

Professional Ethics: The Practitioner's Obligations and Strategies for Success

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Overview

- 4 Ethical Viewpoints – Which One is Right?
- Ethics Isn't for Wimps – Finding Moral Courage
- Who are the Stakeholders and What are Our Obligations to Them?
- Principles and Strategies for Situations Involving Fairness and Truth Telling
- Simple Tests to Determine "What's the Right Thing to Do?"

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Appreciation

- Big Thank You to Michael Josephson Institute and Character Counts
- www.CharacterCounts.org

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The Train is Coming ... Who Are You Going to Save?



Which Ethical Standard is Right?

- **Results based model** – What will the results/consequences/outcomes be if I ___?
- **Rule based model** – What are the duties/rules/laws that apply?
- **Virtue based model** – What kind of a person would I be if I do/don't do _____?
- **Rights based model** – What rights should be honored in this situation?

Best to use a combination of viewpoints

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***Moral courage is mental strength:
the power of will to resist
pressures and hold onto important
values even in the face of
criticism, possible
embarrassment, being unpopular,
losing something that you want, or
injuring a relationship or career.***

— Michael Josephson 6

Watch Out for Excuses

Compliance does not equal ethics

It is legal – Responsible people often do less than they are allowed to do.

It's not my job – Responsible people often do more than they are required to do.

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The Doctrine of Relative Filth

"I'm not so bad as long as other people are worse."

— Michael Josephson

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1. *Knowing* What is Right
2. *Doing* What is Right

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In 90% of the ethical problems you face you know what you *should* do.

The real question is whether you are willing to do the right thing when it is likely to cost you more than you want to pay.

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When people are under extraordinary pressure to meet deadlines, attain short term goals, or focus totally on either profits or cost reduction/savings, all at the expense of relationships, quality, service, or safety, they are forced to make choices which are often destructive personally and to their organizations over the long run.

— Michael Josephson

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Case Study

Who Are The Stakeholders?

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“Greed is not the issue for most — at least they don’t see it as greed. It is more often a false sense that survival is at stake or that one’s value or worth will be measured by winning a narrowly defined game where ethics doesn’t count for anything.”

— Michael Josephson

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You Must Report Wrongdoers

- Even if:
 - Nobody will listen
 - Nobody cares
 - Nothing will change
 - People might find out you reported them
 - Whistleblower consequences
 - Etc.

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“More harm has been done by weak persons than wicked persons. The problems of the world are caused by the weakness of goodness rather than the strength of evil.”

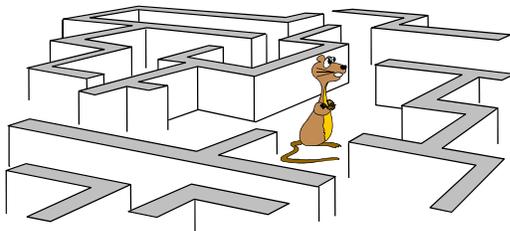
— Harry S. Kennedy

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When the family member says,
“Let’s Not Tell the Patient ___
To Make it Easier On Us.”

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It is Disrespectful to Withhold
Information Others Need to Control
Their Own Destiny



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In Relationships of Trust ...

- Exaggerations
- Promising what you cannot deliver
- Deliberate distortions
- Half truths or misleading statements
- Concealment of important facts

Are
Lies

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“How many times do you get to lie before you are a liar?”

— Michael Josephson

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White lies often look very different from the perspective of the person lied to.

THE TEST:

Upon learning of the lie, would the person you lied to thank you for caring, or feel manipulated or betrayed?

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If the Person has Enough Capacity, We Need to Respect the Decision

- People, *with capacity*, have the right to determine the course of their lives
- **People have the right to make a wrong decision**
- Limit to this right is “The Harm Principle” by John Stuart Mills
 - When our actions cause *significant* harm to others

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Making Peace With Moral Distress

- Viki’s approach to personal peace
 - Make sure they are informed
 - Then I have to step back and let them decide what is right for them
 - I can’t control the person or the outcome
- Educate and **inspire** – No coercion/force
- Do what you can: call insurer again, privately ask the doctor to reconsider, etc.

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You are in charge of distributing a total of \$100,000 grant money to 2 worthy professional caregivers.

How will you decide who should receive the money and what amount would be fair?

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✓ A is known for getting more done than others. He is well known for using grant money to create additional value for those in the community.

✓ B is a competent caregiver. She is a single mother with three small children at home. She needs the money the most.

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- ✓C is a caregiver whose extended family has political clout. He has said that he is willing to ask for favors for the hospital.
- ✓D has been a caregiver for 25 years. Her dedication to her mission shows.
- ✓E is the hardest working caregiver you have met. He may not be the best but he tries the most.

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Six Theories of Substantive Fairness

1. Merit
2. Need
3. Power
4. Equality
5. Seniority
6. Effort

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Which Theory of Justice Wins?

Why Did You Choose That Theory in This Situation?

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Even though the underlying concepts of fairness and justice are simple — almost intuitive — applying them in real life proves very difficult.

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One Simple Rule

Oftentimes, we do not know what is truly fair

We do know what is unfair and **our first obligation is to avoid being unfair**

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Setting Up Fair Processes

- Impartial gathering and evaluation of information
- Seek out relevant information and conflicting perspectives
- Make decisions without favoritism or prejudice
- Don't take advantage of the weakness or ignorance of another

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Rule of Universality

- ***Do only those acts which you are willing to allow to become universal standards behavior applicable to all people in similar situation***
- Ask yourself, ***“If everyone did it, would it be a good thing?”***

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The Publicity Test

What would you do if you knew that your decision and the true reasons behind it would be reported on the 11:00 news or the story would go viral on the internet?

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Kid Over the Shoulder Test

Would you do it if you knew your kid was looking over your shoulder?



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The Role Model Test

When faced with a difficult decision, think of an ethical role model, someone whose integrity and courage merit admiration, and ask, what would that person do?

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