



Corporate Compliance and Governance

Overview

\$114 million awarded to individual whistleblower (*The Wall Street Journal*, 10/22/2020)

56% of U.S. consumers stop buying from companies they believe are unethical (Intel, 11/18/2015)

“What’s the next big threat we’ll face?” “How do we manage the one we already have?”

Every day, businesses like yours are blindsided by costly “surprises” that disrupt – or even end – their operations. Noncompliance, inadequate safeguards, and outright employee misconduct can take their toll, little by little – or all at once. All the while, you need to be a good corporate citizen and an attractive place to work. The Fisher Phillips Corporate Compliance and Governance team creates processes that let you focus on the core business while knowing that a well-designed and well-implemented system has your back. And, should anything go wrong, we’ll get to the bottom of it, vigorously defend your interests, and guide you through.

Effective corporate governance systems aren’t an “add on” or a set of boxes you merely need to check. Instead, they can – and should – be a true competitive advantage. Led by an architect of compliance systems and former divisional general counsel & compliance officer at American Honda Motor Company, Fisher Phillips’ attorneys have the skills and experience to help you create and use these systems to *feed* your bottom line.

Where appropriate, we collaborate with our affiliate, [Foundations Human Resources Consulting](#), to craft effective, lean business processes that can improve your performance – at a cost-effective rate.

CODES OF CONDUCT PROGRAMS

We know there's no "one size fits all" Code of Conduct handbook. Up-to-the-minute on the ever-changing legal and regulatory landscape, our business-savvy team listens to understand your unique needs, challenges, and objectives. Then we help design and implement practical, comprehensive programs that bolster employment relations and company culture. We will review existing programs to ensure they comply with the latest regulatory, U.S. Department of Justice, and industry requirements, and provide training and conduct investigations, as needed.

DIVERSITY, EQUITY AND INCLUSION TRAINING

To recruit and retain the best talent, your policies must be fundamentally fair and your workplace should be as inclusive and engaging as feasible. It's essential to have training and awareness programs on diversity and ethics that are targeted to meet your unique business needs in light of the particular industry, employee expectations, and community standards. We'll work with you to provide training and ongoing advice to ensure that educational programs, affinity groups, and related strategies conform with the latest best practices and legal standards.

RISK MANAGEMENT AND AUDITS

Because it's hard to anticipate pitfalls on the road ahead, many businesses assess risk looking through the rearview mirror. But you need a way to foresee the risks lying in wait. Having created and managed predictive risk management programs themselves, our lawyers can help you stimulate creative thinking, harness input from all facets of the organization, and leverage data analytics to identify potential dangers. We'll help recognize, prioritize, and minimize your employment risks and institute best practices that will reduce the likelihood of costly litigation or government enforcement actions without distracting employees from their day-to-day work.

Our team also performs labor and employment audits involving wage and hour, benefits, pay equity, workplace safety (OSHA) issues, as well as due diligence reviews in mergers and acquisitions.

INVESTIGATIONS

Even companies with well-established corporate governance programs can face significant threats from whistleblower claims and allegations of employee misconduct (e.g., sexual harassment, fraud, embezzlement, retaliation). For smaller businesses, especially, the costs involved can be crippling. Fisher Phillips attorneys bring an in-depth knowledge of the employment laws and decades of experience conducting investigations and handling criminal and governmental enforcement actions, reporting obligations, and the public relations aspects of these high-stakes situations. Throughout, we recommend improvements to prevent similar concerns from arising in the future.

HOW WE CAN HELP

- *You've heard about the need for a compliance and ethics program, but don't know where to begin.*
We can quickly help you implement a program suitable for your organization and industry including effective policies, employee training and reporting & tracking tools.
- *Your Board is asking you for an assessment of your labor and employment compliance risks and action steps to reduce the risks.*
We can provide targeted risk assessments covering all aspects of your labor and employment practices and then help develop practical strategies and action plans to reduce the risks.
- *Your employees are asking you to talk about diversity and inclusion in your workplace.*
We can promptly provide your managers and your entire staff with the tools and approaches to address workplace diversity and inclusion in a productive manner.
- *A high-ranking executive has been accused of sexual harassment by a Division Manager.*
We can coordinate the investigations, analyze the facts and provide rapid advice to address the allegations as needed and provide recommendations to reduce the likelihood of similar issues in the future.

Insights

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Sheila M. Abron, Nazanin Afshar, Steven M. Bernstein, Amanda M. Blair, Kathleen McLeod Caminiti, Michael D. Carrouth, Robert C. Christenson, J. Micah Dickie, Benjamin M. Ebbink, Usama Kahf, Stephan Kendall, Todd B. Logsdon, Kile E. Marks, Joshua D. Nadreau, Raymond W. Perez, John M. Polson, Robin Repass, Jennifer B. Sandberg, Andrew J. Sommer, J. Hagood Tighe, Travis Vance, David J. Walton, Alexander A. Wheatley, Annie Ziesing

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Jonathan Crook

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Key Contacts



Raymond W. Perez

Counsel

614.453.7595

[Email](#)

[See all →](#)