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Considerations and challenges in developing compliance training

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A word of warning: I am not an expert on compliance training. I have, however, had the opportunity to develop compliance training at a number of different organizations and intend to share some of the challenges I've faced and insights I've gained in successfully implementing such training. Below are some considerations to keep in mind as you work to successfully develop and implement compliance training at your company. For many of the topics addressed below, the best approach may be determined by your company's current compliance culture, expertise, and budget.

Buy off-the-shelf training or customize it?

This may likely be the first decision you make when developing compliance training for your company. The decision to purchase off-the-shelf versus bespoke compliance training may be determined by (1) the time that you and your team can devote to customizing training, (2) your budget, and (3) your area of compliance.

My subject-matter expertise is export compliance. Export compliance can be complicated and varies by region and industry (e.g., export controls that apply to companies in the energy sector can differ from those in the aerospace industry). With that in mind, I have found that off-the-shelf export compliance training is generally insufficient. While general concepts and issues of export compliance may be applicable across countries, industries, and companies, a one-size-fits-all approach to export compliance training can be so generic that it lacks connection to employees' job roles and the specific concerns of the applicable industry or company. On the other hand, customized export compliance training may take the form of regional trainings (different training for employees in the US, Asia, and Europe) or sector trainings (targeted trainings specific to human resources, engineering, and sales). Think about whether *your* area of compliance and the examples, lessons, and guidance that you want to provide to your company's employees are better suited to a customized format or if an off-the-shelf approach makes sense.

As stated in the U.S. Department of Justice (DOJ) *Evaluation of Corporate Compliance Programs*, a "hallmark of a well-designed compliance program is appropriately tailored training."¹ If you decide to follow DOJ guidance and customize your compliance training, be sure to understand what a training vendor *may* mean when they tell you that they are willing to tailor or customize their off-the-shelf training to fit your company's needs, which can simply mean that they will include your company's logo on their presentation slides.

If you have the budget, time, and necessity to develop customized training, then *truly* customize it. As just a few examples:

- Use images of your company sites and employees (with permission, of course).
- Refer to your specific company products.

- Use the specific names of your company's sectors or business lines.
- Imbed a video message from your company's chief compliance officer or CEO that emphasizes the importance of compliance and the training itself.
- Target the content of your training to your employees.

True customization will help employees not only understand basic compliance concepts but also how such concepts directly affect and intersect with their day-to-day job roles and responsibilities.

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