

Mitigating Risk thru Effective EHS Compliance

A robust environment, health and safety (EHS) program is an essential building block to any sustainable business enterprise and increases the reputation and market value of any company. Failure to have an effective EHS program could subject your company to significant civil and criminal environmental enforcement and heightened scrutiny by e-NGOs. It is because of these growing risks that companies must be more vigilant in ensuring that their EHS programs have all the requisite parts to be both successful and effective.

How Well Does Your Company's EHS Compliance Program Measure Up?

Unfortunately, many companies wait too long before determining how effective their EHS compliance program is. At Earth & Water we have a unique and unparalleled perspective, both overseeing investigations of the government's largest enforcement cases and managing corporate compliance turnarounds. We begin by applying that experience and assessing the building blocks of an effective compliance program, while stress-testing your organization to prevent incidents from becoming investigations. We start by asking:



- ✓ Does your organization have an EHS organization? Where does it reside within the corporate structure – does it have stature? Is it valued and sufficiently supported by the board and management?
- ✓ Are compliance policies clear and in writing? Are they easily understood by employees?
- ✓ Does the company ensure that its managers offer strong support for compliance?
- ✓ Are the compliance teams adequately funded and able to access needed resources?
- ✓ Does the company have an ethics and/or incident hotline, and are employees trained to use it?
- ✓ Are the compliance policies subject to periodic review and updating as to evolving risks and circumstances?
- ✓ What cyber and other security measures are in place to protect your infrastructure and data?
- ✓ Do mechanisms exist to enforce the compliance policies, is compliance incentivized, and are employees disciplined on an even-handed basis?
- ✓ Are third parties (e.g., vendors, agents, consultants) informed of (and held accountable for) compliance expectations?

How your company answers these questions can make the difference between a routine civil or administrative action, or a criminal enforcement action.

Earth & Water Can Help Your Company.

Earth & Water's professionals have developed a proprietary approach and evaluation system that applies well-articulated metrics and guiding principles used by the U.S. Department of Justice, Environmental Protection Agency and the Occupational Safety and Health Administration regarding expectations of an organization's compliance program. And, as part of our confidential assessment, we will evaluate the company's compliance culture to assess how well the views of employees align with corporate goals and expectations.

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