



Compliance TODAY

November 2014

A PUBLICATION OF THE HEALTH CARE COMPLIANCE ASSOCIATION

WWW.HCCA-INFO.ORG

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COMPLIANCE 101

The intersection between employee morale and compliance

- » Low employee morale should be recognized as a compliance risk.
- » Understanding contributing factors of low employee morale facilitates compliance risk assessments.
- » Management may be a major factor impacting employee morale and compliance.
- » Compliance and Human Resources staff must coordinate to address issues impacting morale.
- » Unaddressed, low employee morale can impede an effective compliance program.

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It may seem like an elementary question but, what is employee morale? Merriam-Webster's online dictionary defines "morale" as *"the mental and emotional condition (as of enthusiasm, confidence, or loyalty) of an individual or group with regard to the function or tasks at hand."*



DuBose

Accordingly, one Human Resources (HR) expert states that "employee morale is defined by employees' outlook, optimism, self-concept, and assured belief in themselves and their organization, its mission, goals, defined path, daily decisions, and employee appreciation."¹ Now, let's look at compliance.

Merriam-Webster's online dictionary defines "compliance" as *"the act or process of doing what you have been asked or ordered to do"* or *"conformity in fulfilling official requirements."* Here, one can clearly connect these two general concepts.

Employee morale: High vs. low

It does not require a comprehensive study to conclude that if employee morale is high,

employees feel positive about their work environment and, in most cases, go above and beyond in completing their job responsibilities. On the other hand, if employee morale is low due to employees being overworked, underappreciated, or resentful (due to a lack of growth opportunity or because of others receiving preferential treatment), these employees may only do the bare minimum to complete their given tasks. Thus, they are not paying attention to detail or spending an appropriate amount of time to ensure that simple mistakes are avoided, which when compounded, can cause major compliance issues. Accordingly, as time passes, if the issues contributing to the low morale of one group are not addressed, eventually those who are typically positive about their roles and responsibilities are drained—they too become negative about their work environment and discontinue any exceptional efforts. And just where does this leave the unit, department, or even the entire organization? A breeding ground for compliance issues.

Compliance staff's role

As a compliance professional in your organization, what do you do? First, compliance staff

has to be aware of low employee morale by consistently assessing the environment:

- ▶ Are employees generally happy while at work?
- ▶ Do they take pride in the organization and its mission?
- ▶ Are they given the opportunity to express their ideas?
- ▶ Do most view the organization as one in which they can grow and advance?
- ▶ Are departments properly staffed?
- ▶ Are employees praising their managers or leadership with respect to their abilities to manage and lead the organization?
- ▶ Are employees open when asked for their concerns?
- ▶ Do employees feel that they are treated fairly?

If the answer to some of these types of questions is “no,” there may be morale problem.

Once low morale is identified, the Compliance team should assess what risks it poses to compliance and execute a plan to address those risk areas. This plan may include:

(1) working with leadership, management, and HR to identify and properly discipline problem employees and managers who are contributing to the issues that result in low morale; (2) developing or improving departmental policies and procedures and monitoring to ensure that actual practices are in accordance with these policies and procedures to minimize potential compliance issues; and/or (3) re-training and re-educating the employees on compliance policies and procedures.

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The reality of low employee morale

As compliance professionals, we spend a tremendous amount of time discussing one of the essential elements of a compliance program: developing effective lines of communication whereby individuals can report their concerns under the protection of a non-retaliation policy. However, the reality is, if employee morale is low—and it is low due to the actions or lack thereof of management and leadership, and it appears that the rules do not apply to them—it is most probable that employees will not engage in any disclosures of non-compliance issues for fear of retribution by management. Unfortunately, this fear is not unfounded. In many organizations, we find that certain compliance issues result from some action or inaction by management and that management is guilty of harassing or discriminating against certain employees. And, in some cases, it is not that a particular manager was unethical—he/she followed the tone set by leadership.

So, what are rank-and-file employees to do when they have made a mistake because they are overworked due to understaffing, or when they know that management is not properly instructing staff on a particular procedure, or when they see that leadership does not take any action against bad managers or fellow leadership who have displayed unethical or inappropriate behavior? We as compliance

professionals say, “Report it.” But, what incentive does an employee have to report compliance issues? What real assurances does an employee have that he/she will not be harassed or even worse, lose their job?

Conclusion

As compliance professionals, we must not only develop and implement “seven element” compliance programs, we must also demonstrate that we are approachable and open to hearing about compliance issues that place the organization or even employees at risk. Moreover, we must develop and maintain a reputation for flushing out issues and working with leadership, management, and HR to resolve the issues that negatively impact employee morale, which in turn increases

the potential for non-compliance. By doing so, compliance professionals build trust with the employees who view the Compliance department as one of the pillars of an ethical organizational culture. We must recognize that our roles should not be siloed; otherwise, our time and energy spent on the development and implementation of compliance programs are wasted and the programs will be ineffective. ☺

1. Heathfield, Susan M: “You Can Boost Employee Morale.” About.com website. Available at <http://abt.cm/1qOITel>

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