



ETHICS IN THE PUBLIC SECTOR

GRADUATE SCHOOL, USDA
PACIFIC ISLANDS TRAINING INITIATIVE
GUAM
APRIL 2006



INTRODUCTION

- **INTRODUCTORY COURSE ON ETHICAL RESPONSIBILITIES**
- **PRINCIPLES OF ETHICAL CONDUCT**
- **BASIC CONCEPTS RELATED TO SPECIFIC FUNCTIONS AND ACTIONS OF PUBLIC OFFICIALS AND EMPLOYEES**



OBJECTIVES

- **TO INTRODUCE PARTICIPANTS TO GENERALLY ACCEPTED PRINCIPALS OF ETHICAL BEHAVIOR**
- **TO PRESENT ETHICAL RESPONSIBILITIES OF PUBLIC SERVANTS**
- **TO DISCUSS THE CONSEQUENCES OF FAILING TO ADHERE TO ETHICAL PRINCIPALS**



WHAT IS ETHICS?

- SOMETIMES HARD TO PIN DOWN
- ONE SOCIOLOGIST* ASKED BUSINESS PEOPLE “WHAT DOES ETHICS MEAN TO YOU?”
 - “Ethics has to do with what my feelings tell me is right or wrong.”
 - “Ethics has to do with my religious beliefs.”
 - “Ethics is doing what the law requires.”
 - “Ethics consists of standards of behavior our society accepts.”
 - “I don’t have a clue.”

**Raymond Baumhart*



DEFINITIONS OF ETHICS

- **ETHICS REFERS TO PRINCIPLES THAT DEFINE BEHAVIOR AS RIGHT, GOOD AND PROPER.**
- **ETHICS REFERS TO WELL BASED STANDARDS OF RIGHT AND WRONG THAT PRESCRIBE WHAT HUMANS OUGHT TO DO**
- **ETHICS ARE CONTINUOUS EFFORTS OF STRIVING TO ENSURE THAT WE, AND THE INSTITUTIONS WE HELP TO SHAPE, LIVE UP TO THE SANDARDS THAT ARE REASONABLE AND SOLIDLY BASED.***

- ***** Issues in Ethics, Fall 1987



ETHICS RESOURCES

- **THE INTERNET**
- **GOOGLE SEARCH**
 - **393,000,000 HITS USING JUST THE TERM “ETHICS”**
 - **THERE ARE STANDARDS OF ETHICAL CONDUCT FOR ALL ACTIVITIES/FUNCTIONS PERFORMED BY GOVERNMENT AGENCIES**
 - **LAWS, LAWYERS, ETHICS OFFICERS**



GOV GUAM

- **ETHICS TRAINING REQUIREMENTS**, Section 15409 of article 4, Chapter 15 of Title 4, Guam Code Annotated,
- **THE PRUDENT MAN RULE**, 5 GCA-Government Operations, Chapter 7, Enforcement of Proper Government Spending
- **4 GCA PUBLIC OFFICERS & EMPLOYEES, CH. 15 STANDARDS OF CONDUCT**, Standard of Conduct for Elected Officers, Appointed Officers, and Public Employees of the Government of Guam



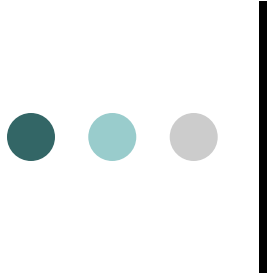
“PRUDENT PERSON RULE”

- Sec. 7102”...Officer, agent, contractor, or employee shall discharge his duties with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.:
- 8



ETHICS TRAINING

- Required by law
 - Four hour program
 - For executive department heads and deputies and members of government boards and commissions to encourage greater accountability and judicious use of authority for the greater good of the community
 - Group participation in discussing and analyzing ethical dilemmas related to finance, procurement, personnel, contracting, fiduciary responsibilities, etc.



ARTICLE 2 – SPECIFIED STANDARDS *

- 15201 Gifts.
- 15202. Reporting of Gifts.
- 15203 Confidential Information.
- 15204 Fair Treatment.
- 15205 Conflicts of Interest
- 16206 Contracts.

*4 GCAPublic Officers a& Employees, Ch. 15 Standards of Conduct



SPECIFIED STANDARDS, **CONTINUED**

- 15207 Contracts Voidable.
- 15208 Requirements of Disposition.
- 15209 Disclosure files; Disposition.
- 15210 Restrictions on Post Employment.
- 15211 Violations.



NATIONAL BUSINESS ETHICS SURVEY 2005

- **TYPES OF MISCONDUCT OBSERVED**
 - **21% OBSERVED INTIMIDATING BEHAVIOR TOWARD EMPLOYEES**
 - **19% OBSERVED LYING TO EMPLOYEE, CUSTOMERS, VENDORS, THE PUBLIC**
 - **18% EMPLOYEES INTEREST PUT BEFORE THE PUBLIC**
 - **16% OBSERVED SAFETY VIOLATIONS**
 - **16% OBSERVED MISREPRESENTATION OF ACTUAL TIME WORKED**
 - **12% OBSERVED DISCRIMINATION**
 - **11% OBSERVED STEALING**

**MISCONDUCT WAS EVENLY DISTRIBUTED BETWEEN
GOVERNMENT AND THE PRIVATE SECTOR**

**3000 employees surveyed in the lower 48*



FUNDAMENTAL FACTS

- **THE PUBLIC EXPECTS ITS PUBLIC SERVANTS TO SERVE THE PUBLIC'S INTEREST--- NOT NARROW PRIVATE, PERSONAL, OR POLITICAL INTERESTS**
- **LAWS ONLY SET A MINIMUM STANDARD FOR ETHICAL CONDUCT**
- **JUST BECAUSE IT IS LEGAL, DOES NOT AUTOMATICALLY MEAN IT IS ETHICAL**



THE RIGHT THING TO DO

THINK IN TERMS OF VALUES

**KEY ETHICAL VALUES TEND TO
RESONATE WITH NEARLY
EVERYONE—IRRESPECTIVE OF
CULTURE, RELIGION, OR
NATIONAL ORIGIN***



KEY ETHICAL VALUES

- **THE INSTITUTE OF GLOBAL ETHICS**
- **SIX ETHICAL VALUES RELEVANT TO PUBLIC SERVICE:**
 - **TRUSTWORTHINESS**
 - **RESPONSIBILITY**
 - **RESPECT**
 - **COMPASSION**
 - **FAIRNESS**
 - **CITIZENSHIP**

SEE APPENDIX A “Public Service Values” Institute for Local Government



TRUSTWORTHINESS

- **INCLUDES A VARIETY OF QUALITIES:**
 - **HONESTY- IS TRUTHFUL IN COMMUNICATIONS, CONDUCT, RELATIONSHIPS**
 -
 - **INTEGRITY- ACTS IN ACCORDANCE WITH BELIEFS, NOT ACCORDING TO EXPEDIENCY**
 - **PRINCIPLES DO NOT VARY, AT WORK OR AT HOME, IN PUBLIC OR ALONE**
 - **RELIABILITY- AVOIDS BAD-FAITH EXCUSES AND UNWISE COMMITMENTS**
 -
 - **LOYALTY – PRIORITIZES LOYALTIES, SAFEGUARDS CONFIDENTIAL INFORMATION, AVOIDS CONFLICTING INTERESTS**
 - **OWES ULTIMATE LOYALTY TO THE PUBLIC**



RESPONSIBILITY

- **ACCOUNTABILITY**
- **PURSUIT OF EXCELLENCE**
- **SELF-RESTRAINT**



RESPECT

- **THE GOLDEN RULE: DO UNTO OTHERS AS YOU WOULD HAVE THEM DO UNTO YOU.**
- **CIVILITY, COURTESY AND DECENCY**
- **DIGNITY AND AUTONOMY**
- **TOLERANCE AND ACCEPTANCE**



COMPASSION

- **CAN BE CONSIDERED THE HEART OF ETHICS AND CRITICAL TO ETHICAL DECISION-MAKING**
- **IT MEANS YOU FEEL AN OBLIGATION TO BE HONEST, LOYAL, FAIR AND RESPECTFUL OF OTHERS**

DILBERT'S COMPASSION

DILBERT Scott Adams





FAIRNESS

- **ADHERENCE TO A BALANCED STANDARD OF JUSTICE**
- **SEEKING RELEVANT INFORMATION AND CONFLICTING PERSPECTIVES BEFORE MAKING IMPORTANT JUDGMENTS**
- **IMPARTIALTY**
- **EQUITY (NOT TAKING ADVANTAGE OF WEAKNESS OR IGNORANCE OF OTHERS)**



CITIZENSHIP

- **KNOWS THE LAWS AND OBEYS THEM**
- **STAYS INFORMED ON THE ISSUES OF THE DAY**
- **DOES MORE THAN HIS/HER “FAIR” SHARE TO MAKE SOCIETY WORK**



IMPORTANCE OF PUBLIC PERCEPTION

- **YOU ARE STEWARDS OF THE PUBLIC TRUST IN GOVERNMENT**
- **STEP ONE: FIGURE OUT THE “RIGHT THING” TO DO**
- **STEP TWO: FIGURE OUT “THE PUBLICS PERCEPTION OF THE RIGHT THING TO DO”**
- **PERCEPTION IS REALITY**



TWO ETHICAL DILEMMAS FOR ELECTED OFFICIALS

- **PERSONAL COST**
- **RIGHT VS. RIGHT**



PERSONAL COST **ETHICAL DILEMMAS**

- **CAN BE POLITICAL, E.G. ELECTION, RE-ELECTION**
- **FINANCIAL**
- **DIRECTLY PERSONAL...FRIENDSHIPS**
 - **In these situations, what is the right answer?**



RIGHT VS. RIGHT **ETHICAL DILEMMAS**

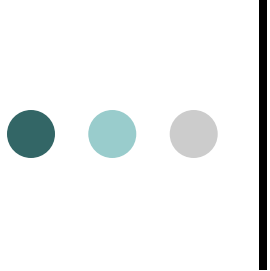
- **DIFFICULT TO RESOLVE**
- **EXAMPLE**
 - **Responsibility to do what is in the public's interest, versus loyalty to a political supporter**
 - **Other examples?**
 - **What is the solution?**



SORTING THROUGH **ETHICAL DILEMMAS**

○ ASK:

- WHICH ETHICAL VALUES ARE INVOLVED?**
- ARE ETHICAL VALUES IN CONFLICT?**
- WHAT ARE THE FACTS?**
- WHAT ARE THE OPTIONS?**
- WHAT DECISION BEST REFLECTS YOUR RESPONSIBILITY TO SERVE THE PUBLIC AS A WHOLE?**
- WHAT DECISION WILL BEST PROMOTE PUBLIC CONFIDENCE IN YOUR AGENCY AND YOUR LEADERSHIP?**



PATH TO BETTER DECISIONS

- **STOP AND THINK**
- **CLARIFY GOALS**
- **DETERMINE FACTS**
- **DEVELOP OPTIONS**
- **CONSIDER CONSEQUENCES**
- **CHOOSE**
- **MONITOR AND MODIFY**



AVOID THE RATIONALIZATION TRAP

- **“WELL, MAYBE JUST THIS ONE TIME”**
- **“NO ONE WILL EVER KNOW”**
- **“IT DOESN’T MATTER HOW IT GETS DONE, AS LONG AS IT GETS DONE”**
- **“EVERY ONE DOES IT”**
- **“WE CAN HIDE IT”**
- **“NO ONE WILL GET HURT”**
- **“JUST SIGN IT, NO ONE IS GOING TO JAIL”**
 - **And, and, and**



LEARN TO SORT THROUGH ETHICAL DILEMMAS

○ ASK:

- WHICH ETHICAL VALUES ARE INVOLVED?**
- ARE ETHICAL VALUES IN CONFLICT?**
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WHEN IN DOUBT, ASK:

- ARE MY ACTIONS LEGAL?
- AM I BEING FAIR AND HONEST?
- WILL MY ACTION STAND THE TEST OF TIME?
- HOW WILL I FEEL ABOUT MYSELF AFTERWARDS?
- HOW WILL IT LOOK IN THE NEWSPAPER?
- WILL I SLEEP SOUNDLY TONIGHT?
- WHAT WOULD I TELL MY CHILD TO DO?
- HOW WOULD I FEEL IF MY FAMILY, FRIENDS, AND NEIGHBORS KNEW?



THE BOTTOM LINE

- ***“ The ultimate answer to ethical problems in government is honest people in good ethical environment. No web of statute or regulation, however intricately conceived, can hope to deal with the myriad possible challenges to a (person)’s integrity or his devotion to the public interest.”***

- *John. F. Kennedy, Message to Congress on April 27, 1961*