



# Antitrust Compliance Program Tips

August 7, 2024

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# Key Components of an Antitrust Compliance Program:

## ❖ Culture:

- Antitrust compliance should be part of your organization’s culture.
- Compliance needs to come from the top.
- Senior leaders should support and endorse the program and encourage compliance.

## ❖ Customization:

- There is no “one size fits all” approach. Organizations should identify their distinct antitrust risks.
- For example, trade associations should review membership eligibility and prohibit certain topics at meetings, including pricing and sensitive business data.
- Employees should understand their roles and responsibilities under the compliance program.

## ❖ Sufficient Resources:

- An organization should have sufficient resources to implement and maintain its compliance program, such as a compliance officer, in-house, and/or outside counsel.

## ❖ Training:

- Employees and members should be provided appropriate antitrust training. Organizations should track which

individuals have received such training and when.

- Training should give participants an understanding of basic antitrust rules, the ability to spot an issue, and what to do if they are faced with a potential concern.

❖ Audit and Controls:

- Compliance programs should be reviewed periodically, including a review of antitrust risks, the compliance policy, and trainings.

❖ Reporting:

- Every compliance program should make it clear that it is every employee's (or member's) obligation to report a compliance concern and that each concern will be investigated in good faith.
- Consider creating an anonymous whistleblower phone number or email inbox.

❖ Response:

- Although response times will vary, organizations should swiftly and thoroughly investigate any reports or concerns of antitrust violations.
- Discuss any concerns with your lawyer immediately.