Introduction and Sharing

• What is the first public official scandal you remember?

• Who is your greatest role model for ethics in your life?

• Does the personal life and conduct of public officials change the way you perceive them and does it matter to you?

Metaphor of two mountains of life...

On first mountain people strive for things culture endorses, to be a success, to make a mark, to experience happiness. It is about self and accomplishment, financial gain, credentialing, validation and status. Yet they are often divided, alienated and many feel insufficient or lacking in purpose even when fully reaching the first summit.

A valley in life or tough situation often causes some to re-calculate their life purpose, their direction or motivation for what they do and they climb to a even higher peak.

On the second mountain people move from self centered to other centered, having given themselves away, leading lives of deep commitment, empathy for others and seeking things that are truly worth wanting, not things others tell them to want. They seek a life of interdependence, not independence ...surrender into a commitment to a greater purpose and community. Servant leadership is born.
Four Realms of the Ethical Life

- Vocation
- Marriage and Family
- A Philosophy or Faith
- Community

Integrity (or “wholeness’ in Greek) is the integrated consistency of ethical or moral conduct and leadership demonstrated within these four realms … reflecting your character or “ethos.”

Leadership Matters

Who inspires you? Who do you inspire?

Understanding Leadership

Positional Leadership

Legal Authority

Personal Influence

A guide to understanding ethical “leadership” in dealing with complex community problems.
Ethical Leadership

USING THE RIGHT VALUES
THE RIGHT WAY
TO MAKE THE RIGHT DECISION
FOR THE RIGHT OUTCOME

From award winning ICMA Buncombe County, NC Managers to convicted felons...

22. It was a part of the scheme and scheme to defraud the citizens and Government of Buncombe County that the defendants GREENE, CREIGHTON, and STONE received gifts and other things of value from the Contractor, consisting primarily of expensive and exotic trips to such locations as Key West, Boston, Martha's Vineyard, Paris, Prague, the Napa Valley, the Grand Canyon, Key West, and Yellowstone National Park, and to such foreign locations as Vienna, Budapest, Cartagena, and Vancouver. Generally the Contractor paid for the airfare, hotel, food, meals and beverages, ground transportation, sightseeing excursions, spa sessions, and gift shop purchases, such as cases of wine from the Napa Valley vineyards that the defendants visited, and health and beauty items from the spas the defendants GREENE and STONE visited.

23. The defendants GREENE and CREIGHTON had the authority to award or deny the contracts that the Contractor's companies had with the County. They and the Contractor understood and agreed that the providing these trips, gifts, and favors was necessary condition to his companies' continuing to obtain contracts with the County.

Today's Takeaway:

Always Preserve Your Intangible Value – Ethical Conduct Preserves Reputation

“It takes 20 years to build a reputation and five minutes to ruin it. If you think about that you'll do things differently.”

Warren Buffett
4 Key Principles of Successful Public Service Careers

- Seek no favor
- Build trust through transparency and honesty
- Treat all equitably
- Build great communities through good stewardship

Ethical Dilemmas:

Recognition

Old Kinds of Dilemmas: "Abuse of authority, affairs or harassment"

New Kinds of Dilemmas: "Think before you push send or post"
Ethical Issues Confront Us Daily
“Deflate-gate” was about air in a ball.

And who’s doing the over-inflating...

Growing illusion of no absolutes or norms governing behavior

The Athenian Oath
(from NLC website)

"We will never bring disgrace on this our City by an act of dishonesty or cowardice. We will fight for the ideals and Sacred Things of the City both alone and with many. We will revere and obey the City’s laws, and will do our best to incite a like reverence and respect in those above us who are prone to annul them or set them at naught. We will strive unceasingly to quicken the public’s sense of civic duty. Thus, in all these ways, we will transmit this City not only, not less, but greater and more beautiful than it was transmitted to us."

The Oath
Ethics or Ethos (Greek) is about “Character”

- Character guided by “codes of conduct”
  - ICMA Code of Ethics, Rotary Four Way Test, Scout Oath and Laws, 10 Commandments
- Universal principles like honesty and loyalty would likely be accepted in value statements worldwide
- “Reciprocity” or “Golden Rule” present in all religions of the world a “sustainable principle”
- A person’s ethics is an outward reflection of the heart exposed

Ethics is not a legal discussion

- Ethics is not just illegal activities, but actions that violate agreed upon norms of behavior, such as Codes of Ethics.
- Ethics is more than complying with written laws or rules, which are the minimum of consensus on how people act in society and organizations.
- Professional ethical discretion is a taught or an observed determiner of conduct......US Marine leaders eat last

STANDARDS OF INTEGRITY

- Personal Integrity: Demonstrating accountability for personal actions; conducting personal relationships and activities fairly and honestly
- Professional Integrity: Conducting professional relationships and activities fairly, honestly, legally, and in conformance with the ICMA Code of Ethics (requires knowledge of administrative ethics and specifically the ICMA Code of Ethics)
- Organizational Integrity: Fostering ethical behavior throughout the organization through personal example, management practices, and training (requires knowledge of administrative ethics; ability to instill accountability into operations; and ability to communicate ethical standards and guidelines to others
Ethics Continuum

Legal

Greatest Evil / Harm

Greatest Good / Benefit

Your Actions

Determining What is Right?

The Law:  Is it legal? Does it meet the spirit of the law?

The Rules:  Am I violating or breaking a rule/policy that everyone else must follow?

Integrity:  Am I breaking my word, a trust, a promise, or a value?

Appearances:  Do I have a personal interest in fact or appearance? Will I benefit from the decision I am about to make? Is the only or prime beneficiary of an offer or service?

Clear Thinking:  Is emotion or bias clouding my judgment?

Perspective:  When I look back on this situation, will I be proud of my conduct? Is it my finest hour or one I might regret?

Public Values vs Private Interests
Ethics Enables a “Common Good”

“What is in my self interest is not always in the common interest but what is in the common interest is almost always in my self interest.”

Wendell Berry, Kentucky author and philosopher on communities

Ethics Critical To Public Trust

“A government that is honest, ethical and honorable is fundamental to a better future for Alabama. Without it, we can’t expect the people to trust that we’ll do what’s best for them and for their children.”

Governor Bob Riley of Alabama

Trust in Government

As Ratings of Federal Government Fall, State and Local Hold Steady

[Graph showing ratings of government entities over time]
Unethical cultural norms can become widespread or impact every level of government in every state.

Operation Pretense: Mississippi FBI sting results in 57 of 410 Mississippi county supervisors from 26 of 82 counties charged with corruption – largest white collar prosecution

Corruption by State
In 2012 GA stood at 50th in US by Public Integrity for public corruption

Public Integrity 2015 – 24th worst
Why do you think ethical lapses seem more commonplace now?

• Mobile population reduces community cohesion
• Moral decay or fewer societal absolutes
• The “social contract” are in flux in workplace
• Economic disparity and reductions in workforce.
• 24/7 media cycle highlights formerly unreported indiscretions and fosters alienation
• A self oriented, narcissistic culture
• Breakdown of the family
• Financial abuse by institutions unpunished
• Media and music are corrupting influences

The Ethics Challenge

Ethics is about governance which begins with Self-Control

“Like a city whose walls are broken through is a person who lacks self-control.”

Proverbs 25:28
How to measure your own trustworthiness

- Is my behavior predictable or erratic?
- Do I communicate clearly or carelessly?
- Do I treat promises seriously or lightly?
- Am I forthright or dishonest?

James M. Kouzes and Barry Z. Posner
A Leader’s Legacy

Why Personal Ethical Lapses?

- Ego?
- Power?
- Greed?
- Avoidance of “Pain”
- Cowardice?
- Compulsion?
- Embarrassment?
- Basic Lack of A Moral Compass?
- “The End Justifies the Means”?

Opportunity Abounds For Abuse of Position of Privilege and Authority

[Explaining his affair with Monica Lewinsky:] I did something for the worst possible reason—just because I could.
(Bill Clinton)
The Ethical Challenge

• Cause by lack of reflection = failure to see the ethically challenging context of a situation.
  “What was I thinking”
• Don’t evaluate impact of alternative actions.
  “I never imagined this would happen”
• You can easily “fool yourself” when facing an ethical challenge that it is an issue.
  “Everyone does it”

Why we miss the mark

• When faced with an ethical issue, we don’t see it
• We don’t think about the values (i.e. ethics) that really matter to us and our reputation
• Values don’t enter the equation for our conduct or decision making – emotional override or lack of empathy
• When faced with a decision, we rationalize our behavior based on what we want to do
• Struggle tension “want” and “should” becomes weakened and we incrementally silence our conscience and impeding our ethical judgements

Frameworks We Use to Decide

True North
Three Alternative Paths for Ethical Decision-Making

1. Relative Ethics – Your ethical decision-making or actions are based on the culture you consider normal or common within your community (organizations reflect this culture)
   - Danger: Leads to “everyone is doing it” excuses and an outlook that one cannot judge others for their actions. Drifts with the culture of the times, changing demographics and technology.

Three Alternative Paths for Ethical Decision-Making

2. Situational Ethics – Your actions are based upon the situation at hand and may change based on circumstances as you judge motives and perceive facts.
   - Danger: Leads to basing your behavior to a self-imposed assessment of possible consequences of getting caught or appearing to not be consistent. Facts of situations are not always clear.

Three Alternative Paths for Ethical Decision-Making

3. Absolutism – Your actions are based upon a firm conviction of a clear “right from wrong” that is articulated in a document or your personal or professional belief system.
   - Danger: Works well to engrain and teach a common ethical viewpoint among members of organizations. Controversial in multicultural environment, could lead to intolerance, group think or fascism.
Ethical Dilemmas

Prevention

Ancient Recognition of the Need for Ethics Training
Aristotle identified four elements of the moral education:
- Rules and precepts of behaviors
- Explicit instruction
- Exhortation, and
- Training

“We are what we repeatedly do. Excellence, then, is not an act but a habit.”
-Aristotle

Develop Ethical and Moral Discipline
- Prepare in advance. Your challenge will come. It may be sudden or anticipated during life cycles (early in job orientation, with new assignments or prior to retirement)
- Know yourself, what weaknesses (sex, pride, status, substance abuse, credit problems, true disrespect for systems you enforce) do you recognize in yourself?
- Know and understand the Code of Ethics you live out each day. Follow the Guidelines. Know Your True North.
Core Public Service Values

- Equity
- Transparency and trust
- Honor
- Integrity
- Commitment
- Stewardship

Ethical leadership is “knowing your core values and having the courage to act on them on behalf the common good”.

Center for Ethical Leadership

4 “Vs” Framework for Ethical Leadership Development and Cultural Awareness

Values

- Renewal
- Service

Virtue

Voice

Vision

Pulse
“Values demonstrated by actions”

- Be fair and impartial in all decisions
- Respect and protect public and community assets
- Communicate clearly and truthfully to all
- Personal conduct merits trust on and off the job
- Avoid conflicts of interest or appearance of favor
- Don’t accept inappropriate gifts
- Don’t leverage position or steal credit from others

Ethical Decisions Are Choices

STIMULUS → FREEDOM TO CHOOSE ← RESPONSE

Between stimulus and response lies freedom

SELF AWARENESS
IMAGINATION
ETHICS CONSCIENCE
INDEPENDENT WILL

From Victor Frankel – “Man's Search For Meaning”

Legal and Ethical Concerns in Ethics Statutes

- Conflicts of Interest
- Incompatible Offices
- Open Meetings and Open Records Violations
- Campaign Finance and Disclosure
- Lobbying, Improper Influence, Abuse of Office
- Sexual Harassment
Two Important Guardrails: Open Meetings and Open Records

Open Meetings – presence of quorum, conduct and notification of meetings and restrictions on communications related to business, penalties for violation.

Open Records – creates the requirement for preservation and retention of official records, addresses what is exempt from public records, process governing request access by public, and email as public record.

Public Records and Public Meeting Laws

Key to transparency and fundamental ethics infrastructure in democratic government.

Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants; electric light the most efficient policeman.

(Louis D. Brandeis)

Conflicts of Interest

- Outside or future employment considerations that conflict with your public duty
- Official decisions that affect you, your family or friends
- Using public resources for personal or political purposes
- You recommend a personal friend for a consulting project
- Managing confidential information
- Appearance of a conflict is destructive of trust
Managing Conflicts of Interest....

**3 D TEST**
- DISCERN
- DISCLOSE
- DISENGAGE

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Ethical Civic Engagement

1. Increased capacity of society to solve problems / participants ability to contribute to common good (social capital)

2. Support: legitimacy of public decisions or bi-partisan support for policy solutions

3. Public Value: better and/or fairer decisions

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Civic Ethics on Engagement

- Do you have **meaningful** regular and special public engagement opportunities truly seeking opinions?
- Do you use Citizen Advisory Boards or citizen Tasks Forces for meaningful decision-making and policy recommendations or waste their time in **delaying and tabling** mechanisms?
- Do you hold **inclusive** interactive meetings, call in systems or social media exchanges?
- Do you use **statistically valid** advisory polling or referendums to chart major policy initiatives?
Ethical Dilemmas
Our Professional Response

Established in 1924, the Code and its principles include government professionalism and transparency.

Driven by ethics and transparency
ICMA members subscribe to the stringently-enforced Code of Ethics.

2 Pillars of ICMA
Ethics – Leadership
Published Code of Ethics
12 Tenets with Guidelines
Professional Development in 14 Core Practices

PRACTICE #1 PERSONAL AND PROFESSIONAL INTEGRITY - Being fair, honest, and ethical in all personal and professional relationships and activities
A Legacy of Legendary Professionals

- LP Cookingham helped to stop the corruption in Kansas City when it was under the influence of the Pendergast political machine

A profession founded on ethics ....

Be proud that GCCMA members subscribe to a stringently-enforced ICMA Code of Ethics established 1924, on timeless principles that include government transparency and ethical conduct by all ICMA members.

ICMA Ethics

ICMA Code of Ethics embodies the mission and core values of the local government system.

- Representative democracy
- Highest standard of honesty and integrity
- Professional management as an instrument of effective local government
- The Council Manager form is the preferred form
- Value of international association
- Diversity of local government and the membership
A Higher Calling For Members of GCCMA

1. The chief difference between our profession and the many other fine professionals and politicians who may do work in government similar to ours and have the same academic MPA or MBA degrees that we have earned is the fact that we have agreed to accept and conduct our lives and affairs by a written ICMA Code of Ethics.

A Higher Calling For Members of SCCMA

2. As a profession we hold “integrity” as a fundamental competency of our profession; we choose at times to be sacrificially ethical in conduct. (Tenet 7- refraining from politics, monetary contributions, candidate advocacy)

3. This focus on ethical management is essential for the ICMA members themselves to maintain our profession, recruit the best and brightest, guide work teams and preserve the fastest growing form of government. People recognize hypocrisy.

A Contemporary Code of Ethics

ICMA has revised the language and scope of our professional code of conduct by entering a process of reviewing each Tenet with our member’s engagement to assure it is understandable and addresses contemporary issues.

Tenet 1 and 2 currently under review…Tenet 3 just revised by vote of our members.
### Tenet 3 – Revised new language

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

### Tenet 3 - Guidelines

- **Public Confidence.** Members should conduct themselves so as to maintain public confidence in their profession, their local government, and in their performance of the public trust.
- **Impression of Influence.** Members should conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.
- **Appointment Commitment.** Members who accept an appointment to a position should not fail to report for that position. This does not preclude the possibility of a member considering several offers or seeking several positions at the same time, but once a bona fide offer of a position has been accepted, that commitment should be honored.
- **Oral acceptance of an employment offer is considered binding unless the employer makes fundamental changes in terms of employment.**
- **Credentials.** An application for employment or for ICMA’s Voluntary Credentialing Program should be complete and accurate as to all pertinent details of education, experience, and personal history. Members should recognize that both omissions and inaccuracies must be avoided.

### Tenet 3 - Guidelines

- **Professional Respect.** Members seeking a management position should show professional respect for persons formerly holding the position or for others who might be applying for the same position. Professional respect does not preclude honest differences of opinion; it does preclude attacking a person’s motives or integrity in order to be appointed to a position.
- **Reporting Ethics Violations.** When becoming aware of a possible violation of the ICMA Code of Ethics, members are encouraged to report the matter to ICMA. In reporting the matter, members may choose to go on record as the complainant or report the matter on a confidential basis.
- **Confidentiality.** Members should not discuss or divulge information with anyone about pending or completed ethics cases, except as specifically authorized by the Rules of Procedure for Enforcement of the Code of Ethics.
- **Seeking Employment.** Members should not seek employment for a position having an incumbent administrator who has not resigned or been officially informed that his or her services are to be terminated.
New Tenet 3 – revised guideline

- **Conduct Unbecoming.** Members should treat people fairly, with dignity and respect and should not engage in, or condone bullying behavior, harassment, sexual harassment or discrimination on the basis of race, religion, national origin, age, disability, gender, gender identity, or sexual orientation.

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**Sexual Harassment in the Workplace**

*What Constitutes Sexual Harassment?*

- Unwelcome sexual advances
- Unwelcome requests for sexual favors
- Unwelcome physical advances
- or other verbal or physical conduct of a sexual nature

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**ICMA Common Ethical Issues**

- Improper political involvement
- Leveraging position for personal gain (favors, gifts, special treatments)
- Little white lies, bold lies and cover-ups
- Improper compensation
- Misuse of city/county credit cards or resources
- Improper relationships
- Product endorsements
The Ethics Frontier
Can this be unethical sunshine communication?
Can this be an unethical business endorsement?

Social Media Newest Danger Zone

Going to Africa. Hope I don't get AIDS. Just kidding. I'm white!

What’s Big Data got to do with ethics?

"But I didn’t know!" No longer an excuse. "But You should have known!" "The information was all there!"

The common excuse of “I didn’t know” will be increasingly unacceptable as to the reason for poor performance or ethical failure in the future.

Transparency: It will be easily determined by media data journalists and citizen analysts in hindsight that you should have known, the information and indicators (the data) was available or housed within your organization.

Timeliness: Performance reporting can be easily and frequently be monitored on a daily, monthly or quarterly basis with tools for trending and predictive analysis to allow data based information to be incorporated into management decisions; the existence of such data requires awareness of ethical issues associated with the insights data brings (i.e. dangerous products, cash or inventory loss or unhealth conditions)
ICMA Ethics Enforcement Process

- Compliant is filed and acknowledged
- Subject is contacted
- Investigation by ICMA (often using state association)
- Results reviewed by Committee on Professional Conduct and/or referred to state for investigation
- Subject and Complainant notified of ruling
- Actions: Dismissal, Warning Letter, Private or Public Censure

Make Your Organization a Shining Example of Ethical Conduct!

Shine light on the unethical conduct

Strategies for Being an Ethical Leader

- Set the tone and model the conduct you want to see in others
  - You are always on ethical “active duty”
  - Don’t walk by something wrong – you condone it
  - Don’t create ethical dilemmas for others
  - Be clear that “how” someone achieve results matters as much as the result
  - Place your conduct under rules you enforce on others
Assess The Ethical Culture

- Listen to citizens, employees, and elected officials perception of ethical conditions or “legacy stories” reflecting cultural norms and heroes.
- Analyze the organizational culture (survey or focus group tools are available)
- Compare the operating ethical reality or condition of the organization with the espoused character or ethic you seek
- Devise a strategy for influencing the ethics culture

Does your organization have an ethical playbook covering all employees?

- Discussing ethical issues works
  - Orientation for new employees
  - Ethics training (online, onsite, in teachable moments)
  - Regular conversations on “ethics in the trenches”
- Provide counsel and advice
  - Acknowledge that you too seek counsel on the tough issues
  - Designate an ethics officer or chaplain

Ethics Support Systems Vital

- Transparency in reporting
- Respect citizens and co-workers
- Don’t accept gifts or favors
- Keep the public trust

Does your organization have an ethical playbook covering all employees?
How to report fraud, waste and abuse

1. In person
2. By phone: Fraud, Waste and Abuse Hotline accessed 24/7. Callers may remain anonymous. Caller ID and call back features have been disabled to maintain confidentiality.
3. By FAX: Complete and print our Reporting Form
4. By Mail: Complete and print our Reporting Form
5. Online: Complete and submit the Secure Online Reporting Form.
Strategies For Building Ethical Organizations

• Be clear “how” we achieve results matter
• Hire people with ethical values
• Have good and relevant policies in place: nepotism- travel- gifts- internal audits- conflict of interests
• Encourage reporting and whistleblowers
• Zero tolerance on unethical conduct
• Articulate ethical values and align with practices

Preparing For Ethical Issues

 ✓ Build an ethical organization. Lead by example.
 ✓ Practice accountability, audit frequently, practice awareness.
 ✓ Don’t ignore concerns that are voiced or reports of misconduct regardless of the source.
 ✓ Practice awareness and implement safeguards.
 ✓ Seek counsel or ask for Advisory Opinion.

Dealing with Unethical Situations

• Assume positive intent
• Get all the facts
• Escalate review process as appropriate
• Match the response with the violation
  1. Nature of violation
  2. Clear standards and training
  3. Prior history of violations
  4. Level of responsibility
• Recover, accept responsibility and move on
• Show others you also seek counsel on issues
**How to Respond to Ethical Crisis**

THEN When Something Occurs......and it will....

- Drop the defenses, if it is wrong admit it. Deal with ethical failure publicly and responsibly with transparency.
- Don’t shoot the messenger. Publicly protect the whistleblower.
- Conduct and demonstrate a relentless and thoroughly objective investigation and update media appropriately.
- Trust but verify all information. Exercise judgment on penalties.
- Deal with the wounded and inevitable collateral damage.
- Recover with a focus on your core mission and articulating what the organization has learned from the mistake and changes being instituted as a result.

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**When An Ethical Problem Comes to Light, Be Ready to Answer......**

- What did you know?
- When did you know it?
- What did you do about it?
- What has been done to keep it from reoccurring?

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**Takeaways for Ethical Public Leadership**

- Clearly articulate the philosophy and values you wish to have practiced
- Provide visible top management support for high ethical standards
- Encourage formal and informal conversations about ethical issues
- Review existing policies and procedures for potential violations of desired values
- Institutionalize ethics in the organization
Your Life Is Your Message

• Leadership by example is not only the most pervasive form of ethics but also the most enduring form of leadership.

• When your team members share a commitment to ethics in addition to a business strategy, the team has the greatest level of alignment.

• Each one of us is setting an example for someone else, and each of us has a responsibility to shape the future as we wish it to be and accept adversity as a character building period of faith and learning.