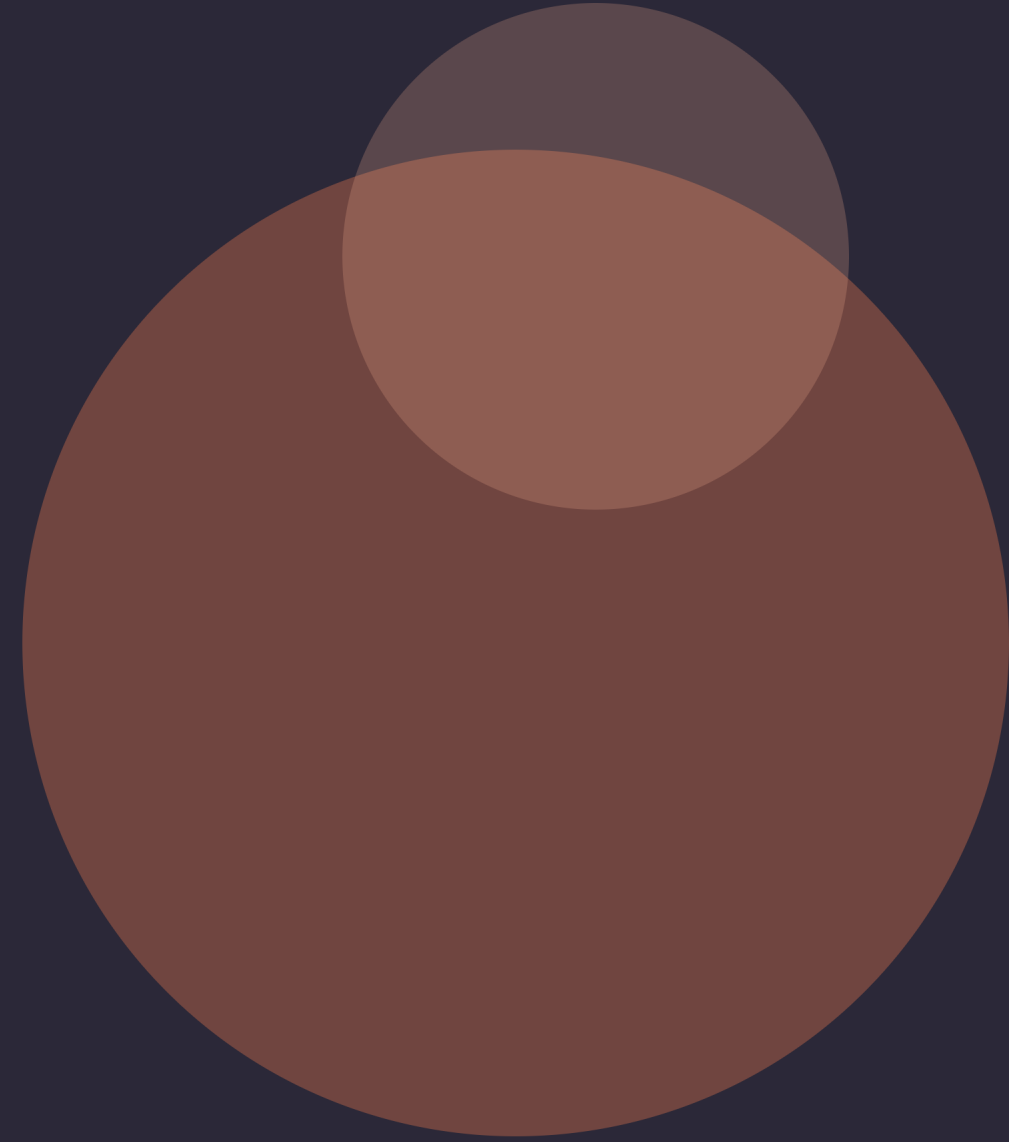


COMPLIANCE WORKSHOP

Speak Up, Safely

Whistleblower triage and risk mitigation in the workplace

Jaime McNair-Benn



Every report is a test of whether people can trust the system.

How we handle the first report decides whether there will be a second.



WHAT REGULATORS LOOK FOR

The DOJ asks three questions about your program

DESIGN

Is it well designed?

Reporting channels exist, are publicized, and allow anonymous or confidential reports.

RESOURCES

Is it resourced and empowered?

Someone qualified owns intake and investigations, with the independence to act.

PRACTICE

Does it work in practice?

Reports are scoped, investigated, documented and tracked, and reporters are protected.

Recent updates sharpen the focus on speak-up culture: anti-retaliation training, how reporters are treated, and whether agreements discourage reporting.

INTAKE

A report can walk in through any door

-  Hotline or web form
-  Email to compliance or HR
-  A conversation with a manager
-  The local office or front desk
-  A customer, vendor, or member of the public

THE RULE EVERY DOOR SHARES

Never route a complaint to the person it is about.

Every manager, HR partner, and front desk needs to know exactly where a report goes next, and who it must never reach.

TRIAGE FRAMEWORK

Sort by severity, not by arrival order

Tier	What it looks like	First response	Who owns it
1 · Critical	Imminent harm, possible crime, senior leaders involved	Within 24 hours	Compliance lead with counsel
2 · Serious	Harassment, discrimination, fraud, retaliation	2 to 3 business days	Compliance or trained investigator
3 · Policy	Conduct or policy misuse without serious harm	5 to 10 business days	HR or manager, with oversight
4 · Inquiry	Questions, feedback, requests for guidance	Acknowledge and route	Intake owner

Suggested timelines. Set your own in policy, then meet them consistently. Always check for conflicts before assigning an owner.

CASE STUDY, PART 1

When the process doesn't reach every office



Pause: what risks just multiplied?

CASE STUDY, PART 2

Contain, correct, and close the gap

01

Contain

Had the office remove the employee from the email thread right away.

02

Address

Met with the employee about why direct contact was inappropriate.

03

Investigate

Reviewed his use of Facebook under existing policy.

04

Update policy

The findings led to an updated social media policy.

05

Repair

Issued a formal apology to the complainant.

06

Prevent

Trained that team on the whistleblower complaint policy and process.

EXERCISE · SMALL GROUPS · 8 MINUTES

Triage drill: four reports

For each report, decide: **What tier? Who owns it? What happens in the first 24 hours?**

A · Anonymous hotline

A supervisor is asking staff to adjust timesheets before payroll closes.

B · Customer email

An employee posted a photo of a client's order, with the client's name visible, on a personal Instagram account.

C · Hallway conversation

An employee tells her manager she's been left out of meetings since she raised a safety concern.

D · Vendor call

A vendor says a buyer hinted that a gift card would help their contract renewal.

RISK MITIGATION

Protect the reporter, not just the report

Keep identity need-to-know

Share the reporter's name only with those who must act, and never with the subject.

Watch for quiet retaliation

Schedule changes, lost assignments, exclusion from meetings, sudden performance scrutiny.

Check in on purpose

Follow up with the reporter at set points after the report, not only when the case closes.

Review your agreements

Make sure NDAs and separation agreements don't discourage reporting to regulators.

FOLLOW-THROUGH

Close the loop, then learn from the data

Document

Record intake, triage decision, owner, steps taken, and outcome.

Respond

Tell the reporter what you can: that it was reviewed and addressed.

Learn

Feed root causes back into policy, training, and controls.

What to track

- Volume by channel and location
- Time to triage and time to close
- Substantiation rate
- Repeat subjects, teams, or offices
- Retaliation concerns raised

TAKEAWAYS

What to take back to your team

- 1 Map every door, and tell every door where reports go.
- 2 Triage by severity and conflict, with timelines you actually meet.
- 3 Treat retaliation risk as part of every report.
- 4 Close the loop, and let the data improve the system.

Thank you

Questions, stories, and conversation welcome.

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