

Navigating the Black, White, and Gray

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Ted Kincaid Open Sea 315, 2011

Declaration

- No remuneration for this talk
- No conflicts of interest

Outline

- Define Ethics
- Foundational Concepts
- Application
- Forward

our right and wrong principles of professional
ethics a c
 behaviour, esp of a particul
 group, profession, or indiv
 the moral fitness of a d

Define Ethics



Word association

Word association

- Integrity
- Trust
- Accountability
- "In Bounds"
- others

Dictionary Defining Ethics

Ethics (noun)

- The principles of conduct governing an individual or a group

Ethical (adjective)

- Following accepted rules of behavior : morally right and good

The Nature of Societal Ethical Standards

- Two Gestalts
 - Autonomous decisions are valued as individuals pursue their purpose
 - Virtue depends upon shared habits of character



Work and Integrity: The Crisis and Promise of Professionalism in America, Wm Sullivan, 2005


I don't want to do anything that violates my own personal code of ethics and morals

Michael Mann
PICTUREQUOTES.COM

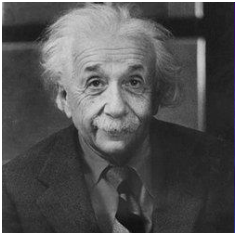


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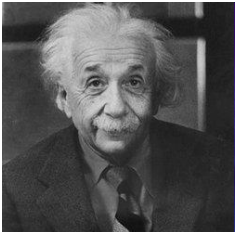
Is Ethics: Personal or Universal?



"Relativity applies to physics, not ethics."

Albert Einstein

NobleQuotes.com



"Relativity applies to physics, not ethics."

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Is Ethics Relative or Absolute?

I don't want to do anything that violates my own personal code of ethics and morals

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Personal?
Universal?
Relative?
Absolute?

"Relativity applies to physics, not ethics."

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Which is correct? None? All?

Determining Ethical Standards

- Society (Government / Majority)?
- Personal Intensions?
- Changes over time?
- Unalterable?
- Situational?

Good Intention = Ethical?

Good Intention = Ethical?



Not Creative—Just Dishonest; How Photoshop can get you fired, Frank Van Riper

Left: A photo taken during the Jan. 27 University of Toledo and Kent State women's basketball game showed players reaching upward. Right: A basketball had been added to the image when the photographer submitted it to editors. The image was not selected and did not appear in the paper.

It Doesn't Happen in Politics...

Or advertising...

Fonda Speaks To Vietnam Veterans At Anti-War Rally



Actress And Anti-War Activist Jane Fonda Speaks to a crowd of Vietnam Veterans as Activist and former Vietnam Vet John Kerry (LEFT) listens and prepares to speak next concerning the war in Vietnam (AP Photo)

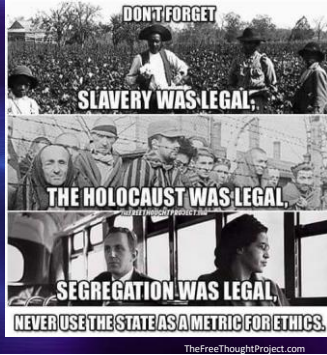
Photo: Owen Franken 1972 in Florida

Photo: Ken Light 1971 in New York

24 Famous Photos You Won't Believe Were Fake by MrsSaban Jul 2 2013

Legal = Ethical?

Legal = Ethical?



Legal vs Ethical

	Legal	Not Legal
Ethical	It is both legal and ethical to protect the privacy of a patient being treated at your facility	It is not legal but could be considered ethical to leak information on your employer's intranet to the media to expose illegal activity
Not Ethical	It is legal and may not be considered ethical to call in sick when you are not really sick.	It is neither legal or ethical to sell patient information.

Is Ethical Behavior...

A Continuum or A Binary



If a Binary Quantity

- There are no gray areas
- Either easily universally determined or almost complete non-agreement on the delineations
- Simple laws and regulations
 - no need for lawyers?



There are 10 types of people in the world. Those who understand binary and those who don't.

A Spectrum of Ethics Application



If a Spectral Continuum...

- Life is not black and white, but includes shades of gray between right and wrong



Shades of Grey: Ethical Dilemmas, The Institute of Chartered Accountants of Scotland, 2009

If a Spectral Continuum...

- Life is not black and white, but includes shades of gray between right and wrong
- We can use catchphrases like "lesser of two evils" or "necessary evil" and "greater good" or "white lie."



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If a Spectral Continuum...

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- We can use catchphrases like "lesser of two evils" or "necessary evil" and "greater good" or "white lie."
- Situational ethics – Example: Lying
 - Lying to a Nazi in order to protect an innocent life you are hiding in your attic
 - Lying to the cops to protect the life of an escaped convict
 - Bluffing while playing poker



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**Commonality with binary ethics theory –
Where do you draw the line?**

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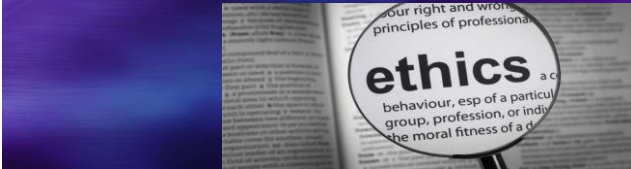
A Binary-Spectrum?

- Are there clear societal norms or boundaries while still needing flexibility “in between”?



Foundation

- The concepts of ethical expectations of behavior and its origins



Are Ethics Needed?

Essential \longleftrightarrow Unnecessary

Mandatory \longleftrightarrow Elective

Expected \longleftrightarrow Exceptional

The Very Idea

- Ethics philosophically is similar to concepts such as law and morals
- Is it a new concept?
- Ethical concepts in history...

Example: The Golden Rule

- The concept occurs in some form in nearly every religion and ethical tradition.
- Psychologically, it involves a person empathizing with others.
- Philosophically, it involves a person perceiving their neighbor also as "I" or "self".

Example: The Golden Rule

- Ancient Egyptian papyrus, Ancient Bible, All Ancient Chinese Philosophies, Ancient Indian Epic Mahābhārata, Ancient Greek, Ancient Persia, Ancient Rome Philosophies, etc.

Example: The Golden Rule

- Ancient Egyptian papyrus, Ancient Bible, All Ancient Chinese Philosophies, Ancient Indian Epic Mahābhārata, Ancient Greek, Ancient Persia, Ancient Rome Philosophies, etc.
 - One should treat others as one would like others to treat oneself (positive or directive form)
 - One should *not* treat others in ways that one would *not* like to be treated
 - Platinum Rule: Do unto **others**, wherever reasonable, as they would like to have you do unto **them**.

Professional Ethics

- Professional ethics is an ancient concept, with one of the earliest examples in history being the Hippocratic Oath for medical professionals being one of the oldest binding documents in history (between the 3rd-5th cent. BC*)
- Some of the most common components of professional ethics codes refer to knowledge, honesty, accountability, integrity, loyalty, and compliance with the law. Individual responsibility is a main component encompassed in professional ethics.

*Farnell, Lewis B., *Greek Hero Cults and Ideas of Immortality: The Gifford Lectures: Delivered in the University of St. Andrews, 1920*. Whitefish, Montana: Kessinger Publishing, p. 269.

Challenging Distinctions

- Professional and ethical behavior
- Law and ethics
- Morals and ethics
- Risky behavior and unethical behavior

Application

- How to avoid being placed in the situation where ethical behavior is questioned as a medical physicist



Aviation Mechanics – Top 2 Noncompliance Issues

- **Rushed Jobs**
 - “Doing a job too quickly risks missing something important and potentially significant. Do a job too slowly and you can miss income or anger your boss”
- **The Wrong Job Order**
 - “If the request is in error or you believe it to be. Clearly you can’t ethically do a maintenance job that you believe is incorrect just because the paperwork says to do it that way. On the other hand, you don’t have the authority to deviate from the paperwork. Figuring out the process for dealing with incorrect paperwork is not in the middle of a repair where time pressures are significant.”

Goglia, John, Gray Areas of Ethics for Mechanics, Aircraft Maintenance Technology Jan/Feb 2014

Medical Physics Parallels

- **Rushed Jobs**
 - “Doing a **job too quickly** risks **missing something** important and **potentially significant**. Do a **job too slowly** and you can **miss income or anger your boss**”
- **The Wrong Job Order**
 - “If the **request is in error** or you **believe it to be**. Clearly you can’t ethically do a maintenance job that you **believe is incorrect** just because the **paperwork says to do it that way**. On the other hand, you **don’t have the authority to deviate from the paperwork**. **Figuring out the process** for dealing with incorrect paperwork is **not in the middle of a repair where time pressures are significant**.”

Research / Education

Plagiarism:

- A) Presents someone else's work or ideas without proper citation even if you have their consent
- B) Applies to all published and unpublished material, whether in manuscript, printed or electronic form
- C) Neither
- D) Both

Research / Education

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- A) Presents someone else's work or ideas without proper citation **even if you have their consent**
- B) Applies to **all** published and **unpublished** material, whether in manuscript, printed or **electronic** form
- C) Neither
- D) Both**

On *Being a Scientist: Responsible Conduct in Research* published by The National Academy Press, Washington, 1995 edition.
Office of Research Integrity Policy on Plagiarism <http://ori.hhs.gov/ori-policy-plagiarism>

Responsible Conduct of Research, Challenge Questions

Which of the following are examples of research misconduct?

- Altering research data.
- Using other people's written words or ideas without attribution.
- Sexual harassment of colleagues.
- Cruelty to research animals.
- All of the above.
- Two of the above.

Responsible Conduct of Research, Challenge Questions

Which of the following are examples of research misconduct?

- 2.2 % Altering research data.
- 0.3% Using other people's written words or ideas without attribution.
- 0.3% Sexual harassment of colleagues.
- 0.7% Cruelty to research animals.
- **52.4% All of the above.**
- 44.2% Two of the above.

http://ccnmtl.columbia.edu/projects/rcr/rcr_misconduct/introduction/challengequestions.html
 Columbia University, RCR Research Misconduct

A Very Good Handbook

Guidelines for Responsible Conduct of Research,
 Office of Research Integrity, 2011

<http://www.provost.pitt.edu/documents/GUIDELINES%20FOR%20ETHICAL%20PRACTICES%20IN%20RESEARCH-FINALrevised2-March%202011.pdf>

Topics such as:

- | | |
|------------------------|----------------------------|
| Plagiarism | Resumes / CVs |
| Privileged Information | Conflicts of Interest |
| Data Use | Responsibilities |
| Authorship | Human Subject Obligations |
| Obligation to Report | Animal Subject Obligations |

More Plagiarism Info

- Buzzelli, Donald E. "Plagiarism in Science: The Experience of NSF," *Perspectives on the Professions*. 13.1 (July 1993).
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- Loui MC, 2002. Seven Ways to Plagiarize: Handling Real Allegations of Research Misconduct. *Science and Engineering Ethics* 8, 4: 529-539.
- ORI. 1994 ORI Provides Working Definition of Plagiarism.

Clinical Test Case Studies

AMA Journal of Ethics –many example cases
<http://journalofethics.ama-ssn.org/site/cases.html>

Markkula Center for Applied Ethics
<https://www.scu.edu/ethics/focus-areas/bioethics/resources/cases-in-medical-ethics-student-led-discussions/>

American College of Physicians
<https://www.acponline.org/clinical-information/ethics-and-professionalism/ethics-case-studies>

Living on the edge of “Adventure Boundaries”

- Participate (some this call crazy-stupid others living life-electrifying)
- Evolution of hang gliding to jump suits
 - X Games, changes, not “edgy enough” (e.g. incorporated into Olympics)
 - Vertical Camping (sleeping in a tent on the sheer side of a mountain cliff)
 - Base Jumping, the highest death rate by recreational activity:
1 in 60 participants*! (base jumping = jumping with a parachute from a fixed object.)
 - Bungee jumping
 - Monocycle racing
- Observe (some call this exciting - others see it as a cop out)
- Spectators (races, bull fights, presidential debates...)
- Avoid (some call it safe and happy others tedious and cowardly)
- Images avoiding danger, home, safe, secure

*Your Chance of Dying <http://www.besthealthdegrees.com/health-risks/>

The Edge of Ethical Boundaries

- Who determines what is “in bounds”?
 - history, culture, other?
- Where do you draw the line?
 - Are there Similarities and Difference between thrill-seeking and ethics?
 - (Participate, Observe, Avoid)
 - Who determines what is ethically risky?
- Where should you draw this line?

The Edge of Ethical Boundaries

- When do you “argue the call”?
- Have you ever had to “argue the call” as a Medical Physicist?



The Edge of Ethical Boundaries

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 - You have already lost, even if you are “right”



The Edge of Ethical Boundaries

- When do you “argue the call”?
- Have you ever had to “argue the call” as a Medical Physicist?
 - Why is it a good idea to never place yourself in a position to “argue the call” with respect to a question of your ethical behavior?
 - You have already lost, even if you are “right”
 - Finding yourself in the position where you need to justify actions or debate the ethical nature of your behavior as a professional either calls into question your competence or trustworthiness.



Some Best Practice Guidelines

- The golden rule and platinum rule (servant-leader)



Some Best Practice Guidelines

- The golden rule and platinum rule (servant-leader)
- Close to ethical edge or is the ethical edge in sight?...back away



Know Thyself

- “Be aware as a leader of your own blind spots, which may permit, or even encourage, the unethical behaviors you are trying to extinguish.”

- Harvard Business Review, Apr 2011 Bazerman and Tenbrunsel

Going Forward



Related topics

- Setting Vision/Goals
- Leadership
- Legal Compliance, Policies, Rules
- Navigate Organizational Structures
- Discipline and Reward
- Whistle-blowing
- Measurement and Research
- Confidentiality
- Training and Education
- Communication
- Corporate Social Responsibility

The AAPM Code of Ethics

- Most societies have an established set of ethical to which members are expected to adhere, and a formal structure for sanctioning those practitioners who do not. Such is the case with Medical Physics and the AAPM’s Code of Ethics.
- Our Code (read it sometime)
 - Ethical Behavior (Research, Education, Business, Clinical)
- Currently under review and revision- TG 109
 - Comments on the draft in 2017 – participate!
- Conflict of Interest
 - Annual attestation added recently

How Can We Assist You?

- What real-life ethical choices or questions do you now face and potentially in your career?
- What support can we offer each other to resist temptations to fall into “ethical slips” in order to survive or get ahead in a competitive environment?
- What sort of guidance on ethical conduct would be helpful to you?
- What do you know now regarding ethical protocol or expectations that you wish you had known earlier?

Practical navigation tips

- General
 - Think first
 - Email/Texts are your enemy
 - Follow the platinum rule (servant-leader mindset)
- Medical Physics
 - Promise lightly
 - Honesty and openness before pride
 - If it is in writing, DO it. If the writing is unreasonable or in error work to change it

Practical navigation tips

- Rules of thumb
 - What do you do when you know no one is watching or would find out?
 - Are you close to an ethical edge? ...back away
 - Navigate away from the need to "argue the call"
 - Never place yourself in a position to "argue the call" with respect to a question of your ethical behavior

Thank you

Stuck for a solution?

Redefine the problem

Take another approach



Expand $2(x + y)$

$$\begin{aligned}
 &2(x+y) \\
 &2(x+y) \\
 &2(x+y) \\
 &2(x+y)
 \end{aligned}$$

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- General Integrity Resources
 - <http://corporatecomplianceinsights.com/ethics-and-integrity-best-practices-global-ethics-and-integrity-benchmarks/>
 - <http://corporatecomplianceinsights.com/wp-content/uploads/2009/05/ethics-and-integrity.pdf>
 - <http://www.lgsee.kmutt.ac.th/exell/JEE613/EthCases.html>
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- Your Chance of Dying <http://www.besthealthdegrees.com/health-risks/>
