Calm in a Crisis

Interviews and Profiles

Career Development

Tony West

CHIEF LEGAL OFFICER

UBER INC

SAN FRANCISCO, CA

Tony West doesn’t run away from a crisis; he heads toward it. “I don’t know what that says about me as a person, but it’s definitely true,” he said in a recent interview with ACC. The first executive hire by newly installed Uber CEO Dara Khosrowshahi, West was given a mandate as chief legal officer to transform a company that had developed a reputation for winning at all costs into one committed to transparency and safety.

Luckily, West relishes a challenge. And the job has its fair share: On his very first day at Uber, he had to handle issues related to a massive data breach. Today, the company is trying to find its balance after seeing a precipitous decline in rides during the COVID pandemic, a rapid increase in its Uber Eats platform, and a California court ruling that declared the state’s Uber drivers to be classified as employees rather than independent contractors, which threatens to upend the company’s business model in that state. The death of George Floyd and the protests that followed compelled West and Uber to double down on a commitment to integrity and equality in the face of injustices and systemic racism. And yet where others may feel overwhelmed by the scope of the mandate and the hurdles ahead, West is calm and collected, which is the best way to weather a crisis.

Guided by ethics

Before becoming an in-house lawyer, West was associate attorney general of the United States, the third highest-ranking official in the Department of Justice (DOJ). He compares it to working for the world's largest law firm — but one that is mission driven to ensure fairness. He secured large civil settlements — recovering nearly US$37 billion for American consumers — from banks for their actions in the 2008 financial crisis, as well as advocating for civil and constitutional rights, for which he was awarded the Edmund J. Randolph Award, the department's highest honor in 2014.

In-house priorities

West joined PepsiCo, Inc. as executive vice president of government affairs, general counsel, and corporate secretary in October 2014. He concentrated on diversifying the legal profession, setting up the Larry Thompson Fellowship Program, a summer program for first-year law students that was named in honor of his predecessor, and committing the company's outside counsel to report diversity statistics in line with the ABA's Model Survey on diversity. PepsiCo, which has always been included on Ethisphere's list of most ethical companies since its inception in 2007, tended to get the benefit of the doubt when controversy arose, West says.

That wasn't the case when he joined Uber in 2017. His former boss at the DOJ Eric Holder had just completed an investigation into allegations of sexual harassment and discrimination at the company. Most lawyers wouldn't consider joining a company that made international headlines for the wrong reasons, but West runs toward the fire.

To carry the metaphor forward, Uber's culture was on fire and West was sent to put it out. The first thing he did as CLO was hire Tammy Albarrán, who wrote the Holder report, as deputy general counsel because she knew the company inside and out from all the interviews she conducted. "Putting Tammy in place helped me build an in-house legal team that is second to none, that is diverse, that reflects the values we want, that walks the walk. That's how you begin to forge lasting change," he states.

Looking for courage

CLOs know it's the people who make the difference. West says he would rather hire for attitude and potential and train for skill. "As you move into more senior positions, it gets harder and harder for people to tell you the truth," he admits. Hiring people who will be candid with you, no matter how difficult it may be, is critical.

West's approach to hiring is driven by his experience working in Janet Reno's Department of Justice. Young lawyers are often driven to win, which is important, but not at the expense of having the courage to admit error. As a young lawyer in the DOJ, he was encouraged to speak up when he saw that the government had made a mistake. "If you see something in a case that is not right, you have to have the courage to say we need to fix this. That kind of courage is important for young lawyers to exercise because when you're a young lawyer and you're trying to figure out what kind of professional you're going to be, those kinds of moments define character," he says.

The strategy is to surround yourself with people who tell you the hard truths but also complement you in ways that build a diverse team. It's a strategy he learned from his former bosses: Janet Reno, Eric Holder, Barack Obama. "These are leaders who surrounded themselves with people who were the

best at what they did and were not afraid of sharing differences of opinion or alternative ways to go forward. And when leaders hear those differing ways to go forward, they make better decisions," he believes.

The philosophy extends to mentorship, which West says he benefited from as a mentee of Reno, who mentored him personally when he was a young US Attorney. "These relationships are at their best when they form naturally and extend over many years," West explains. "There is a two-way flow of benefit, meaning the mentor imparts skill and learning, but the mentee eventually gives back to the mentor and you're both learning from one another."

The best example West can think of is Albarrán, who was West's mentee when he was a partner at Morrison & Foerster, and was the linchpin of establishing a renewed culture in the legal department. "I'm sure I have gotten more out of the relationship now than she got out of it then, but it's a perfect example of the mentorship relationship where the mentor is learning as much as the mentee," West says, chuckling.

Getting to know… Tony West

WHAT DOES WELLNESS AND SELF-CARE LOOK LIKE FOR YOU RIGHT NOW?

I try to do a long run each morning. It helps me clear my head, get my thoughts together for the day, and feel more energized. Also, a self-care strategy of mine is spending quality time with my family — especially my grandchildren whose vibrant, positive spirits help put things in perspective, especially during this time.

DO YOU REMEMBER YOUR FIRST UBER RIDE?

I do remember my first Uber ride and feeling like it was like this transformational new tool. That memory and the ease of simply pushing a button to get a ride was one of the things that made me want to come to Uber. I've experienced firsthand discrimination by taxis when trying to get a ride. Even as the third highest ranking official in the US Department of Justice, I would sometimes have issues hailing a cab in Washington, DC. I'm proud that Uber has been able to provide reliable transportation to and from neighborhoods that have historically been underserved by mass transit and taxis.

WHAT IS ONE THING THAT YOU ARE MOST EXCITED ABOUT DOING AFTER THE COVID-19 PANDEMIC HAS PASSED?

I'm looking forward to being able to travel again for both vacation and work. Although there are a lot of efficiencies in doing things virtually, there are some things that are meant to be face-to-face. For example, being able to meet employees in different regions and understand their challenges and concerns.

A new brand

West relies on his diverse 14-person leadership team to help the business as it adjusts to the pandemic. Before COVID, safety was paramount. Uber became the first in the industry to release a safety report including data on reports of sexual assault, motor vehicle fatalities and criminal fatalities related to the platform. “Accountability is driven by transparency and the public is the best way to hold yourself accountable,” West affirms.

During COVID, safety is still the first priority, just in a different way. There are no rides without masks. The company is working with public health departments across the United States on contract tracing, and committed to providing 50,000 free rides and meals to domestic violence shelters. The company has also allocated US$50 million to purchase and distribute cleaning supplies and protective equipment to drivers, which includes partnerships with Clorox, Unilever, and Dettol.

West is confident that after COVID, Uber might just look a little different than it did a few years ago. “It’s been the adventure of a lifetime and one of the best career decisions I’ve made,” he says.

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Fraud’s Perfect Storm: Mitigating Risk in a Global Pandemic (July 2020). accdocket.com/articles/fraud-perfect-storm-mitigating-risk-in-a-pandemic.cfm

In-house at Home: Uncertainty and Change Management (May 2020). accdocket.com/articles/make-it-work-uncertainty-and-change-management.cfm

Protecting Your Brand in the Global E-Commerce Jungle (June 2019). accdocket.com/articles/resource.cfm?show=1501811

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Joshua H. Shields

Editor

Association of Corporate Counsel