



How Shall We Live?

Marci Porter Campbell



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WELCOME

- Name and position?
- How long have you been in your current position?
- What are you hoping to take from today?

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Course Objectives

- Raise ethical awareness
- Define ethics and its relevance to your organization
- Explore the ethical decision making process
- Review relevant ethics laws and policies
- Examine how personal ethics co-exist with organizational ethics

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Expectations & Ground Rules

- Be fully engaged, interactive, contributory
- Share your insights, ideas and knowledge
- Be tough on issues not each other
- Rent ideas - you don't have to buy them
- Cell phones and electronic devices: etiquette
- The Vegas Rule

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In matters of style, swim with the current; in matters of principle, stand like a rock.

Thomas Jefferson

Character cannot be developed in ease and quiet. Only through experience of trial and suffering can the soul be strengthened, ambition inspired, and success achieved.

Helen Keller

The time is always right to do what is right.

Martin Luther King, Jr.

A people that values its privileges above its principles soon loses both.

Dwight D. Eisenhower

Disciplining yourself to do what you know is right and important, although difficult, is the highroad to pride, self-esteem, and personal satisfaction.

Margaret Thatcher



If ethics are poor at the top, that behavior is copied down through the organization.

Robert Noyce

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What is Ethics?

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Ethics Defined

1. Theory, system, discipline, study or philosophy of moral principles, values, duties, and obligations
2. Rules, standards, or principles governing behavior
3. Conscious reflection on and discussion of our values and moral beliefs to guide choices and behavior

Sources: Meriam-Webster Online Dictionary; The American Heritage Dictionary of the English Language, 4th Edition

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Ethics in Action

The practice of applying a code of conduct to day-to-day actions. The code is based on moral principles that balance what is fair to individuals or organizations and what is right for society.

American Society for Quality, "Quirk Quality Dictionary, Second Edition"

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Two Kinds of Ethics Education

- Objective or External
 - Ethics laws
 - Codes of ethics
 - Rules
 - Standards of conduct
 - Conflicts of interest
- Subjective or Internal
 - Values
 - Character & virtue
 - Morality and moral authority
 - Obligations
 - Principles for resolving ethical dilemmas

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Three Approaches to Public Ethics



1. Legal ethics (laws) – cans and can'ts
2. Codified ethics (codes) – do's and don'ts
3. Normative ethics (values) – shoulds and shouldn'ts


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ETHICS EXERCISE


- Make a list of 3 to 5 reasons why ethics are important to you and your position.



- Please be prepared to report out.

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The Foundation For Ethical Behavior Executive Order 12674


- Thomas Jefferson enunciated the basic principle of public service. "When a man assumes a public trust, he should consider himself as public property." This sentiment has been expressed by numerous others, over time becoming the familiar principle "Public service is a public trust."

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ETHICS

Despite the codes of ethics, the ethics programs and the special departments, corporations don't make the ultimate decisions about ethics.

Ethical choices are made by individuals.



M. Euel Wade, Jr. – Senior Vice President
Southern Company Services, Inc.

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Ethics: Bigger Than Compliance

Compliance is about doing what you have to do.

Ethics is about doing what you should do.


ETHICS IS ABOUT DOING WHAT IS RIGHT!!!


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Ethical Dilemmas Arise When...

- Doing right results in a bad outcome
- Doing wrong results in a good outcome
- Action results in a bad outcome
- Inaction results in a bad outcome

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State of Ethics

What is your perception of ethical behavior in the public sector?

- Local Government
- State Government
- Federal Government


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The Ethical Decision Making Process

- Obtain the Facts
- Define the Ethical Issues
- Ensure Legality
- Promote Fairness
- Check your Intuition



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Consider

- “Good and evil both increase at compound interest. That is why the little decisions you and I make every day are of such infinite importance” -C.S. Lewis

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ETHICS CASE STUDY

Chris is a valued, long-term employee. She has been with your county for 17 years and is a model employee. She's always willing to put in extra time when needed without complaining. Recently, she has come to you and admitted that for some time she has been "borrowing" money from the petty cash fund and writing false receipts to cover it. It was never much, \$10 or \$15, and she always repaid it. It has bothered her so much that she felt she must confess. Under the personnel policy, her actions are cause for dismissal.

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What do you do about Chris?

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COMMON RATIONALIZATIONS

- If it's legal, it's ethical; if it's permissible, it's proper.
- I'm just fighting fire with fire.
- We've always done it that way.
- Everyone else is doing it.
- It's ethical as long as it doesn't hurt anyone.
- It's ethical as long as I don't gain personally.

Josephson Institute of Ethics, Copyright 1992



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ETHICAL DECISIONS

- Have extended consequences
- Have multiple alternatives
- Have mixed outcomes
- Have uncertain consequences
- Have personal implications



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Ethics Reflection Exercise

- Think about a recent ethical situation you faced.
- Jot down the following:
 - What happened?
 - Who was involved?
 - What was the outcome?

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IF IT'S LEGAL IS IT ETHICAL?

- ☐ At least eight States and the District of Columbia have adopted laws legalizing the recreational use of marijuana. Would it be ethical for a city or county employee on vacation to one of these locations to partake?
- ☐ What if they are there for a conference?
- ☐ Is it ethical for the public to scrutinize public officials' social media pages?

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Current Laws and Policies

- The Georgia Constitution
- The Georgia Code
- The Governor's Executive Order
- Your local code

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The Georgia Constitution



All government, of right, originates with the people, is founded upon their will only and is instituted solely for the good of the whole.

Public officers are the trustees and servants of the people and are at all times amenable to them.

Article 1, Section 2, Paragraph 1

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THE GEORGIA CODE

CODE SECTION 45-10-1

- I. Loyalty
- II. Uphold the Constitution, Laws, Regulations
- III. Full Day's Labor
- IV. More Efficient and Economical Ways
- V. Special Favors
- VI. Private Promises
- VII. Engaging in Business with Government
- VIII. Confidential Information
- IX. Expose Corruption
- X. Uphold these Principles



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Code of Ethics for Government Service



1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.
2. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.
3. Give a full day's labor for a full day's pay and give to the performance of you duties earnest effort and best thought.
4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
5. Make no private promises of any kind binding upon the duties of office, since, a government employee has no private word which can be binding on public duty.

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6. Never discriminate unfairly by dispensing special favors or privileges to anyone, whether for remuneration or not, and never accept favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties.
7. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of governmental duties.
8. Never use any information coming to you confidentially in the performance of governmental duties as a means for making private profit.
9. Expose corruption wherever discovered.
10. Uphold these principles, ever conscious that public office is a public trust.



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GOVERNOR'S EXECUTIVE ORDER

- Ethics Officer
- Conflicts of Interest
- Gifts
- Honoraria
- Lobbying
- Fair and Equal Access
- Dual Employment/Board Service
- Unique or Compelling Circumstances



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Codified Ethics

- Code of ethics
- Organizational codes of behavior
- Professional standards of conduct
- Administrative penalties
- Based on shared principles and values rather than on law



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Georgia Municipal Association: *Suggested Ethical Principles*

- Serve other, not ourselves
- Use resources with efficiency and economy
- Treat all people fairly
- Use the power of our position for the well being of our constitution
- Create an environment of honesty, openness and integrity



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Principles Are Well-Meaning and Well-Intentioned, but...

- Serve others, not ourselves
 - Self-interest and the public interest are more intertwined and inter-related than distinct
- Use resources with efficiency and economy
 - These aren't the only values that drive how we use resources.
- Treat all people fairly
 - There may be more than one way to be fair
- Use the power of our position for the well being of our constituents
 - If in order to help some we must harm other or allow others to be harmed, whom should we help

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ICMA: Code of Ethics

1. Be dedicated to effective and democratic local government.
2. Affirm the dignity and with of government services.
3. Be dedicated to the highest ideals of honor and integrity.
4. Serve the best interests of all the people.
5. Submit facts, advice, and policy proposals to elected officials.
6. Give credit to elected representatives.
7. Refrain from political activities which undermine public confidence.
8. Continually improve professional competence.
9. Keep the community informed.
10. Resist encroachment on professional responsibilities.
11. Be fair, impartial, and you don't discriminate.
12. Don't leverage you position for personal gain.

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Typical Legal Ethics Issues

Requirements:	Sanctions:	Prohibitions
<ul style="list-style-type: none"> • Campaign finance • Financial disclosure • Vested Trust • Procedures • Enforcement • Whistle-blower protections • Training 	<ul style="list-style-type: none"> • Violations • Dispositions • Complaints • Hearings • Subpoenas • Penalties 	<ul style="list-style-type: none"> • Revolving doors • Nepotism • Moonlighting • Gifts • Honoraria • Conflicts of interest • Food and Beverages • Lobbyists disclosure • Bribery • Disclosing confidential information



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Typical Conflicts of Interests

1. Financial gain (jobs, contracts, profits)
2. Accepting benefits (bribes, perks, gifts)
3. Influence peddling (name-dropping)
4. Personal use of public/license property (software)
5. Using confidential information (insider trading)
6. Outside employment (moonlighting)
7. Post-employment (revolving door)



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Normative Ethics

1. Subjective or Internal – values, beliefs, virtue, character, morality, duty, and obligation
2. What we might do or not do, depending on the context of the situation
3. Emphasis moral authority, moral reasoning, ethical dilemmas, resolution principles, and decision making
 - *The conscious reflection on our values and moral beliefs to guide our choices and behavior*



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Ethical Building Blocks

- Values
- Morality
- Virtue
- Character
- Obligation or Duty

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Values

- What's important
- What matters to us
- What we want
- What other want
- We cant discuss ethics without talking about values

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Institute for Global Ethics Global Values Survey

- Compassion
- Devotion
- Fairness
- Freedom
- Generosity
- Honor
- Humility
- Preserve Nature
- Respect Elders
- Responsibility

- Revere Life
- Respect
- Social Harmony
- Tolerance
- Truth

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Value	Chosen # (%)	Most Important # (%)
Truth	169 (62)	33 (16)
Compassion	153 (56)	44 (21)
Responsibility	147 (54)	33 (16)
Freedom	113 (42)	19 (9)
Reverence for Life	108 (40)	25 (12)
Fairness	100 (37)	12 (6)
Self-Respect	96 (35)	16 (8)
Preservation of Nature	92 (34)	5 (2)
Tolerance	86 (32)	8 (4)
Generosity	73 (27)	4 (2)
Humility	50 (18)	4 (2)
Social Harmony	43 (16)	2 (1)
Honor	31 (11)	4 (2)
Devotion	27 (10)	4 (2)
Respect for Elders	19 (7)	0 (0)

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What three values are most important to you?

How do you demonstrate these values in your position?



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Morality

- Good and bad
- Right and wrong



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Virtue

- Moral quality of a person
- Moral value we live



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Character

- Sum of moral qualities that helps a person do the right things regardless of circumstances
- *Reputation is what other people think of you, character is what you are.*



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Obligation

- To someone or something for someone or something – more of a social standard
- Accountability as an ethical concept: ***"To whom or what am I obligated, for whom or what?"***
- *Avoiding hypocrisy is simple. Just eliminate any standards you might have trouble keeping.*



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Sources of Moral Authority

- God's/Deity's word
- Personal experience
- Family & friends
- Modern science
- Religious leaders
- Government



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Common Ethical Dilemmas

- Truth vs. Loyalty
 - Personal honesty and integrity vs. promise keeping and obligation to others
- Individual vs. Community
 - Interest of the one or few weighed against those of those more or many
- Short-term vs. Long-term
 - Real concerns of the present weighed against investment or consequences for the future
- Justice vs. Mercy
 - Fair and equal application of the rules vs. empathy and compassion for an individual or group



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Ends-Based Reasoning

- Concerned with the ends, results, or consequences of an action
- Ends justify the means
- What is greatest good for the greatest number – the greatest balance of benefits over harm?
- Staple of legislation and public policy, e.g., cost benefit analysis
- The action is good if the end is good



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Rule-Based Reasoning

- Ends can't be known
- Good rules, procedures, processes lead to good outcomes
- Focus on the act, the means, e.g., duty, obligations, rules
- Act only as you would want everyone else to act if faced with the same situation
 - The action is good if the rule is good

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Care-Based Reasoning

- Virtue, character, care, compassion
- Focus on merits of the case, good of the actor
- The Golden Rules
 - Each of the world's great ethical and religious teachings
 - Good Samaritan laws
 - The action is good if the actor is good

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COMPARING THE APPROACHES

Ethical Focus	Ethical Question	What is the Good?	Practical Application
Ends	What action produces greatest balance of benefits of harm?	End is good Action is good if it achieves the desired result	<ul style="list-style-type: none"> • Cost-Benefit Analysis • Cost Effectiveness • Return on Investment
Rules	How would you want all others to act in the same situation?	Rule is good Act is good if conforms to the rule	<ul style="list-style-type: none"> • Law • Procedures • Regulations • Codes
Care	If you were in this situation, how would you want the actor to act towards you?	Act is good Action is good if it derives from the goodness of the actor	<ul style="list-style-type: none"> • Golden Rule • Good Samaritan • Laws • Conscientious Objector Laws

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ORGANIZATIONAL VALUES

Organizational Values are principles, goals, or standards held and accepted by an organization. These values govern the organization's norms or standards for activity. They represent a management philosophy.

“Values provide a common language for aligning leadership and its people”
(Amuso and Giblin, 1997).

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Strong Ethical Cultures

- Ethical Leadership
- Supervisor Reinforcement of Ethics
- Peer Commitment to Ethics
- Embedded Ethical Values reflects strength of Ethical Culture

Source: 2008 & 2013 Ethics Resource Center Study

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Ethics and Compliance Program

- Written Standards (Code of Conduct)
- Training on Ethics Issues
- Presence of a Helpline for Reporting
- Evaluation of Employees based on Ethical Conduct
- Discipline for Violations
- Resources for Employees with Ethical Questions


Source: 2008 Ethics Resource Center Study

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The Ethical Decision Making Process

- Obtain the Facts
- Define the Ethical Issues
- Ensure Legality
- Promote Fairness
- Check your Intuition





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Back to the Ethics Reflection Exercise

- Pair up with someone in the room
- Take turns discussing the following:
 - What type of ethical situation was this?
 - Apply the five step ethical decision making process to your situation
 - What, if anything, should you have done differently?



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Process for Resolving Ethical Dilemmas in your Jurisdiction

- What should you do if you have an ethical dilemma that you are unable to resolve?
- Does your office have procedures in place to assist employees who face these ethical dilemmas?
- If so, what are they?



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ETHICS CASE STUDY

- Your organization recently sought requests for proposals for a new financial software package. You have attended a workshop where the pros and cons of each of the three qualifying proposers have been outlined. You have prepared a careful analysis and have formally submitted your recommendation that the Finance Director select Vendor X.
- Two weeks before the decision is to be made, the sales rep for Vendor X calls because he has one extra ticket to a Braves game and knows you are a real fan. He will not be attending and, if you take anyone with you, you will need to pay for that person's ticket.

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ETHICS CASE STUDY

- You become aware that a long-time employee, Jack Johnson, has developed a drinking problem. He doesn't come to work drunk, but he often comes in less than chipper. He is one of the few drivers you have with a CDL. Because he is often on call, he is allowed to have a take-home truck. Jack and his wife have had to adopt their grandson because their daughter has disappeared from the scene. He is less than two years from retirement. Jack has always been a team player. He has come to work no matter what the weather and worked as long and hard as needed.

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Kohlberg's Values Maturity Model

- Pre-Conventional Level (Self-Centered)
- Conventional Level (Conformity)
- Post-Conventional Level (Principled)

•David Whetten and Kim Cameron, *Developing Management Skills*

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Principles of Public Service Ethics

- Public Interest
- Objective Judgment
- Accountability
- Democratic Leadership
- Respectability

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PUBLIC INTEREST

Public servants should treat their office as a public trust, only using the power and resources of public office to advance public interests and not to attain personal benefit or pursue any other private interest incompatible with the public good.

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OBJECTIVE JUDGEMENT

Public servants should employ independent objective judgment in performing their duties, deciding all matters on the merits, free from avoidable conflicts of interest and both real and apparent improper influences.

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ACCOUNTABILITY

Public servants should assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold government officials accountable.

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DEMOCRATIC LEADERSHIP

Public servants should honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws and rules.

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RESPECTABILITY

Public servants should safeguard public confidence in the integrity of government by being honest, fair, caring and respectful and by avoiding creating the appearance on impropriety or whatever might be otherwise unbecoming a public official.

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Principles of Public Service Ethics Activity

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ETHICS CHECKLIST

- Is it in compliance with...
- Civil Law
- Institutional Policy
- Rules of the Game
- Family Rules
- Other Rules


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ETHICS CHECKLIST – Continued

- Is it fair to everyone involved...
- To my family?
- To my friends?
- To my co-workers?
- To my community?
- To those less fortunate than me?
- To others (clients)?



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The Difference between Rational Thought and Rationalization

- It's the timing of the decision
- Rational thought leads to a decision
- Rationalization attempts to justify a decision already made


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Moral Goals of Leadership

- Release human potential
- Treat people justly
- Support social values, norms, and moral order
- Encourage responsibility and initiative

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Virtues of Leadership

- Truth telling
- Promise Keeping
- Fairness
- Respect for the individual

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Temptations of Leadership

1. Choosing personal status over results
2. Choosing popularity over accountability
3. Choosing harmony over creative conflict
4. Choosing invulnerability over trust
5. Choosing uniformity over unity

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Why Elected Officials Should Care about Justice and Fairness

1. Public support for public work depends greatly upon the perception that actions and decisions are fair and just
2. The stability of a democratic society and the legitimacy of a republican government depend on this



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THE BALANCING ACT



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When in doubt...

- Ask Mom
- Smell Test
- Front Page

• If this action is held up to public scrutiny, will I still feel that it is what I should have done, and how I should have done it?


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Ethics 3-2-1

- What are three ways I demonstrate my ethical behavior?
- What two concepts will I continue to think about from today's class?
- What is one concept I want to discuss with a colleague?

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