



eBook

Three Reasons to Automate Your Marketing Compliance Process

Why automation can save your organization time and money while mitigating the risk of TCPA and DNC violations

Three reasons you need to automate your marketing compliance process

Few industries are immune from Telephone Consumer Protection Act (TCPA) liability. Last year, companies in consumer-facing industries faced a continued barrage of lawsuits under the TCPA and Do-not-call (DNC) regulations.

TCPA class action lawsuits remain one of the most commonly filed in federal courts across the country. Congress and the Federal Communications Commission (FCC) continue to update TCPA and DNC rules and regulations in the areas of compliance and consumer protection and with that, the pace at which new TCPA lawsuits are filed is not slowing, with news of high-dollar settlements announced almost daily. Because there is no cap on damages, the potential liability in these cases can be enormous.

What's even more challenging? Individual states are now implementing their own TCPA and DNC regulations, making it even harder to maintain compliance with these ever-changing laws. Under the constant threat of ever-increasing fines and stricter enforcement, businesses that rely on outbound marketing need specialized compliance tools and advice. It's nearly impossible to keep up on your own.

We see more and more companies adopting cloud-based compliance-automation technology, including the integration of both do-not-call and business specific rules into calling platforms to take the guesswork out the myriad of regulations at both the state and federal level.

Telephone Consumer Protection Act

The TCPA was established to regulate telemarketing calls and text messages in the U.S. and protect consumers from being bombarded with unsolicited and prerecorded messages.

The law places several regulations on the hours in which business can conduct telemarketing efforts to consumers and limits the use of prerecorded messages and automatic dialing. If your organization violates the guidelines of the TCPA, you are at risk of the following:

- \$500 for each violation of the National DNC Registry
- \$500 for each violation of the TCPA
- \$1,500 per phone call or text message if it is proven that your business knowingly and willfully violated the TCPA

Federal Do Not Call Regulations

The National Do Not Call Registry allows consumers to register their residential and wireless phone numbers to prevent telemarketers from contacting them and serves as a database for businesses to know which numbers not to contact.

If a consumer receives a call to their number and that number has been registered on the National Registry for 31 days, they are able to report the violation to the Federal Trade Commission (FTC).

The benefits of compliance automation

1 Avoid the threat of a multi-million-dollar lawsuit and damage to your brand

Automated compliance technology checks every outbound sales call against the state, federal, and other do-not-call lists, applies for any available exemptions, and either allows the call or blocks it automatically.

This technology also updates this process in real-time to adjust to calling curfew, time zone, daylight savings, holiday, and state-of-emergency restrictions associated with outbound calls to ensure compliance with applicable laws and regulations.

Automated compliance technology provides tools for enforcing internal policies as well, helping to onboard staff and instill a compliance-focused environment. This technology is flexible and can adapt to your needs as they change. Cloud-based, real-time call blocking validates each call request for permission to continue. No list scrubbing is required.

This process means that you have instant protection against federal and state calling regulations, mitigating the risk of large fines or penalties, as well as reputational and brand damage that may result from non-compliance.

Massive lawsuits and fines continue to be filed:

"One Last Bite at the Apple: [MLM Marketing Company] and the \$925 Million TCPA Judgment..."

- November 2022, Risk Settlements

"[National Real Estate Company] to Pay \$40M to Settle Cold Call Class Action Lawsuit..."

- January 2023, Inman

"[National Utility Company] Agrees to Pay \$38.5 Million for Automated Calls..."

- January 2022, ABC News, Albany

"[National Telecommunications Provider] Unsolicited Calls \$17M Class Action Settlement..."

- September 2022, Top Class Actions

2 Manual compliance is a significant resource drain

Many companies spend hours processing manual data and are still left with the potential for human error and data lags.

Additional time and resources are spent having to continually stay apprised of both new and amended regulations, including the subsequent internal efforts required to update internal rules and processes.

When you automate compliance, you free up an incredible amount of time and valuable resources to focus on revenue-driving strategic priorities.

3 Expand your marketable universe

Most people view FCC regulations as a hindrance to their business, but think of it this way: Due to opt-in and consent provisions, you're actually developing a more focused group of people to call, who, by opting in to communications from your company, are more open to hearing about the product you're selling.

So instead of blindly calling people who have no interest in your company or your company's products, you're zeroing in on more qualified prospects. When performed correctly, this approach builds loyalty to the brand and strengthens affinity, creating both cross-selling and upselling opportunities.

Save time and resources, while simplifying your compliance program

TCPA and DNC compliance is a critical part of any telephone marketing campaign.

With the ongoing wave of lawsuits alleging TCPA and DNC violations, companies will need to maintain a focus on its compliance efforts to mitigate their potential risks which include monetary fines and settlements, loss of goodwill, threats to brand reputation and potential personal liability for business owners and executives.

A robust TCPA and DNC compliance program should be updated and reviewed regularly to remain in step with the frequently evolving TCPA landscape.

By automating this process, you can not only ensure you are mitigating risk, but you will also free up valuable resources for more proactive, revenue generating initiatives.

About Gryphon

Gryphon enables clients to capture, record, coach and analyze all aspects of a conversation to provide in-the-moment, AI-powered advice during live calls as well as post-call feedback and analytics. This tool enables compliance and customer success leaders to more effectively mitigate risk, reduce call queue times, and provide a better overall customer experience.

As an innovator of automated sales and compliance technology, we work with Fortune 500 companies, as well as small and medium-sized businesses across a variety of industries to mitigate risk while significantly improving the customer experience.

Learn more about how Gryphon's technology can mitigate compliance risk while improving the overall customer experience at your organization. Schedule a demo today!

