unadulterated positive motivation. It is through this positive motivation that I will be less inclined to do things that would jeopardize the safety of my family, friends, coworkers, and the strangers around me whom in humanity I should care for as well.

Understand that motivational techniques are why we stop at red lights to preserve our safety, the safety of our passengers, and the safety of other cars and pedestrians around us. But in some cases, there needs to be a profound element of compulsion (e.g., the law and a traffic ticket and/or jail sentence, depending on the caliber and scope of the infraction at hand). Because invariably, there will always be some people who resist or have an outright aversion to the motivational reasons why we do the positive things that we do to preserve our health and safety. We don't comply with traffic light rules because of the red light—there's no magical force field that makes us stop, and the police aren't always around—we stop because we place a high value on human life and property. And so, when the environment of thinking otherwise exists, the introduction of compulsion techniques may be needed to get the kind of compliance required in order to operate within your risk tolerances and have success.

Generally, all things being equal, I like to recommend an 80/20 or 70/30 ratio at the most when balancing motivational techniques with compulsion. The higher the first number, the better, because that means that the people are doing the right thing based on the most compelling reason to do so, which is positive motivation in compliance and their willingness to agree. The key is to work toward a 90/10, and then ultimately 100/0, compliance based on people loving to comply for all of the right reasons—and for no reason revolving around getting in trouble. When that is achieved, you have reached the highest level of compliance excellence culturally, operationally, and otherwise throughout your enterprise risk management.

In places and situations where there are hyper-significant challenges and contempt for the rules, in contrast to what a normal person would do through motivational techniques, sadly, an increased application of compulsion techniques is needed to gain compliance for the betterment of the employee, the employees around that employee, and the sustainability and risk tolerances of the firm, such as a 50/50 ratio (meaning only half the people comply because they are positively motivated to do so, with the other half only complying because of the rule of law or compulsion). In simplistic terms, there are some people who will only respond positively to compulsion techniques and must be made to do so for the betterment of the greater collective, who may suffer immeasurably because of a lack of compliance. Though this kind of compulsion isn't sustainable for extended periods of time, in predetermined relatively short periods where compliance is absolutely necessary, it has its place.

Also, if you have a compliance program that relies on your employees having to use any form of deductive reasoning in order to understand, be motivated to do the right thing, and comply, then you're running a compliance program that is destined to fail.

When it comes to compliance with anything, particularly things of a dead-serious nature like COVID-19, people

need more. Yes, I agree—on the surface, it would appear in some ways, the more serious the subject matter, the less explaining should need to be done. However, the exact opposite is true: The dire consequences for doing the wrong thing and failing to comply need to be hyper-distilled in a way that helps the target audience to understand the who, what, when, where, why, and how even more than other matters where the consequences for a failure in compliance are far less serious.

Ultimately, if we are going to win the war against COVID-19 and bend human behavior—very much like we require in our normal job settings as compliance leaders—lo and behold, we must enhance and surge our ability to provide effective communications in motivational techniques in order to have profound success; everything else is a distant second.

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