Welcome to Ethics

“The reputation of a thousand years is determined by the conduct of one hour.”

- Japanese proverb

The embodiment of those values that the person Ethics or organization feels are important..., and spell our proper conduct and appropriate action.

- Merriam Webster
Source of slides

- This presentation is based on slides provided by the JIHEEC, as well as a recent AIHA Teleweb Course on Professional Ethics.
- They are intended for classroom and study purposes only.

Briefly

- Daily decisions will guide us in crisis
- Values can be instilled
- Subordinates seek standards
- Choice is often between two “goods”
  “Only a leader of courageous ethical standards can earn the trust of subordinates”
Objectives

- Introduce Ethics Principles
- Discuss the ABIH Code of Ethics
- Raise Awareness of Ethical Principles

Ethical Choices

What you find is that the tough ethical choices are not between good and evil, but rather between two goods:

- Truth versus Loyalty
- Individual versus Community
- Short-term versus Long-term
- Justice versus Mercy
Ethical Principals

- Selflessness
  - Act in the public's interest, not self-interest.

- Integrity
  - Avoid financial or other obligations that may influence or appear to influence us.

- Objectivity
  - Make choices on merits and facts.

- Accountability
  - Take responsibility for our actions.

- Integrity
  - Be open and honest, put the public's interest first.

ABIH Code of Ethics

New code adopted in May 2007

- After a few years of struggle, individually and collectively, about the best way to enforce code.

- Result of JIHEEC formed in 1995 with AIHA, AIH, ACGIH & ABIH representation

- Produced a mechanisms by which ABIH could enforce the code for certified professionals
Professional Challenges / Ethics

- Why do we need the code?
  - Business people / Government agents
  - External challenges
  - Reputation of the Profession
    - 6500 CIH’s world wide – a relatively small number?

What are risks?

- Economic climate has increased pressure on practitioners.
- Temptation to practice outside one’s area(s) of expertise.
- Sometimes comfortable situations become uncomfortable slowly, making it difficult to recognize a problem.
- Lack of solid science creates uncertainty. Tendency to make decisions on limited information.
How to recognize a potential ethics issue

- Anticipate
  - Consider your actions and those of colleagues to anticipate future pressures.

- Recognize
  - Look for behaviors that could damage the reputation of practitioners or the profession.

- Evaluate and Control
  - Engage in conversation if needed, make decisions based on merit, talk with other professionals.
  - Seek out professional colleagues for advice.

Preamble

- First and foremost, priority given to health and safety interests related to the protection of people.
- Act in a manner that promotes integrity and reflects positively on the profession.
- Maintain high standard of integrity, conduct, accept responsibility for one’s actions; and seek to enhance the profession with fairness and honesty.
JIHEEC Ethical Principles

- Complementary to the enforceable code
- Education of members and public
- Sets expectations
- Provides a standard for professional conduct
- “Should” statements

Section I: Responsibilities to ABIH, the Profession and Public

- Comply with laws, regulations, policies, and ethical standards that govern professional practice.
- Provide truthful accurate representations concerning certification and recertification information.
- Maintain the security of the ABIH examination materials
- Cooperate with ABIH concerning collection of information related to ethics matters.
- Promote equal opportunity and diversity
- Report apparent violations.
- Refrain from public behavior that clearly violates professional, ethical, or legal standards.
Section II: Responsibilities to Clients, Employers, Employees and the Public

- Deliver competent professional services using objective, independent judgment.
- Recognize one’s professional limitations and make professional referrals when appropriate.
- Properly use credentials. Only use one’s stamp after exercising direct oversight.
- Disclose, avoid, and refrain from conflicts of interests.
- Assure that conflict of interest does not compromise legitimate interests of a client.
- Protect the health and safety of the public, clients, employers and employees from reasonably foreseeable injury.

Selflessness

IH’s should not make decisions in order to gain financial or other benefits for themselves, their family, or their friends.
**Stewardship**

IH’s have a duty to conserve public, client, employer and employee resources and funds against misuse and abuse.

**Transparency**

IH’s must practice open and accountable services. They should be as open as possible about their decisions and actions, and protect truly confidential information.
**Integrity**

IH’s should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their duties.

**Use of Position**

An IH may not use his or her position to secure special privileges or to grant exemptions to benefit himself, herself, family members, or other persons.
Gifts

- General rule: should not influence decisions
- Avoid those items that are not gifts, but are misnamed “gifts” and are actually compensation exchanged for benefits.
- Follow your employer’s own policy regarding gift value limitation.
- Prior to acceptance, consider the process:
  - Rebut the presumption that the gift created influence

Honoraria

- Honorarium defined
- Employer approval may be required
- May not be appropriate if donor:
  - Is under or expected to seek contracts
  - Is under investigation by a regulatory agency
  - Is reasonably expected to seek or oppose adoption of rules or policy contrary to your professional code of ethics
ABIH Ethical Review Process

- Ethics charge / complaint form
- Ethics case procedures
- Published on ABIH web site

Complaints reviewed by committee
Confidential hearings
Witnesses may be called
Attorneys may be involved
Decisions may be appealed
  - First review by Ethical Review Committee
    - Five members
  - Appeals to Board Appeals Committee
    - Three ABIH board members
Disciplinary Actions

- Ineligible for certification / recertification
- Corrective actions
- Private reprimand or censure
- Public reprimand or censure
- Probation
- Suspension
- Revocation

ABIH Experience

- IH Consultants most affected
- Source of inquiries
  - Homeowners
  - Landlords
  - Employees
  - Employers
  - CIHs
Complaint issues

- Course attendance
- Evaluation of workplace or residence
  - Mold
  - Radon
  - Chemicals
- Felony convictions (IH and not IH related)

Complainants Information Sources

- Internet
- Published guidelines or best practices
- Media reports / articles
Case History

- As of mid-2009
- 17 Formal complaints
  - 1 Mediation
  - 6 Rejected
  - 2 Initiated by Ethics Director
    - Felony cases - sanctioned

Case History (continued)

- 4 Accepted for review
  - 1 Discontinued
  - 1 No Ethical Violation
  - 1 Legal Agreement
  - 1 Sanctioned
- 4 Pending
  - 1 recently Sanctioned
Ethical Habits

“A long habit of not thinking a thing wrong gives it the superficial appearance of being right.”

–Thomas Paine

Questions to Ask Yourself

• Will my work result in added injury or any other disadvantage to the public, client, my employer or employees?

• Am I using resources to prevent harm to the public and personnel?

• Am I confident that my judgments use objective criteria in compliance with laws, regulations, policies and ethical standards of conduct?

• Are resources being used for purposes that could be embarrassing for my profession, employer, client, government, or family if reported publicly?
The Use Zones

IH professionals have a duty to properly use resources and funds for the betterment of health and to protect against misuse and abuse.

• **Green Zone** – Duties that protect the health & safety of the public, clients, employers and employees.

• **Yellow Zone** – Limited circumstances that comply with laws, regulations, or policies, but are not consistent with the best health & safety procedures.

• **Red Zone** – Actions that are reasonably foreseeable to have adverse health & safety impacts or are prohibited by law, regulation, policy or code of ethics.

The Green Zone

• Any action that protects health and safety, complies with laws, regulations, policies, and ethics code, and is reasonably related to your professional expertise.

• Absent of conflicts of interest, appearances of impropriety, and inappropriate personal gain at the expense of the public, clients, your employer, and fellow employees.
The **Yellow Zone**

Limited circumstances that comply with laws, regulations, or policies, but are not consistent with the best health & safety procedures.

**Examples**

- A company contracts with a colleague whom you have referred and at the same time offers employees a new safety performance bonus program, then submits a qualifications package that emphasizes its commitment to safety to win a new VPP client.

The **Red Zone**

**Actions that are reasonably foreseeable to have adverse health & safety impacts or are prohibited by law, regulation, policy or code of ethics.**

**Examples:**

- Using false CM points for recertification
- Disclosing sample results to enforcement agencies prior to providing them to clients who paid for them.
- Paid political lobbying during employment hours.
"A perfect value consists in doing without witness all that we could have done in front of the entire world"

- Nobel Laureate Gabriela Mistral

"If ... you can’t be a good example, then you’ll just have to be a horrible warning."

- Catherine Aird
Interventions

- Establish workplace expectations
- Brief common ethical problems
- Publicize noteworthy role models
- Routinely raise potential ethics issues
- Review commitment to ethics annually
- Attend to the ethical treatment of others