

More From the USA "Do Not Call Me!"

I'm still travelling throughout the USA and will soon be in Okalahoma City (what used to be one of the major centres of telemarketing in the States). Everywhere I go I've gotten into purposeful discussions with industry representatives and consumers in regard to the new "Do Not Call" Legislation, just signed into effect from 1 October 2003.

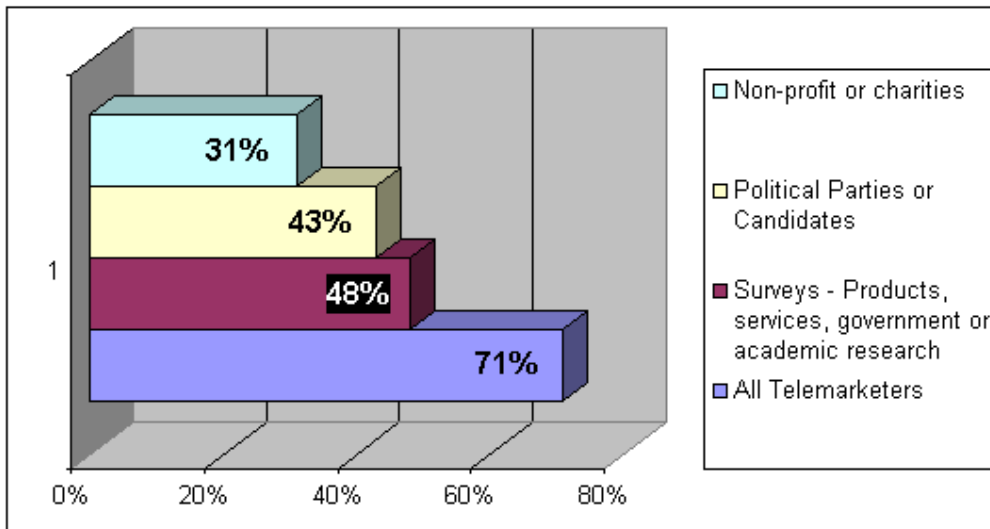
The US Congress has rarely, if ever, moved so quickly on anything before but unfortunately, in haste, the legislation has come into effect with little thought for the consequences: It's economic impact (estimates of up to 2 million jobs lost for a start), the cost of additional advertising that will be required to compete in the market that will drive up the cost of products and services to consumers, outsourcing will increase as organisations attempt to squeeze dollars from their budgets, additional technology to monitor compliance from the organisation's side, etc.

The greatest oversight, however, is with just how the federal government intends to maintain the integrity of the "Do Not Call" database, monitoring activities, tracking down perpetrators, enforcing the regulations, collection of penalty fees, etc.

Why is the US in this situation? Many companies have focused so much on "the numbers" they've lost sight of quality, courtesy, common sense and the way people who must staff the contact centres are supported and encouraged. Now hiring practices give way to time pressures; training is withheld to save investing in staff anticipated to be disloyal. Turnover of staff is dangerously high.

Most tragic of all, the legislation won't stop most of the annoying calls consumers intended it to stop. Charities, political parties and surveyors (which is the platform of the successful constitutional challenge in Denver because it clearly violates telemarketers' free speech rights under the First Amendment by blocking commercial calls, and allows others ("All animals are equal, but some are more equal than others," from George Orwell's Animal Farm.). And consumers don't like these calls!

Calls Annoy Households % of Americans bothered by calls from:



Source Harris Poll of 1,011 adults conducted 12-17 August 2003

Plus, if you have a previous relationship with an organisation they can continue calling with pitches – even closing an account won't exempt calls for 18 months! And if a consumer contacts a company for any reason (and they capture their contact details) the business can freely contact them for three months from each contact!

The fines are steep, up to \$11,000 per restricted call (the details of this still aren't worked out clearly), but only apply if the victim files a detailed complaint with the Federal Communications Commission or Federal Trade Commission, by phone, mail or Internet. Furthermore, the government has made it known they don't intend to act on each complaint but pursue "repeat offenders".

The politicians were trying to be the good guys for the consumers and now its backfiring in their face. Australia is just beginning to deal with legislation in some States and it's apparent from the US example, careful planning is critical.

Read about the author, Darlene D. Richard, at www.CallCentreINTEGRITY.com/articles.htm