



RESOLVING BAD ETHICAL PRACTICE SITUATIONS

Participant Guide

A Teleseminar Sponsored by the

**PRSA Board of Ethics and
Professional Standards (BEPS)**

Presented by

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Wednesday, September 26, 2007

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Contents

- PRSA Code of Ethics
 - How to Report Questionable Behavior
 - Insidious Unethical Behavior
 - The Fitzpatrick Model
 - Ethical Questioning, A Framework
 - Guidelines on Ethics, Ruder Finn Inc.
 - Discussion Outline: Resolving Bad Ethical Practice Situations
-

PRSA Member Code of Ethics

2000

Approved by the PRSA Assembly
October, 2000



Public Relations Society of America

Letter from the PRSA Board of Directors

It is with enormous professional pleasure and personal pride that we, the Public Relations Society of America Board of Directors put before you a new Public Relations Member Code of Ethics for our Society. It is the result of two years of concentrated effort led by the Board of Ethics and Professional Standards. Comments of literally hundreds and hundreds of members were considered. There were focus groups at our 1999 national meeting in Anaheim, California. We sought and received intensive advice and counsel from the Ethics Resource Center, our outside consultants on the project. Additional recommendations were received from your Board of Directors, PRSA staff, outside reviewers, as well as District and Section officers. Extensive research involving analysis of numerous codes of conduct, ethics statements, and standards and practices approaches was also carried out.

In fact, this Member Code of Ethics has been developed to serve as a foundation for discussion of an emerging global Code of Ethics and Conduct for the practice of Public Relations.

This approach is dramatically different from that which we have relied upon in the past. You'll find it different in three powerfully important ways:

1. Emphasis on enforcement of the Code has been eliminated. But, the PRSA Board of Directors retains the right to bar from membership or expel from the Society any individual who has been or is sanctioned by a government agency or convicted in a court of law of an action that is in violation of this Code.
2. The new focus is on universal values that inspire ethical behavior and performance.

3. Desired behavior is clearly illustrated by providing language, experience, and examples to help the individual practitioner better achieve important ethical and principled business objectives. This approach should help everyone better understand what the expected standards of conduct truly are.

Perhaps most important of all, the mission of the Board of Ethics and Professional Standards has now been substantially altered to focus primarily on education and training, on collaboration with similar efforts in other major professional societies, and to serve an advisory role to the Board on ethical matters of major importance.

The foundation of our value to our companies, clients and those we serve is their ability to rely on our ethical and morally acceptable behavior. Please review this new Member Code of Ethics in this context:

- Its Values are designed to inspire and motivate each of us every day to the highest levels of ethical practice.
- Its Code Provisions are designed to help each of us clearly understand the limits and specific performance required to be an ethical practitioner.
- Its Commitment mechanism is designed to ensure that every Society member understands fully the obligations of membership and the expectation of ethical behavior that are an integral part of membership in the PRSA.

This approach is stronger than anything we have ever had because:

- It will have a daily impact on the practice of Public Relations.
- There are far fewer gray areas and issues that require interpretation.

- It will grow stronger and be more successful than what we have had in the past through education, through training, and through analysis of behaviors.

The strength of the Code will grow because of the addition of precedent and the ethical experiences of other major professional organizations around the world.

Our new Code elevates our ethics, our values, and our commitment to the level they belong, at the very top of our daily practice of Public Relations.

PRSA Board of Directors

A Message from the PRSA Board of Ethics and Professional Standards

Our Primary Obligation

The primary obligation of membership in the Public Relations Society of America is the ethical practice of Public Relations.

The PRSA Member Code of Ethics is the way each member of our Society can daily reaffirm a commitment to ethical professional activities and decisions.

- The Code sets forth the principles and standards that guide our decisions and actions.
- The Code solidly connects our values and our ideals to the work each of us does every day.
- The Code is about what we should do, and why we should do it.

The Code is also meant to be a living, growing body of knowledge, precedent, and experience. It should stimulate our thinking and encourage us to seek guidance and clarification when we have questions about principles, practices, and standards of conduct.

Every member's involvement in preserving and enhancing ethical standards is essential to building and maintaining the respect and credibility of our profession. Using our values, principles, standards of conduct, and commitment as a foundation, and continuing to work together on ethical issues, we ensure that the Public Relations Society of America fulfills its obligation to build and maintain the

framework for public dialogue that deserves the public's trust and support.

The Members of the 2000 Board of Ethics and Professional Standards

Robert D. Frause, APR,
Fellow PRSA
Chairman BEPS
Seattle, Washington

Kathy R. Fitzpatrick,
APR
Gainesville, Florida

Linda Welter Cohen,
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David M. Bicofsky,
APR, Fellow PRSA
Teaneck, New Jersey

James W. Wyckoff, APR
New York, New York

PREAMBLE

Public Relations Society of America Member Code of Ethics 2000

- **Professional Values**
- **Principles of Conduct**
- **Commitment and Compliance**

This Code applies to PRSA members. The Code is designed to be a useful guide for PRSA members as they carry out their ethical responsibilities. This document is designed to anticipate and accommodate, by precedent, ethical challenges that may arise. The scenarios outlined in the Code provision are actual examples of misconduct. More will be added as experience with the Code occurs.

The Public Relations Society of America (PRSA) is committed to ethical practices. The level of public trust PRSA members seek, as we serve the public good, means we have taken on a special obligation to operate ethically.

The value of member reputation depends upon the ethical conduct of everyone affiliated with the Public Relations Society of America. Each of us sets an example for each other - as well as other professionals - by our pursuit of excellence with powerful standards of performance, professionalism, and ethical conduct.

Emphasis on enforcement of the Code has been eliminated. But, the PRSA Board of Directors retains the right to bar from membership or expel from the Society any individual who has been or is sanctioned by a government agency or convicted in a court of law of an action that is in violation of this Code.

Ethical practice is the most important obligation of a PRSA member. We view the Member Code of Ethics as a model for other professions, organizations, and professionals.

PRSA MEMBER STATEMENT OF PROFESSIONAL VALUES

This statement presents the core values of PRSA members and, more broadly, of the public relations profession. These values provide the foundation for the Member Code of Ethics and set the industry standard for the professional practice of public relations. These values are the fundamental beliefs that guide our behaviors and decision-making process. We believe our professional values are vital to the integrity of the profession as a whole.

ADVOCACY

- We serve the public interest by acting as responsible advocates for those we represent.
- We provide a voice in the marketplace of ideas, facts, and viewpoints to aid informed public debate.

HONESTY

- We adhere to the highest standards of accuracy and truth in advancing the interests of those we represent and in communicating with the public.

EXPERTISE

- We acquire and responsibly use specialized knowledge and experience.
- We advance the profession through continued professional development, research, and education.
- We build mutual understanding, credibility, and relationships among a wide array of institutions and audiences.

INDEPENDENCE

- We provide objective counsel to those we represent.
- We are accountable for our actions.

LOYALTY

- We are faithful to those we represent, while honoring our obligation to serve the public interest.

FAIRNESS

- We deal fairly with clients, employers, competitors, peers, vendors, the media, and the general public.
- We respect all opinions and support the right of free expression.

PRSA CODE PROVISIONS

FREE FLOW OF INFORMATION

Core Principle

Protecting and advancing the free flow of accurate and truthful information is essential to serving the public interest and contributing to informed decision making in a democratic society.

Intent

- To maintain the integrity of relationships with the media, government officials, and the public.
- To aid informed decision-making.

Guidelines

A member shall:

- Preserve the integrity of the process of communication.
- Be honest and accurate in all communications.
- Act promptly to correct erroneous communications for which the practitioner is responsible.
- Preserve the free flow of unprejudiced information when giving or receiving gifts by ensuring that gifts are nominal, legal, and infrequent.

Examples of Improper Conduct Under this Provision:

- A member representing a ski manufacturer gives a pair of expensive racing skis to a sports magazine columnist, to influence the columnist to write favorable articles about the product.
- A member entertains a government official beyond legal limits and/or in violation of government reporting requirements.

COMPETITION

Core Principle

Promoting healthy and fair competition among professionals preserves an ethical climate while fostering a robust business environment.

Intent

- To promote respect and fair competition among public relations professionals.
- To serve the public interest by providing the widest choice of practitioner options.

Guidelines

A member shall:

- Follow ethical hiring practices designed to respect free and open competition without deliberately undermining a competitor.
- Preserve intellectual property rights in the marketplace.

Examples of Improper Conduct Under This Provision:

- A member employed by a “client organization” shares helpful information with a counseling firm that is competing with others for the organization’s business.
- A member spreads malicious and unfounded rumors about a competitor in order to alienate the competitor’s clients and employees in a ploy to recruit people and business.

DISCLOSURE OF INFORMATION

Core Principle

Open communication fosters informed decision making in a democratic society.

Intent

- To build trust with the public by revealing all information needed for responsible decision making.

Guidelines

A member shall:

- Be honest and accurate in all communications.
- Act promptly to correct erroneous communications for which the member is responsible.
- Investigate the truthfulness and accuracy of information released on behalf of those represented.
- Reveal the sponsors for causes and interests represented.
- Disclose financial interest (such as stock ownership) in a client's organization.
- Avoid deceptive practices.

Examples of Improper Conduct Under this Provision:

- Front groups: A member implements “grass roots” campaigns or letter-writing campaigns to legislators on behalf of undisclosed interest groups.
- Lying by omission: A practitioner for a corporation knowingly fails to release financial information, giving a misleading impression of the corporation's performance.
- A member discovers inaccurate information disseminated via a Web site or media kit and does not correct the information.
- A member deceives the public by employing people to pose as volunteers to speak at public hearings and participate in “grass roots” campaigns.

SAFEGUARDING CONFIDENCES

Core Principle

Client trust requires appropriate protection of confidential and private information.

Intent

- To protect the privacy rights of clients, organizations, and individuals by safeguarding confidential information.

Guidelines

A member shall:

- Safeguard the confidences and privacy rights of present, former, and prospective clients and employees.
- Protect privileged, confidential, or insider information gained from a client or organization.
- Immediately advise an appropriate authority if a member discovers that confidential information is being divulged by an employee of a client company or organization.

Examples of Improper Conduct Under This Provision:

- A member changes jobs, takes confidential information, and uses that information in the new position to the detriment of the former employer.
- A member intentionally leaks proprietary information to the detriment of some other party.

CONFLICTS OF INTEREST

Core Principle

Avoiding real, potential or perceived conflicts of interest builds the trust of clients, employers, and the public.

Intent

- To earn trust and mutual respect with clients or employers.
- To build trust with the public by avoiding or ending situations that put one's personal or professional interests in conflict with society's interests.

Guidelines

A member shall:

- Act in the best interests of the client or employer, even subordinating the member's personal interests.
- Avoid actions and circumstances that may appear to compromise good business judgment or create a conflict between personal and professional interests.
- Disclose promptly any existing or potential conflict of interest to affected clients or organizations.
- Encourage clients and customers to determine if a conflict exists after notifying all affected parties.

Examples of Improper Conduct Under This Provision

- The member fails to disclose that he or she has a strong financial interest in a client's chief competitor.
- The member represents a "competitor company" or a "conflicting interest" without informing a prospective client.

ENHANCING THE PROFESSION

Core Principle

Public relations professionals work constantly to strengthen the public's trust in the profession.

Intent

- To build respect and credibility with the public for the profession of public relations.
- To improve, adapt and expand professional practices.

Guidelines

A member shall:

- Acknowledge that there is an obligation to protect and enhance the profession.
- Keep informed and educated about practices in the profession to ensure ethical conduct.
- Actively pursue personal professional development.
- Decline representation of clients or organizations that urge or require actions contrary to this Code.
- Accurately define what public relations activities can accomplish.
- Counsel subordinates in proper ethical decision making.
- Require that subordinates adhere to the ethical requirements of the Code.
- Report ethical violations, whether committed by PRSA members or not, to the appropriate authority.

Examples of Improper Conduct Under This Provision:

- A PRSA member declares publicly that a product the client sells is safe, without disclosing evidence to the contrary.
- A member initially assigns some questionable client work to a non-member practitioner to avoid the ethical obligation of PRSA membership.

RESOURCES

Rules and Guidelines

The following PRSA documents, available in *The Blue Book*, provide detailed rules and guidelines to help guide your professional behavior:

- PRSA Bylaws
- PRSA Administrative Rules
- Member Code of Ethics

If, after reviewing them, you still have a question or issue, contact PRSA headquarters as noted below.

QUESTIONS

The PRSA is here to help. Whether you have a serious concern or simply need clarification, contact Judy Voss at judy.voss@prsa.org.

PRSA Member Code of Ethics

Pledge

I pledge:

To conduct myself professionally, with truth, accuracy, fairness, and responsibility to the public;
to improve my individual competence and advance the knowledge and proficiency of the profession through continuing research and education;
and to adhere to the articles of the Member Code of Ethics 2000 for the practice of public relations as adopted by the governing Assembly of the Public Relations Society of America.

I understand and accept that there is a consequence for misconduct, up to and including membership revocation.

And, I understand that those who have been or are sanctioned by a government agency or convicted in a court of law of an action that is in violation of this Code may be barred from membership or expelled from the Society.

Signature

Date

HOW TO REPORT QUESTIONABLE BEHAVIOR: Instructions for Chapter Ethics Officers

Use this form to provide ethics case study material to the PRSA Board of Ethics & Professional Standards (BEPS) based on bad ethical behaviors you witness. While neither the Society's Code of Ethics nor PRSA BEPS is responsible for enforcement or violations, your input on ethical lapses is invaluable for training purposes. This information will be further developed into educational and teaching tools for use by PRSA Chapter Ethics Officers and PRSA Members-at-Large.

Please provide all information generically. To prevent legal liability, use a pseudonym or no name for the organizations or individuals whose conduct you are describing. Any scenarios received that directly identify real organizations or individuals will be returned to the sender.

Part 1: Please describe the nature of the questionable behavior. Be as specific as you can, but also brief (up to 200 words).

Part 2: Please list the specific questions raised by the behaviors described above.

Part 3: If you can, please specify which section(s) of the Code appear to be involved. List them here.

Part 4: If you could make the decisions, how would you like to see this situation resolved (up to 200 words)?

Fax Submissions:

Please Forward This Form by Fax to:

Board of Ethics and
Professional Standards
c/o Judy Voss
212-995-0757 (Fax)

E-mail Submissions:

Please Send to:

judy.voss@prsa.org
cc: TLG@e911.com

Your Contact Information:

Name: _____

Phone : _____

Fax: _____

E-mail: _____

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INSIDIOUS UNETHICAL BEHAVIORS

Besides the more obvious mistakes that lead to unethical behaviors, there are other, less apparent, more insidious kinds of unethical behaviors that can lead to problems. Sometimes these less obvious behaviors are the precursors to illegal behavior. When you can identify these behaviors in your vicinity, there is trouble ahead. Act promptly to correct these situations.

- Lax control: A manager's careless enforcement, education about, and monitoring of ethical standards.
- Lack of tough, appropriate centralized compliance within each area of the company.
- No one charged with responsibility of teaching, enforcing, and disciplining in cases where ethical breaches occur.
- Leadership that allows supervisors to overlook bad behavior.
- Leadership that allows employees to experiment with methods and tactics outside established guidelines.
- Emphasis on "doing whatever it takes" to achieve appropriate business and financial goals.
- Managers and supervisors who minimize the importance of oversight and compliance processes.
- Structuring incentives in such a way that they can compromise the ethical behavior of people, the quality of the products and services we deliver, and allow shortcuts to be taken for a variety of obviously questionable reasons.
- Avoiding confrontation with managers who chronically misbehave or chronically overlook misbehavior.
- The tendency to operate "on the edge," always pushing for more than is appropriate.
- Management that ignores the signs of and doesn't question rogue behavior.
- Management that tolerates the inappropriate behavior or management by individuals who are "critical to the organization's mission." These are the folks who are the super sales people, the high achievers who are allowed to break the rules to maintain the altitude of their performance.
- Belittling or humiliating those who suggest or seek ethical standards.
- Dismissing or destroying the careers of employees who report bad or outright wrong behavior.
- Demeaning the internal or external credibility of those who blow the whistle, those who report or bring management's attention to lapses in ethics.

The Fitzpatrick Model

A guide to understanding and correcting ethical infractions

1. Define the ethical issue/conflict.
2. Identify internal/external factors.
3. Identify key values affected.
4. Identify parties affected and define your obligation.
5. Select ethical principles to guide the decision making.
6. Make a decision and justify it.

- For many professionals, ethical dilemmas arise when responsibilities and loyalties conflict and a decision about the appropriate (i.e., ethical) course of action must be made. Often, a choice is required among actions that trigger competing obligations. For example, when might the obligation to serve the public interest override loyalty to clients? When does a particular stakeholder's interest take priority over an employer's interest?
 - These questions illustrate the challenge of ethical practices. And they raise the related issue of how alternative actions should be weighed and competing interests balanced. In this regard, an ethical decision-making process can be helpful. Such a guide forces the decision maker to address significant issues that should be considered before taking action.
 - A number of such processes exist – ethics educators offer a variety of approaches to ethical decision making. The following guide, developed by Professor Kathy Fitzpatrick, *APR, Fellow PRSA*, which is adapted to meet the specific needs of public relations professionals, is one approach you may find helpful in addressing ethical dilemmas:
 1. Define the specific ethical issue/conflict.
 2. Identify internal/external factors (e.g., legal, political, social, economic) that may influence the decision.
 3. Identify key values affected.
 4. Identify the parties who will be affected by the decision and define your professional obligation to each.
 5. Select ethical principles to guide the decision-making process.
 6. Make a decision and justify it.
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ETHICAL QUESTIONING, A FRAMEWORK

So, the first step in dealing with ethical issues is asking questions and making certain that all important questions are answered – even the most obvious ones. In many organizations there is a code of silence. Don't ask; don't tell. If we don't ask it, we can't be blamed for doing or not doing something. Not asking protects people and bad decisions as well as the non-askers. Silence also protects perpetrators and bullies.

Questions to be asked and answered:

- What did they know and when did they know it?
- Has all the information been presented honestly and correctly?
- What are the relevant facts of the situation?
- What decisions were made?
- Who was involved/affected?
- What was sacrificed to benefit the victims?
- Was there a serious attempt to find out?
- What alternative actions were available?
- Is the action or situation truly reflective of a responsive community/corporate citizen?
- Were our actions open, honest, and truthful?
- What affirmative action is being taken now to remedy or remediate the situation?
- Did this happen because there is an institutional “code of silence” when morally questionable decisions or actions come to light?
- How will future unethical behavior be disclosed? To whom? How fast?
- As an organization, are we prepared to combat the behaviors that lead to ethical compromises?
- What lessons can the organization learn as this dilemma is resolved?
- Who does our ethical behavior bother?
- What ethical principles or standards of conduct are involved or at issue?
- Is it really our problem?
- How would these principles be advanced or violated by each alternative action?
- What was the fundamental cause – omission, commission, negligence, neglect, accident, arrogance, other?
- How could this have been avoided?
- Are all the critical ethical questions being asked and answered?

Failure to ask questions can be considered ethical failure by omission. Ask the right questions early as suspect situations are developing. You may be able to head off serious difficulty or perhaps even enhance the value of your decisions and actions.

GUIDELINES ON ETHICS

These *Guidelines on Ethics* are excerpted from Ruder Finn's *Guidelines on Ethics* document. These guiding principles are used for deliberations by the Ethics Committee. It makes explicit those beliefs and tenets which have long been assumed as inherent in the character and culture of Ruder Finn.

We don't want to be involved in any public relations activity that we believe:

- Violates the confidentiality of a client
- Defends or endorses the suppression of human rights anywhere in the world, or promotes, however subtly, racism, discrimination, terrorism or other policies which we feel are contrary to our basic beliefs
- Defends or endorses the suppression of religious freedom
- Censors the arts
- Curbs free speech
- Interferes with crime prevention
- Threatens world peace
- Is hazardous to human health
- Is a threat to the environment
- Is scientifically unsafe
- Is not consistent with our cultural standards of quality
- Disseminates what we believe is false and deceptive information
- Makes unsupported or misleading claims for product, corporation, institution, government, or cause

DISCUSSION OUTLINE

Resolving Bad Ethical Practice Situations

PRSA BEPS Teleseminar

Ethics Month

September 26, 2007

If those who listened to this program with you would like to have a follow-up discussion, here are some questions to begin the conversation:

1. What do you know now that you didn't know when the program began?
2. What's the most important concept or idea you learned from this program?
3. What questions has the presentation raised for which you need to find answers?
4. What key skills, ideas, or knowledge did this program confirm for you?
5. Based on what you learned and heard today, what is the first thing you're going to do when you return to your office?
6. What's the second thing you're going to do?