



# Leading with Integrity: An Ethics-Based Approach for Business Innovation and Growth

April 2021

# The Panel



**Patricia Svilik**  
Associate General  
Counsel  
Roofstock

**Moderator**



**Nicole Diaz**  
Head of Global Integrity  
and Compliance  
Snap



**Kevin Withane**  
Sr. Legal Dir. & Group  
Ethics and Compliance  
TI Fluid Systems

# Agenda

1

**The Challenge: Why ethics?  
What about compliance?**

2

**The Opportunity: How finding  
the flow between ethics,  
ESG, and D&I will lead to a  
better performing business.**

3

**The Solution: How do you get  
started?**

## Part 1: Compliance vs. Ethics (The Challenge)

# For Discussion

### WHAT

Compliance traditionally means complying with policies and the law, or *avoiding* misconduct. Today, we're going to talk about why we should lead with ethics instead.

### LET'S TALK

- What do you mean by ethics?
- What do you mean by diversity, equity, and inclusion (DEI)? By ESG?
- What is the most traditional form of each, and why does that present problems? (See "Three Silos")
- What does it look like when an organization has a strong ethical culture?
  - Purpose
  - Flow
  - Organizational awareness
- Does traditional compliance still play a role?



# Three Silos

## ETHICS & COMPLIANCE

Overly focused on preventing bribery and rule compliance.

Fails to define “highest ethical standards.”

## DEI

Focused on numbers, not transformation.

Problem “owned” by underrepresented groups.

## ESG

Yearly reporting exercise, without changing core business strategy.

E,S, and G are siloed.

# Ethical Culture



## Part 2: Finding Your Flow (The Opportunity)

# For Discussion

### WHAT

Now that we know how ethics, ESG and DEI are woven together, where do we go from here and how does it benefit the business?

### LET'S TALK

- Is there data to show that a culture of ethics strengthens companies?
- How do you pivot if you haven't had a stellar track record?
- Do you see a marketing advantage to having a strong ESG program in the technology sector?
- How do you formulate a DEI strategy for a global employee base that isn't US-specific? What is the role for Legal?



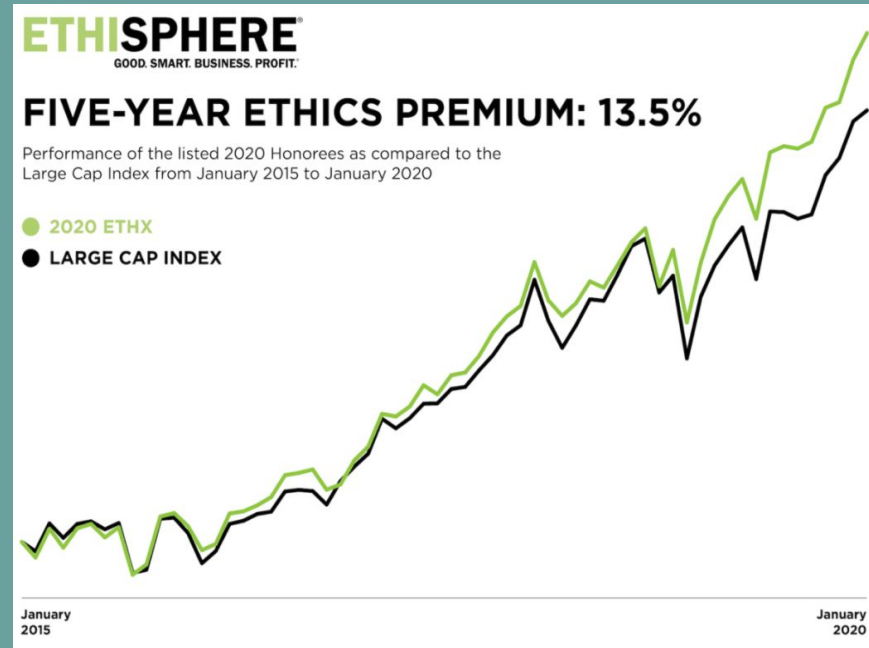
## Part 2: Finding Your Flow (The Opportunity)

# The Data

Over last 5 years, ethical companies outperformed the S&P 500 by 3.3%, and the Large Cap Index by 13.5%.

NYU Stern Center for Sustainable Business mega-study found a positive relationship between ESG and financial performance in 58% of corporate studies (13% neutral, 21% mixed, 8% negative).

Over the next two decades, analysts estimate a staggering \$15 to 20 trillion of asset inflows to U.S. ESG funds, roughly equivalent to the size of the S&P 500 today.





### Part 3: How to Get Started (The Solution)

# For Discussion

## WHAT

Let's get down to the nitty gritty on getting started or expanding your program.

## LET'S TALK

- Any advice for cash-strapped start-ups? Scale vs. compliance?
- How do you get cross-functional buy-in on leading with integrity? Against short-term and long-term business goals?
- What are some best practices to measure a company's culture of integrity?



### Part 3: How to Get Started (The Solution)

# For Discussion

As lawyers, we are bound to Rules of Professional Conduct, particularly:

Rule 8.4 (a-f): Warns that an attorney may be disciplined under Business & Professions Code for acts involving moral turpitude, dishonesty, or corruption-- whether it's intentional, reckless, or grossly negligent.

Rule 8.4.1 (a-f): Warns that an attorney shall not discriminate or retaliate against persons based on the basis of any protected characteristics.

What advice do you have for attorneys in this regard who are bound to these rules but their colleagues across the business are not?



# Ethical Culture





# Q & A



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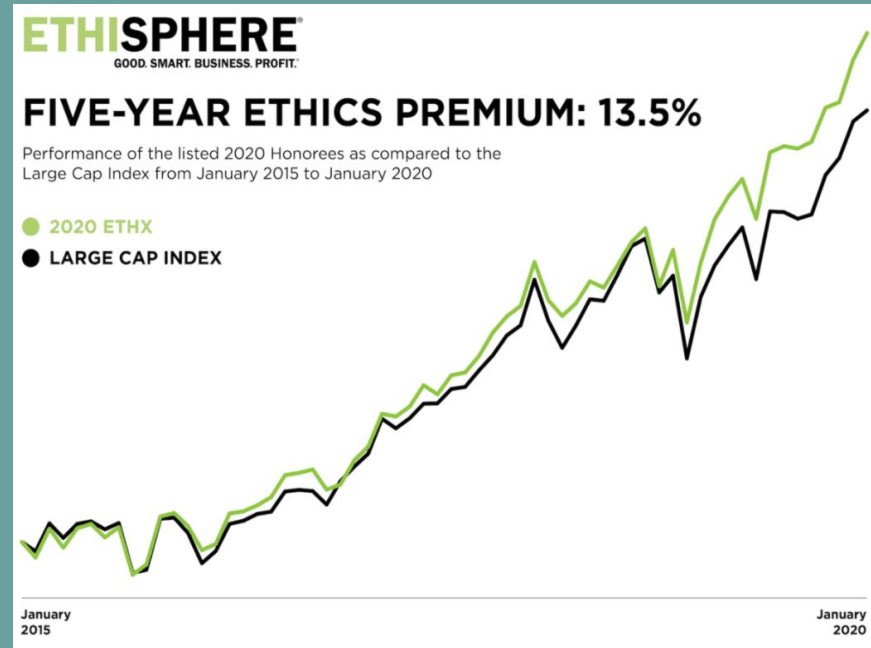
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