



**AN ETHICS BRIEFING**  
**For New Employees at the**  
**University of California, Berkeley**

# INTRODUCTION

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*University of California Statement of Ethical Values and  
Standards of Ethical Conduct.*



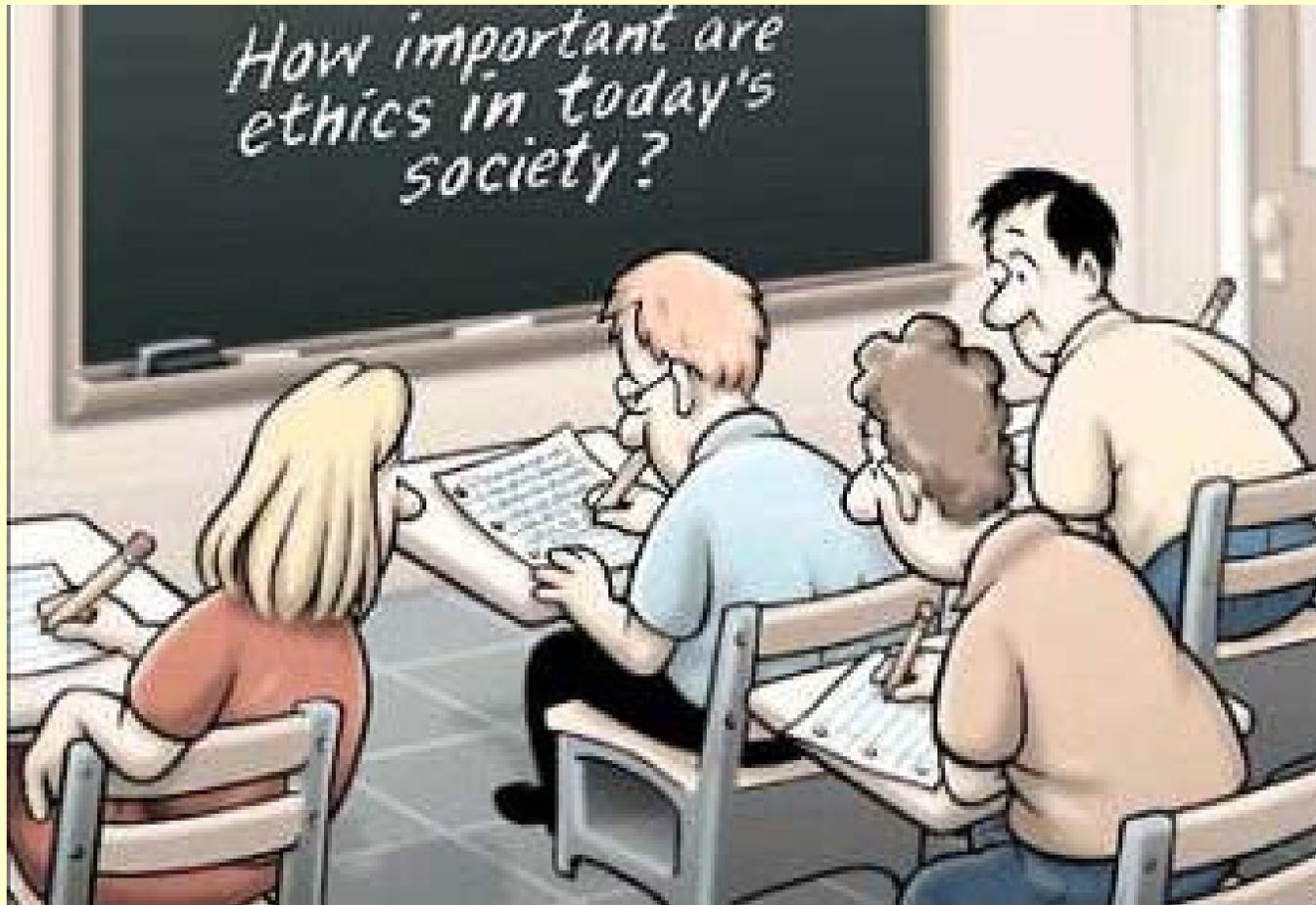
# COURSE OBJECTIVES

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During this Briefing, you will learn how:

- The University's ethical values and standards of ethical conduct apply to your work life;
- Ethics impact decision-making; and
- To report instances of non-compliance to the University's ethical standards.

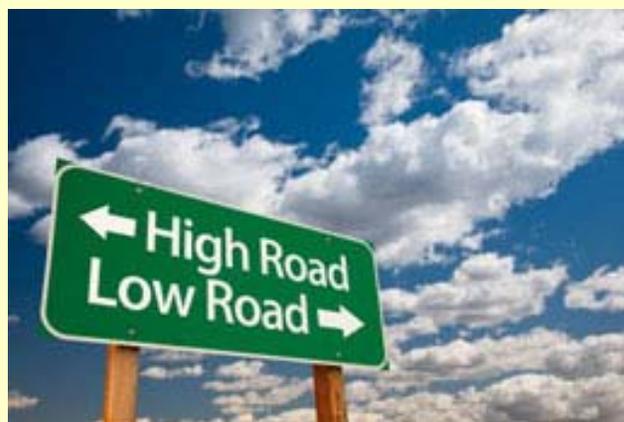
# CARTOON



## ETHICS and Decision Making

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- Ethical decision making is questioning what is the 'good' or 'right' thing, when faced with two or more possible courses of action.
- Employees at every level should recognize that their decisions have an ethical dimension.
- In a business or organizational setting, ethics involves aligning the actions of all individuals with the preferred values of the organization.



# The Process of Ethical Decision Making

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- Ethical decision making refers to the process of evaluating and choosing among alternatives in a manner consistent with ethical principles. It is necessary to:
  - Perceive and eliminate unethical options.
  - Select the best ethical alternative.
- **Realize:** Although there may be several ethical responses to a situation, all are not equal.

# ETHICAL DILEMMAS

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- Ethics is about trying to do the "right" thing. However, the complexities of today's business world give rise to a host of issues in which the "right" answer is not always obvious.
- If a choice you wish to make potentially conflicts with a law or University policy, or if it would cause embarrassment to you or the University if disclosed, you are faced with an ethical dilemma.

## EXAMPLES OF ETHICAL DILEMMAS:

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Suppose you find yourself in one or more of the following circumstances:

- In gratitude for your business over the past few years, one of your vendors offers to take you and your spouse to dinner at an expensive restaurant.
- At the end of a business-related e-mail you want to add a paragraph announcing that your daughter has rabbits for sale.
- As the fundraiser for your department, you have access to detailed donor information. You have just been offered a well-paying job on nights and weekends fundraising for a university on the other side of the bay.

# How to Resolve Ethical Dilemmas

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1. Get the Big Picture
2. Document the Facts
3. Get Help
4. Decide – what are your choices?

## **Acid tests:**

- **Would you like to read about your decision or action on the front page of the newspaper?**
  - **Imagine explaining your decision or action to family and friends.**
5. Take Action or don't act – depending on your decision.
  6. Evaluate – further action may be necessary.

# Three Aspects to Ethics



## COMMITMENT TO DO WHAT IS RIGHT AND PROPER

Ability to Discern  
Right From  
Wrong



Actually Doing  
What Is Right and  
Proper

# The Ethics Double Standard

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We judge ourselves by our best intentions, our most noble acts and our most virtuous habits.

We are judged by others by our last worst act.

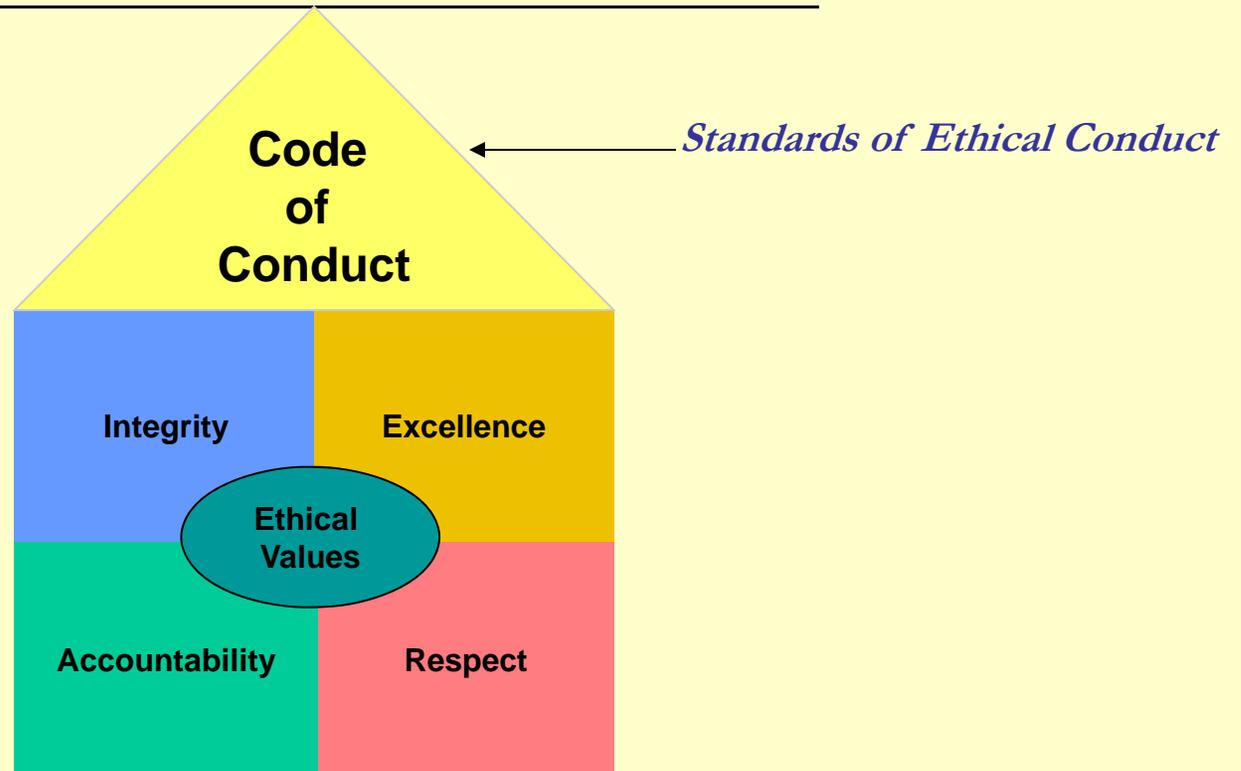
# Ethical Decision-Making

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## Ethical Decision-Making

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Standards of conduct, based on ethical values, become the ground rules for ethical decision-making.

## UNIVERSITY STATEMENT OF ETHICAL VALUES

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“Members of the University of California community are committed to the highest ethical standards in furtherance of our mission of teaching, research and public service. We recognize that we hold the University in trust for the people of the State of California. Our policies, procedures, and standards provide guidance for application of the ethical values ... in our daily life and work as members of this community.”

The Regents of the University of California



# *STATEMENT OF CORE ETHICAL VALUES*

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We are committed to:

- **INTEGRITY**

We will conduct ourselves with integrity in our dealings with and on behalf of the University.

- **EXCELLENCE**

We will conscientiously strive for excellence in our work.

- **ACCOUNTABILITY**

We will be accountable as individuals and as members of this community for our ethical conduct and for compliance with applicable laws and University policies and directives.

- **RESPECT**

We will respect the rights and dignity of others.

The entire Ethics document adopted by The Regents can be found at:  
<http://www.ucop.edu/ucophome/coordrev/policy/Stmt Stds Ethics.pdf>

# STANDARDS OF ETHICAL CONDUCT - Purpose

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“Pursuit of the University of California mission of teaching, research and public service requires a shared commitment to the core values of the University as well as a commitment to the ethical conduct of all University activities.

*The Standards of Ethical Conduct* are a statement of our belief in ethical, legal and professional behavior in all of our dealings inside and outside the University.”

The Regents of the University of California

# STANDARDS OF ETHICAL CONDUCT

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The University's *Standards of Ethical Conduct*:

- Are applicable to all members of the University community, including The Regents, Officers of The Regents, faculty and other academic personnel, staff, students, volunteers, contractors, agents and others associated with the University.
- Organizationally, the Standards apply to campuses, the National Laboratories, the Office of the President, the Division of Agriculture and Natural Resources, campus organizations, foundations, alumni associations and support groups.

## STANDARDS OF ETHICAL CONDUCT

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1. Fair Dealing
2. Individual Responsibility and Accountability
3. Respect for Others
4. Compliance with Applicable Laws and Regulations
5. Compliance with Applicable University Policies, Procedures and other Forms of Guidance
6. Conflicts of Interest or Commitment
7. Ethical Conduct of Research
8. Records: Confidentiality/Privacy and Access
9. Internal Controls
10. Use of University Resources
11. Financial Reporting
12. Reporting Violations and Protection from Retaliation

*Adopted by The Regents of the University of California, May, 2005*

# STANDARDS OF ETHICAL CONDUCT

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## 1. Fair Dealing

We will always conduct ourselves ethically, honestly, and with integrity.

This means principles of fairness, good faith and respect consistent with laws, regulations and University policies govern our conduct with others both inside and outside the community.

No unlawful practice or a practice at odds with these standards can be justified on the basis of customary practice, expediency, or achieving a “higher” purpose.



## STANDARDS OF ETHICAL CONDUCT

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### 2. Individual Responsibility and Accountability

We will accept responsibility appropriate to our positions and delegated authorities.

Each individual is expected to conduct the business of the University in accordance with the *Statement of Ethical Values* and *Standards of Ethical Conduct*, exercising sound judgment and serving the best interests of the institution and the community.



# Individual Responsibility and Accountability

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## Responsibility

- The obligation to control or take care of something or someone
- A duty to ensure that particular things are done
- Responsibilities are communicated via:
  - Policies and procedures
  - Laws and regulations
  - Job description

# Individual Responsibility and Accountability

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## Accountability

- The requirement for giving a satisfactory explanation of what has happened and the reason(s) for doing, or not doing something
  - On-the-job interactions with your supervisor and your unit's stakeholders
  - Performance reviews
  
- The University is accountable every day to our students, both in and out of the classroom, to our donors, granting agencies, creditors, and to the people of the State of California.

# STANDARDS OF ETHICAL CONDUCT

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## 3. Respect for Others

We will treat everyone we contact with respect and dignity.

The University prohibits discrimination and harassment and provides equal opportunities for all community members and applicants.



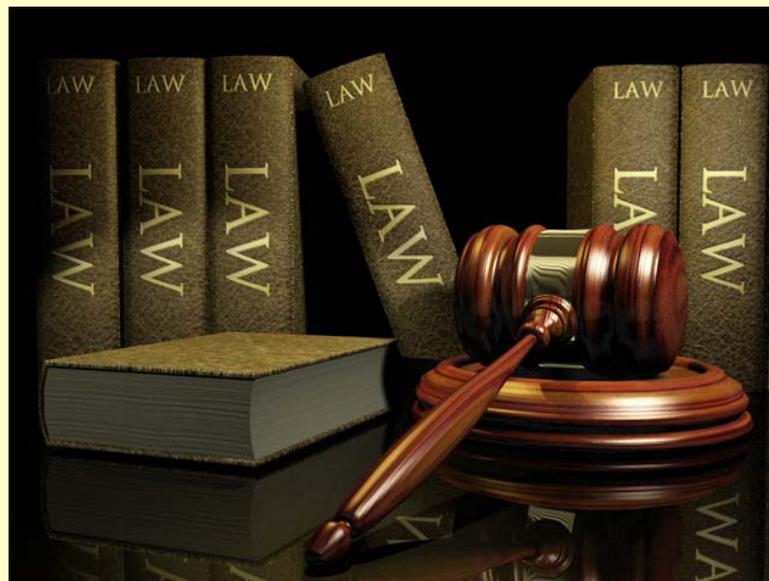
## STANDARDS OF ETHICAL CONDUCT

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### 4. Compliance with Applicable Laws and Regulations

We will learn and abide by the federal, state, and local laws that affect our campus roles.

Failure to comply can have serious adverse consequences both for individuals and for the University, in terms of reputation, finances and the health and safety of the community.



## STANDARDS OF ETHICAL CONDUCT

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### 5. Compliance with Applicable University Policies, Procedures and Other Forms of Guidance

We will learn and abide by University and campus policies and procedures that affect our campus roles.

University policies and procedures are designed to inform our everyday responsibilities, to set minimum standards, and to give employees notice of expectations.

Members of the community are expected to transact all University business in conformance with policies and procedures and accordingly have an obligation to become familiar with those that relate to their areas of responsibility.



# Compliance with Policies and Procedures

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- Each member is expected to seek clarification on a policy or other University directive he or she finds to be unclear, outdated or at odds with University objectives.
- It is not acceptable to ignore or disobey policies if one is not in agreement with them, or to avoid compliance by deliberately seeking loopholes.

# Compliance with Policies and Procedures

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- In some cases, University employees are also governed by ethical codes or standards of their professions or disciplines such as attorneys, auditors, physicians and counseling staff.
- It is expected that those employees will comply with applicable professional standards in addition to laws, regulations, policies and procedures.

## STANDARDS OF ETHICAL CONDUCT

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### 6. Conflicts of Interest or Commitment

We will avoid both actual conflicts of interest and the appearance of such conflicts, and devote our primary professional allegiance to the University and its mission of teaching, research, and public service.





## Conflicts of Interest or Commitment

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- Outside employment, professional activities, the acceptance of gifts from third parties, and personal financial interests must not interfere with University duties or create an actual or perceived conflict between the University's mission and an individual's private interests.
- University members who have certain professional or financial community interests are expected to disclose them in compliance with applicable conflict of interest/conflict of commitment policies.

# STANDARDS OF ETHICAL CONDUCT

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## 7. Ethical Conduct of Research

We will conduct our research with integrity and intellectual honesty, and show the greatest care for human or animal subjects.

All those engaged in research are expected to demonstrate accountability for sponsor's funds and to comply with specific terms and conditions of contracts and grants.



# Ethical Conduct of Research

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The University prohibits research misconduct.

Community members engaged in research are not to:

- fabricate data or results;
- change or knowingly omit data or results to misrepresent results in the research record;
- or intentionally misappropriate the ideas, writings, research, or findings of others.

## STANDARDS OF ETHICAL CONDUCT

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### 8. **Records: Confidentiality/Privacy and Access**

We will follow applicable laws and University policies when accessing, using, protecting, or disclosing records.

The University is the custodian of many types of information, including that which is confidential, proprietary and private.

Individuals who have access to such information are expected to be familiar and to comply with applicable laws, University policies, directives and agreements pertaining to access, use, protection and disclosure of such information.



## Confidentiality/Privacy and Access

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The legal provisions and the policies are based upon the principle that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person, as is the right of individuals to privacy.

# STANDARDS OF ETHICAL CONDUCT

## 9. Internal Controls

We will ensure that controls are established, properly documented, and maintained for activities within our jurisdiction.

- Internal controls are the processes employed to help ensure that the University's business is carried out in accordance with these Standards, University policies and procedures, applicable laws and regulation, and sound business practices.
- They help to promote efficient operations, accurate financial reporting, protection of assets, and responsible fiscal management.



# Internal Controls

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- All members of the University community are responsible for internal controls.
- Each business unit or department head is specifically responsible for ensuring that internal controls are established, properly documented and maintained for activities within their jurisdiction.
- All individuals entrusted with university funds are responsible for ensuring that adequate internal controls exist over the use and accountability of such funds.

## STANDARDS OF ETHICAL CONDUCT

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### 10. Use of University Resources

We will ensure that campus resources are used only on behalf of the University.

Resources may not be used for private gain or personal purposes except in limited circumstances permitted by existing policy where incidental personal use does not conflict with and is reasonable in relation to University duties (e.g. telephones).

Members of the University community are expected to treat University property with care and to adhere to laws, policies and procedures for the acquisition, use, maintenance, record keeping and disposal of University property.



# University Resources

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University resources include, but are not limited to the following:

- Cash and other assets, whether tangible or intangible; real or personal property;
- Receivables and other rights or claims against third parties;
- Intellectual property rights;
- Effort of University personnel
- Facilities and the rights to use University facilities;
- The University's name and trademarks;
- University records, including student and patient records; and
- The University information technology infrastructure.

# STANDARDS OF ETHICAL CONDUCT

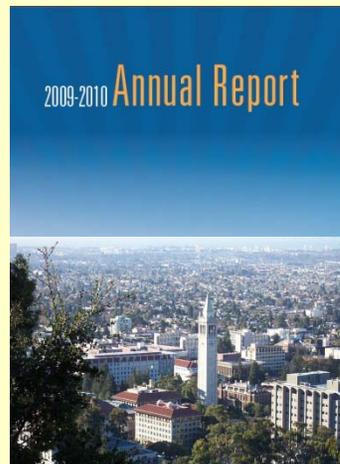
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## 11. Financial Reporting

We will ensure that accounting and financial records are accurate, clear, and complete.

All University accounting and financial records, tax reports, expense reports, time sheets and effort reports, and other documents including those submitted to government agencies must be accurate, clear and complete.

All published financial reports will make full, fair, accurate, timely and understandable disclosures as required under generally accepted accounting principles.



## STANDARDS OF ETHICAL CONDUCT

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### 12. Reporting Violations and Protection from Retaliation

We will report all known or suspected Improper Governmental Activities (IGAs) under the provisions of the University's *Whistleblower Policy*, recognizing that everyone is protected from retaliation for making such reports under the *Whistleblower Retaliation Policy*.

Managers and persons in supervisory roles are required to report allegations presented to them and to report suspected IGAs that come to their attention in the ordinary course of performing their supervisory duties.



## You Can Blow The Whistle on...

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- Corruption
- Bribery
- Theft or misuse of University property
- Fraudulent claims
- Fraud
- Coercion

## You Can Blow The Whistle on... cont

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- Willful omission to perform duty
- Economic waste
- Gross misconduct
- Gross incompetence
- Gross inefficiency
- Any condition that may significantly threaten the health or safety of employees or the public

# REPORTING IMPROPER ACTIVITIES

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It takes courage to raise an ethical issue, especially if it involves your co-workers or supervisor.

- If you feel a business decision or something that you have been asked to do is not consistent with University values,
- If you have witnessed a situation that made you or someone else feel uncomfortable, or
- If you feel the University would be embarrassed if a situation became public, you have a responsibility to promptly notify the proper authorities.

## REPORTING IMPROPER ACTIVITIES – cont.

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- Illegal activities and significant policy violations should always be reported in accordance with applicable laws and policies.
- The University is committed to responsible evaluation of all reports of violations of the Standards of Ethical Conduct and/or alleged improper activities on the part of members of the University community.
- Retaliation or reprisals against anyone involved with the reporting of an ethics violation will not be tolerated.

## REPORTING IMPROPER ACTIVITIES – cont.



- The University has established processes for reporting and investigating any suspected wrongdoing, including an anonymous hotline people are encouraged to use if they don't feel comfortable bringing the matter forward openly.
- An individual who is made aware of an improper act should consult with someone at a higher level of authority or with the Locally Designated Official (LDO) to determine how to handle the matter.

**UC Whistleblower Hotline (anonymous/confidential)**  
(800) 403-4744 or <http://universityofcalifornia.edu/hotline>

## CONTACT INFO -- Whistleblowing

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- Chief Ethics, Risk and Compliance Officer (CERCO)  
Locally Designated Official (LDO) for Whistleblowing  
[ethics@berkeley.edu](mailto:ethics@berkeley.edu)
- UC Whistleblower Hotline (anonymous/confidential)  
(800) 403-4744 or <http://universityofcalifornia.edu/hotline>

## **CONTACT INFO – General Questions on Ethics**

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**Barbara VanCleave Smith**

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Ethics, Risk and Compliance Services  
Office of the Chancellor**

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## Your Employment Obligations

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- Understand the *Statement of Ethical Values and Standards of Ethical Conduct*
- Know the applicable laws, regulations and policies that affect your employment responsibilities
- Ensure your actions are consistent with the University *Statement of Ethical Values and Standards of Ethical Conduct*
- Report instances of non-compliance to the University's ethical standards.

## ETHICS Briefing

Although no single briefing can adequately address all potential ethical dilemmas you might face as an important member of the University community, we hope that the information provided in this briefing will better equip you to make the right decisions for the University, and to act in an ethical and compliant manner.

