Ethical consideration for OH&S Professionals Ethics in OH during crisis
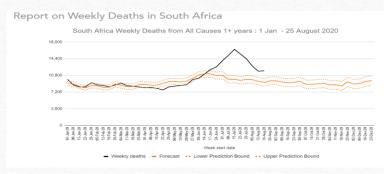
Nice to think our ethics will be no different

ETHICS

- http://www.icohweb.org/site/multimedia/code_of_ethics/code-of-ethics-en.pdf

Ethics during crisis

- https://pagecentertraining.psu.edu/public-relations-ethics/ethics-in-crisis-management/

Report on Weekly Deaths in South Africa

South Africa Weekly Deaths from All Causes 1+ years : 1 Jan - 25 August 2020

NATIONAL INSTITUTE FOR OCCUPATIONAL HEALTH
Division of the National Health Laboratory Service

COVID-19 TRAINING PROGRAMME
Training Issue:
COVID-19 in the workplace: Ethical Considerations for Occupational Health and Safety professionals

Occupational Medical & Nursing Practitioners, Occupational Health & Safety (OHS) Professionals & Advisors, OHS Practitioners, Employers & Management Representatives, Trade Union Representatives, SHE Representatives, Wellness Coordinators, HR Practitioners.

Date: **Thursday, 10 September 2020**

WM Coombs

Ethics for OHS Professionals
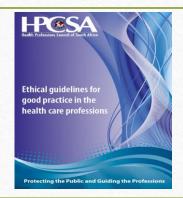## "primum non nocere" "omnem quaestionem"

01 PERSONAL PROFESSIONAL

02 STAKEHOLDERS

03 OCCUPATIONAL HEALTH

Ethics

- Personal - Personal ethics refers to the ethics that a person identifies with in respect to people and situations that they deal with in everyday life. (personal liability)

- Professional/Medicine – HPCSA (professional liability/expert witness)

- Business (**own**) - Business ethics refers to implementing appropriate business policies and practices with regard to arguably controversial subjects. Some issues that come up in a discussion of ethics include nepotism, corporate governance, insider trading, bribery, discrimination, social responsibility, and fiduciary responsibilities

- Occupational Health - ICOH/SASOM/other

Stakeholder ethics

- **Industry/Companies** - The **system of moral and ethical beliefs** that guides the **values, behaviors**, and **decisions of a business organization and the individuals within that organization** is known as business ethics.

- **Labour/ILO** - **equality, dignity, social justice and integrity**, as well as **good faith, honesty, impartiality and incorruptibility. Respect for the principles** embodied in the Constitution of the ILO and in the various Conventions

- **Governments/UN** - Government ethics constitutes the application of ethical rules to government. It is that part of **practical jurisprudence, or the philosophy of law, that governs the operation of government and its relationship with the people that it governs**. It covers issues of **honesty and transparency** in government, dealing with matters such as **bribery, political corruption, police corruption**, legislative ethics, regulatory ethics, conflict of interest, avoiding the appearance of impropriety, open government, and legal ethics.

- **Ind/Society** - By promoting the values of **social responsibility, solidarity, and social utility,** social ethics has been proposed as the basis of a **rational, moral, egalitarian, pluralistic, democratic society** rising on the pillars of **human rights and human dignity.**

PROFESSIONAL CODES OF ETHICS
Benefits of a Professional Code of Ethics

90 percent of Fortune 500 companies and nearly half of all corporations have codes of ethics that can be applied to all employees.

- Many professions and corporations have developed **codes of ethics** to address their unique business situations. By developing a code of ethics, an organization makes it clear that employees and members **cannot claim ignorance as a defense for unethical conduct**.

- **A professional code of ethics sets a standard** for which each member of the profession can be expected to meet. **It is a promise to act in a manner that protects the public's well-being**. A professional code of ethics informs the public what to expect of one's doctor, lawyer, accountant, or property manager. As long as professionals adhere to these standards, the public is willing to have their professional associations create and enforce their ethical codes.

- **Remaining ethical is not a static issue**. **It requires review and evaluation**. Companies need to periodically review their priorities and make necessary adjustments. Otherwise, their standards and training become outdated.

ETHICS AND MAKING A BUSINESS SUCCESSFUL

A successful business depends on the trust of various parties—employees, managers, executives, customers, suppliers, and even competitors.

Six ethical terms form the **foundation of trust** upon which ethical business practice is built:

- Ethics
- Values
- Morals
- Integrity
- Character
- Laws

Ethics refers to a set of rules that describes acceptable conduct in society. Ethics serve as a guide to moral daily living and helps us judge whether our behavior can be justified.

Ethics refers to society's sense of the right way of living our daily lives. It does this by establishing **rules, principles, and values** on which we can base our conduct. The concepts most directly associated with ethics are **truth, honesty, fairness, and equity.**

While ethics is a societal concern, it is **of critical importance to the professions** that serve society.

www.bomi.org.

the International Code of Ethics for
Occupational Health Professionals

International Commission on Occupational Health

ICOH

Founded in 1906 as Permanent Commission

The three following paragraphs summarize the ICOH principles of ethics and values on which is based the International Code of Ethics for Occupational Health Professionals

- 	The **purpose of occupational health** is to serve the health and social well-being of workers **individually and collectively.** Occupational health practice must be **performed according to the highest professional standards and ethical principles**. Occupational health professionals **must contribute to environmental and community health.**

- 	The **duties** of occupational health professionals include **protecting the life and the health of the worker, respecting human dignity and promoting the highest ethical principles** in occupational health policies and programmes. **Integrity in professional conduct, impartiality and the protection of the confidentiality of health data and of privacy of workers** are part of these duties.

- 	Occupational health professionals are **experts who must enjoy full professional independence** in the execution of their functions. **They must acquire and maintain the competence necessary for their duties and require conditions which allow them to carry out their tasks according to good practice and professional ethics.**

ETHICS (OR NOT)

Bernardino Ramazzini - De Morbis Artificum Diatriba

3 Nov 1633 - 5 Nov 1714

Not only in antiquity but in our own times also laws have
been passed...
to secure good conditions for workers;
so **it is right that the art of medicine** *should contribute its*
portion **for the benefit and relief**
of those for whom the law has shown
such foresight...
[We] ought to **show peculiar zeal...**
in taking precautions for their safety.
I for one have done all that lay in my power, and have not thought it
beneath me to **step into workshops of the meaner sort** *now*
and again and study the obscure operations of mechanical arts.

What is Ethics?
Degrees of right and wrong

- 1 <u>Unlawful</u>: Although laws still require interpretation by judges, these are perhaps the most black and white form of right and wrong and the consequences for law violation are typically the most formal and the most severe

- 2 <u>Unethical</u>: More subject to interpretation, context, the passage of time, socio-cultural factors, etc. In many instances, an accusation that someone is behaving in an unethical manner carries with it nothing more than mild social disapproval. With more formal ethical guidelines, the violation may result in a formal social censure or even loss of credentials

- 3 <u>Unprofessional</u>: A clear step down from unethical, often involving judgments about one's appearance/attire, level of emotion, tardiness, language, or quality of work. You could do something seen as unprofessional by some, but this is a far cry from unethical

- 4 <u>Inappropriate</u>: Often referring to an unspoken social norm that has been violated, yet it is a softer form of right and wrong and the consequences are typically not formal nor severe. You could say something that is inappropriate, but it is not necessarily unprofessional

- 5 <u>Ill-advised</u>: Refers to behavior that (in at least one person's opinion) is not likely to produce good outcomes, but is perhaps not "wrong" in any philosophical sense of the word

CRISIS

Coombs defines crisis as "the **perception of an unpredictable event** that threatens important expectancies of stakeholders and can seriously impact an organization's performance and generate negative outcomes."

A CRISIS CAN CREATE THREATS TO PUBLIC SAFETY, FINANCIAL LOSS AND REPUTATION LOSS, AND THESE THREATS ARE INTERRELATED.

Coombs, W. T. (2007b). Protecting organization reputations during a crisis: The development and application of **situational crisis communication theory**. Corporate reputation review, 10(3), pp. 163-176.
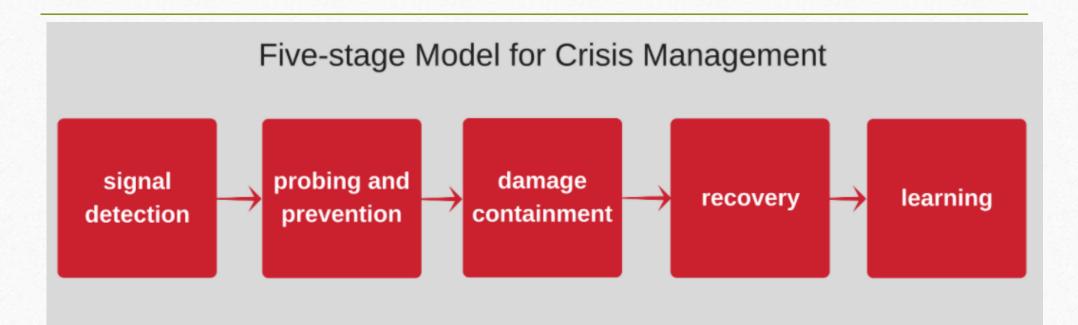
Ethics in Crisis Management

Merrill Winston, Ph.D., BCBA-D
Neal Fleisig, M.S., BCBA
Professional Crisis Management Association

The Arthur W. Page Center
Public Relations Ethics
Course

Ethics during crisis

Dr. Janice H. Xu
Associate Professor, Holy Family University

Five-stage Model for Crisis Management

signal detection → probing and prevention → damage containment → recovery → learning

Mitroff, I.I. (1994). **Crisis management and environmentalism**: A natural fit. California Management Review, 36(2), pp. 101-113.

https://pagecentertraining.psu.edu/public-relations-ethics/ethics-in-crisis-management/

Ethical Principles of Responsibility, Accountability, Obligations and Duties

- *According to Aristotle*, moral responsibility was viewed as originating with the moral agent as decision-maker, and **grew out of an ability to reason**, an **awareness of action and consequences,** and a **willingness to act free from external compulsion.**

- **Accountability is the readiness or preparedness to give an explanation** or justification to stakeholders **for one's judgments, intentions and actions.**

- In the **professional context, accountability is about answering to clients, colleagues and other relevant professionals**. The demand to give an account of one's judgments, acts and omissions arises from the nature of the professional-client and the professional-professional relationships.

Obligations and Duties

- **Responsibility is an ethical concept** that refers to the fact that individuals and groups have **morally based obligations and duties** to others **and to larger ethical and moral codes, standards and traditions.**

- **It is a readiness to have one's actions judged by others** and, where appropriate, **accept responsibility for errors, misjudgments and negligence** and **recognition for competence, conscientiousness, excellence and wisdom.**
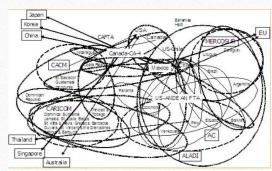
COMMUNICATION
Significant Choice

*An **important ethical principle that can be applied to crisis communication** involves the concept of* **significant choice**, *because a crisis has the potential to create great harm while disrupting daily routines.* **Based on the significant choice ethical framework, individuals must be given enough information to make a reasoned decision.**

- Organizations have ethical responsibilities before, during and after a crisis.

- In the pre-crisis stage, <u>crisis communication</u> revolves around monitoring crisis risks, making decisions about how to manage potential crises, and training people who will be involved in the crisis management process.

- The emergency nature of a crisis amid great uncertainty aggravates already difficult decision-making with the urgent need for the management to make decisions rapidly.

- Post-crisis communication involves assessing the crisis management effort and providing follow-up crisis messages as needed. The organization needs to release updates on the recovery process, corrective actions, and/or investigations of the crisis.

Nilsen, T. R. (1974). Ethics of speech communication (Vol. 10). Bobbs-Merrill Company.

Ethical Principle of Humanistic Care

- Humanistic care is an ethical principle relevant to many sudden crisis events that **create victims**.

- Based on the humanistic care principle, **the first priority** in any crisis is to **protect stakeholders from harm**, not to protect the organization reputation.

- Dual loyalties - multiple loyalties

Practical aspects and Checklists FOR Ethics during crisis

01
OBJECTIVES
RESPONSE

02
CHOICE
MISINFORMATION
POWER

03
V
U
C
A

04
OUTCOMES

Why ethics in crisis?
What does it mean in practice?
Is it about Finding the Truth?

Quis, quid, quando, ubi, cur, quem ad modum, quibus adminiculis

ICOH - *protecting the life and the health of the worker, respecting human dignity and promoting the highest ethical principles.*

Practice - "omnem quaestionem" - Question all, what does the question/request really mean? How do I respond?

Aristotle - **Five Ws and How**, or ask Why 3 times and then why now?

Truth – Jonathan Dolhenty states there seem to be only three functional, effective tests of truth - **correspondence, coherence and pragmatic theory of the truth**

Dolhenty, Jonathan. "Truth and Certainty". The Problem of Knowledge: A brief introduction to epistemology. Re

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MEDICAL STAFF

JUNIOR DOCTORS

SENIOR DOCTORS

MANAGERS

SPIN DOCTORS

JACKSON GRAHAM

Aristotle "elements of circumstances"- Who, what, when, where, why, in what way, by what means
Aristotle's Nicomachean Ethics

Crisis Communication Objectives

The general guidelines are:

- to provide accurate, timely information to all targeted internal and external audiences

- to demonstrate concern for the safety of lives

- to safeguard organizational facilities and assets

- to maintain a positive image of the organization as a good corporate or community citizen

Best Practices for Initial Crisis Response

According to Coombs, the guideline for initial crisis response focuses on three points: <u>be quick, be accurate and be consistent.</u>

- Be quick and try to have initial response within the first hour.

- Be accurate by carefully checking all facts.

- Be consistent by keeping spokespeople informed of crisis events and key message points.

- Make public safety the number one priority.

- Use all of the available communication channels including the internet, intranet, and mass notification systems.

- Provide some expression of concern/sympathy for victims

- Remember to include employees in the initial response.

- Be ready to provide stress and trauma counseling to victims of the crisis and their families, including employees.

Significant CHOICE

According to Nilsen, significant choice is "choice based on the best information available when the decision must be made."

Significant choice is founded on the principle that when a group has vital information the public needs in order to make important decisions concerning their well-being, that information must be disseminated as completely and accurately as possible.

Nilsen, T. R. (1974). Ethics of speech communication (Vol. 10). Bobbs-Merrill Company.

Problems of Misinformation
Fake news

There are also several forms of communication that could diminish the opportunity for significant choice, according to Nilsen.

If an organization provides unclear or biased information to stakeholders, it can corrupt the decision-making process. Some forms of communication such as bias, ambiguity and emotionalized language could distort meaning or create unnecessary alarm among the public.

Challenge of Information Uncertainty in Crises

Crises and disasters are by definition, sudden, dynamic, and unpredictable events.

- **Uncertainty is the inability to determine the present or predict the future**. Organizations experience uncertainty "**due to lack of information, due to the complexity of the information, or due to questions about the quality of the information.**"

- Recently, scholars have suggested that clear and open communication cannot be considered only **from the perspective of the party sending the message**. Rather, **careful consideration of the audience's ability to comprehend and act on the information is equally important.**

- **Disaster literacy** is defined here as an **individual's ability to read, understand, and use information** to **make informed decisions** and **follow instructions in the context of mitigating, preparing, responding, and recovering from a disaster.**

KEY INFORMATION

Therefore, the holder of key information – whether individual or organizational – has **power** when it controls the communication process, as well as the **obligation** to use that power **ethically.**

YOU the OHP – SPECIFIC ROLE DURING CRISIS = ETHICS

VUCA – The new Normal?

Outcomes

Public Health Risk and Crisis Communication Checklist

- ☑ Demonstrate respect for persons affected by risk management decisions by involving them early, before important decisions are made.
- ☑ Involve all parties that have an interest or a stake in the particular risk.
- ☑ Include in the decision-making process the broad range of factors involved in determining public perceptions of risk, concern, and outrage.
- ☑ Use a wide range of communication channels to engage and involve stakeholders.
- ☑ Adhere to the highest ethical standards; recognize that people hold you professionally and ethically accountable.
- ☑ Strive for mutually beneficial outcomes.

Outcomes

Successful Crisis Outcome Checklist

☑ Early detection of signals of a crisis so that appropriate responses are brought to bear

☑ Incident is contained within the organization and there are no injuries or deaths

☑ Business is maintained as usual during and after the crisis

☑ Learning occurs: policies and procedures of an organization are changed as a result of the crisis and lessons are applied to future incidents

☑ Reputation is improved by the organization's effectiveness in managing the crisis

☑ Resources are available from the organization or external stakeholders

☑ Evidence is timely, accurate decisions grounded in facts

Q&A

The Supreme Ethical Rule:
Act so as to elicit the best in others and thereby in thyself.

- Felix Adler, professor, lecturer, and reformer (1851-1933)

Organizations could make ethical decisions to accept their responsibility, uphold accountability, enable access to information, and provide/facilitate humanitarian care when there are victims involved.

WM Coombs

NATIONAL INSTITUTE FOR OCCUPATIONAL HEALTH
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COVID-19 TRAINING PROGRAMME

Training Issue:

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Date: Thursday, 10 September 2020

Additional slides

Problems of Misinformation

In times of crisis, disclosure of timely, relevant, and complete information is particularly important when lack of information can be particularly harmful.

The following is considered to be miscommunication that can lead to problematic consequences:

- incomplete information
- biased information
- statistical units that may be inadequately defined or incomplete
- vague or ambiguous terminology in which listeners find erroneous meanings
- relationships that may be implied between the issue under discussion and other issues, when in fact no relationship exists
- false sense of urgency or false sense of importance
- highly emotionalized language which may distort meaning

Ethics Of Withholding Information

- In general, an organization that withholds pertinent crisis-related information by stonewalling, offering only selected disclosures, creating ambiguity, etc., is considered unethical.

- However, there may be legitimate reasons to withhold information temporarily. For example, it's ethical to withhold the names of dead victims until the families are notified. Sometimes it is necessary to withhold strategic information because of concerns of national security, for instance, a case involving ongoing investigation of a terrorist plot. Or sometimes it is a good choice to temporarily withhold information that might unnecessarily panic the public.

Justification

According to O'Malley, the following types of information might justifiably affect how information about risk is communicated:

- information that jeopardizes national security or an ongoing police investigation
- information that unnecessarily violates the privacy and confidentiality rights of individuals
- information that might lead to undue stigmatization of individuals or groups within society, and
- information that, if released, might lead to behaviors that would result in increased spread of disease.

O'Malley, P., Rainford, J., & Thompson, A. (2009). Transparency during public health emergencies: from rhetoric to reality. Bulletin of the World Health Organization, 87(8), 614-618.

Communication Ambiguity in Crises

Due to the complexity of organizational crises, there could be multiple interpretations of evidence, intentions, and responsibility surrounding the crises.

Communication ambiguity is defined as multiple interpretations of an event.

- Coordinating messages enhances the probability of consistent messages and may reduce the confusion the public might experience. The consistency of message is one important benchmark of effective crisis communication. Also, coordination and communication with other agencies are usually necessary to mount an effective crisis response.

- Intentionally heightening the level of ambiguity in a crisis is unethical and irresponsible. In a crisis, events may easily have a traumatizing effect and cause panic. People may have a harder time listening and processing information. It may take repeated exposure to the same message before people understand and act on the information. Organizations should constantly update their stakeholders if new information becomes available.

Communication Ambiguity in Crises

- There is a need for organizations to examine existing disaster preparedness or recovery materials based on the following criteria:

- readability levels

- understandability of content

- acceptability of format

- the ability of community-dwelling, vulnerable adults to act on the information presented

CHOICE

According to Nilsen, significant choice is "choice based on the best information available when the decision must be made."

He believes that a good share of human dignity resides in the capacity to make rational decisions. Nilsen defined the concept of the ethic of significant choice as choice making that is voluntary, free from physical or mental coercion, and based on all the information available when the decision must be made. **Significant choice is founded on the principle that when a group has vital information the public needs in order to make important decisions concerning their well-being, that information must be disseminated as completely and accurately as possible.** It represents the ideal circumstances for free and informed decision-making. Nilsen explains the role of communication in significant choice: "When we communicate to influence the attitudes, beliefs, and actions of others, the ethical touchstone is the degree of free, informed, and critical choice on matters of significance in their lives that is fostered by our speaking."

Nilsen, T. R. (1974). Ethics of speech communication (Vol. 10). Bobbs-Merrill Company.

Five Standards For Significant Choice

Nilsen states that stakeholders engage in significant choice when the following standards are met:

- Stakeholders are free from physical or mental coercion.

- The choice is made based on all the information available.

- All reasonable alternatives are included in the discussion.

- Both short-term and long-term consequences are disclosed and discussed.

- Both senders and receivers of messages are open about the personal motives they have that may influence their decision-making.

Challenge of Information Uncertainty in Crises

Crises and disasters are by definition, sudden, dynamic, and unpredictable events.

---

* Due to the unexpected nature of many crisis situations and consequences that are often hard to foresee, crisis managers need to acknowledge the uncertainty and ambiguity inherent in a crisis situation. Uncertainty is the inability to determine the present or predict the future. Organizations experience uncertainty "due to lack of information, due to the complexity of the information, or due to questions about the quality of the information."

* Recently, scholars have suggested that clear and open communication cannot be considered only **from the perspective of the party sending the message**. Rather, **careful consideration of the audience's ability to comprehend and act on the information is equally important.**

* Disaster literacy is defined here as an individual's ability to read, understand, and use information to **make informed decisions** and follow instructions in the context of mitigating, preparing, responding, and recovering from a disaster.

Considerations of Public Disaster Literacy

- Recently, scholars have suggested that clear and open communication cannot be considered only **from the perspective of the party sending the message**. Rather, **careful consideration of the audience's ability to comprehend and act on the information is equally important.**

- Disaster literacy is defined here as an individual's ability to read, understand, and use information to **make informed decisions** and follow instructions in the context of mitigating, preparing, responding, and recovering from a disaster.

Challenge of Information Uncertainty in Crises
Crises and disasters are by definition, sudden, dynamic, and unpredictable events. Due to the unexpected nature of many crisis situations and consequences that are often hard to foresee, crisis managers need to acknowledge the uncertainty and ambiguity inherent in a crisis situation. Uncertainty is the inability to determine the present or predict the future. Organizations experience uncertainty "due to lack of information, due to the complexity of the information, or due to questions about the quality of the information."

Uncertainty created by a crisis about what to say and how to make sense of the situation is a key communication challenge. When a crisis occurs, there is usually the public inquiry about responsibility, causes, and the impact on stakeholders. The public would like to know who is responsible, why the crisis happened, and how they can protect themselves. While stakeholders often want clear and quick answers to these questions in order to make sense of what happened and make decisions about what actions to take to protect themselves, it is often difficult to meet these information needs. The crisis events might be still unfolding, the full scale of the disaster may still be unknown, and the investigation process may take a long time to reach a conclusion. In some cases, such as nuclear contamination, the ultimate impact on stakeholders could be uncertain, complex, and open to public debate and argument.

This inherent uncertainty often complicates the decision to issue warning messages, such as recalls of food products that may be contaminated. Warnings and recalls often must be issued even when some level of uncertainty exists about the exact nature of the harm. If the crisis manager waits until all uncertainty is reduced, this could mean that the warning comes too late.

WHO

- According to WHO experts, most measures for managing public health emergencies rely on public compliance for effectiveness. "Measures ranging from hand washing to quarantine require public acceptance of their efficacy, as well as acceptance of the ethical rational for cooperating with instructions that may limit individual liberty so as to protect the broader public from harm." This requires that the public trust not only the information they receive, but also the authorities who serve as the source of this information, and their decision-making processes. Maintaining information transparency is not only highly important for public trust during an emergency, but also in building risk communication capacity to support all phases of emergency management.