



# Ethics for the Occupational Health and Safety Professional

## Participant Handout

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**New Wave Occupational Health and Safety Services**

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## Session Objectives

At the end of this session, you will:

- Be more aware about ethical issues
- Have a framework for thinking about ethical issues
- Be able to analyze ethical challenges based on proposed courses of action
- Understand some factors that impact how people respond to ethical issues
- Understand the purpose and content of your profession's codes of ethics
- Be able to recognize when disclosure and whistleblowing may be appropriate

## Session Outline

- Initial case studies
- Recognizing an ethical issue
- Analyzing and responding to ethical issue (Ethics theories)
- The way forward
- Codes of Ethics
- Closing points
- Quiz

## Ethics

System of accepted beliefs that influence behaviour, especially a system based on values and principles and perceptions of right versus wrong

## Ethics vs. Morals

- Ethics usually refer to rules provided by an external source
  - Laws, codes of conduct, unwritten rules
- Morals usually refer to your own internal principles regarding right and wrong

In the end, many people who study ethics consider the terms interchangeable

## Conditions for Ethical Responsibility

- Standard against which to compare the action
  - Laws, codes of conduct, unwritten rules
- Causal contribution
  - Responsible person must have caused the action or made the decision
- Foreseeability
  - Responsible person must have been able to foresee the consequences of their decision
- Freedom of Action
  - Responsible person must have had freedom to do as they did or not

## Moral Intensity

Degree of feeling that a person has about the consequences of a moral choice

- When there is a high degree of moral intensity, this typically increases a person's moral sensitivity and judgment, resulting in decisions not to engage in unethical behavior

## Dimensions of Moral Intensity

- Risk
  - Severity of consequences
  - Risk
- Social consensus
  - Degree of social agreement that a proposed act is evil or good
- Immediacy
  - Time between act and consequences
- Concentration of effect
  - Degree to which only a few people would bear all of the consequences, as opposed to the consequences being distributed over a large group
- Proximity
  - Closeness of the moral actor to those impacted by act
  - Can bring on an aspect of psychological health and safety, such as when triaging patients in a hospital emergency room

## Bias in Ethics

### What is “bias”?

- Predisposition in favor of or against one thing, action, person, or group compared with another
- Making an ethical decision for reasons other than objective fact

### Types of Bias

- Obedience to authority or following orders
  - We are more likely to act unethically if an authority figure urges us to
- Over-optimism and overconfidence / Confirmation bias, Self-serving bias
  - Belief that one’s “moral compass” will always be right, so there is no use really considering the ethics of a situation
  - Information that is consistent with one’s beliefs is prioritised over other information
- Outcome bias
  - We tend to judge behaviours associated with more serious, negative outcomes as more blameworthy or unethical
- Framing
  - We tend to choose the option that comes across as more positive or as a gain as opposed to a loss

## Moral Disengagement

Moral disengagement explains how it is possible for good people to behave unethically and to be able to live with themselves without feeling discomfort or distress

Name	Description	Example
Moral justification	Individuals reconstrue harm to others in ways that appear morally justifiable	"It's for the greater good"; "We're actually doing them a favour"
Euphemistic language	Use of morally neutral language to make unethical conduct seem benign or less harmful	"I'm just borrowing it"; "Strategic omission is how we do it here"
Advantageous comparison	Comparison of unethical behavior with even worse behavior to make the original behavior seem acceptable	"At least we're not doing what those people are doing"; "It could be worse"
Distortion of consequences	Distorting or minimizing the consequences of unethical behavior in order to disconnect unethical actions and self-sanctions	"We're not harming anyone"; "It's not a big deal"
Diffusion of responsibility	Placing responsibility for unethical behavior onto a group, thereby making one feel less responsible for a collective's unethical actions	"Everybody is doing it"; "We made this decision together"
Displacement of responsibility	Placing responsibility for unethical behavior onto an authority figure, thereby neutralizing personal responsibility	"I'm doing what I was told"; "I'm just following orders"
Attribution of blame (blaming the victim)	Placing the responsibility for unethical behavior onto the victim in order to exonerate oneself	"It's their own fault"; "They deserve it"
Dehumanization	Recasting victims of unethical behavior as "less than human," or unworthy of human treatment	"They are being treated like the animals they are"; "They're just cogs in a wheel"

## Ethical Frameworks

### Utilitarianism

- Measures the consequences of actions against “utility”
- Utility
  - Ability of an object to produce benefit, advantage, pleasure, good, or happiness, or
  - to prevent mischief, pain, evil, or unhappiness

Actions or behaviors are morally:

- right in so far as they promote happiness or pleasure
- wrong in so far as they produce unhappiness or pain

Balancing benefits and costs, such as using a cost-benefit analysis, is an essential aspect of utilitarianism.

### Issues with Utilitarianism

- Are pain and pleasure really as objective and measurable as utilitarianism suggests?
- Assumes knowledge of the impacts of decisions. What if that knowledge does not exist?
- Why should we be morally obligated to act in the public interest at the expense of our private interests?
  - Isn't the “free market” based on self-interest?
- Built in bias against individuals and minorities

### Kantianism

- An act is moral if it was done solely to fulfill a duty and not because the fulfilled duty brought the actor any benefits
- An act's morality revolves entirely around duty rather than emotions or end goals
- An act is only ethical if one is willing for the rule or principle that allows the act to be a universal law to be applied every time by everyone

### Issues with Kantianism

- Considers only principles, not outcomes
- No allowances to bend any rules

### Natural Law and Natural Rights

- It is the nature of humans that we see certain things as 'good'
  - Life, health, knowledge, play, art, and friendship
- These are worth engaging in or protecting in and of themselves, not because they are means to some other end
  - "Human life is priceless"

### Issues with Natural Law and Natural Rights

- Very good at identify values and principles. Not as good at identifying practical solutions

### Ethical Decision-Making

1. Gather the facts
  - a. What events have/could/will happen?
  - b. Who has/could/will be affected?
  - c. What obligations exist?
  - d. What are the consequences on each affected party?
2. What are the ethical issues?
3. Which ethical framework is most appropriate?
4. What options exist?
  - a. Which has the greatest ethical advantages?
5. Frame your arguments and present your case
6. Record the evolution of the arguments, the case and the results





## Potential Ethical Challenges

- Technical competence
- Reconciling risk
- Managing conflicts
- Conflicts of interest

## Conflict of Interest

A situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest

A situation in which a party's responsibility to a second party limits its ability to discharge its responsibility to a third-party

## Perceived Conflict of Interest

A perceived conflict of interest occurs when an individual may reasonably be understood as having two competing interests, one of which is likely to interfere or undermine their ability to be objective

NOTE: It does NOT matter if you know that you do not have a conflict of interest

The only thing that matters is if someone reasonably concludes that you may have a conflict

## Whistleblowing

Act of drawing public attention, or the attention of an authority figure, to perceived wrongdoing, misconduct, unethical activity within an organization

- Usually “in the public interest”, but may be in a corporate interest
- Disclosure may be internal or external

### What is “Wrongdoing”?

- Breaking a law
- Misusing funds or assets
- Gross mismanagement
- Endangering life, health, or the environment
- Breaching a code of conduct
- Endangering reputation

### What Conditions Must Be Met Before Whistleblowing Is Justified?

- There is real danger of serious and considerable harm to the public or the organization
- Potential harm has been reported through proper channels, concluding that nothing effective will be done
  - Intimidation comes into effect here
- The would-be whistleblower has evidence that would convince a reasonable, impartial observer that her view of the threat is correct
- You are not blowing the whistle solely for personal or professional gain

## Points for a Whistleblowing Policy

From Government Accountability Project and International Bar Association, [\*Are whistleblowing laws working? A global study of whistleblower protection litigation\*](#), 2021

### Scope of Whistleblowing

- Broad whistleblowing disclosure rights with 'no loopholes'
  - Protected whistleblowing should cover any lawful disclosure that would be accepted as evidence of significant misconduct or would assist in carrying out legitimate compliance functions, without loopholes for formality, context, or audience outside of specific legislative or military restrictions.
  - The consistent standard is to reasonably believe the information is evidence of misconduct.
- Right to refuse violating the law

### Retaliation

- Protection against full scope of harassment, including recommendations
  - Also protect those who assist or associate with the whistleblower, including family
- Realistic standards to prove the violation of rights
- Personal accountability for reprisals

### Intimidation and Reluctance

- Reliable identity protection
- Compensation with 'no loopholes'
- Credible internal corrective action process
- Providing essential support services
- Option for alternative dispute resolution
- Right to due process by an independent person
- Interim relief
- Transfer option
- Realistic time frame to act on rights
- Transparency and review

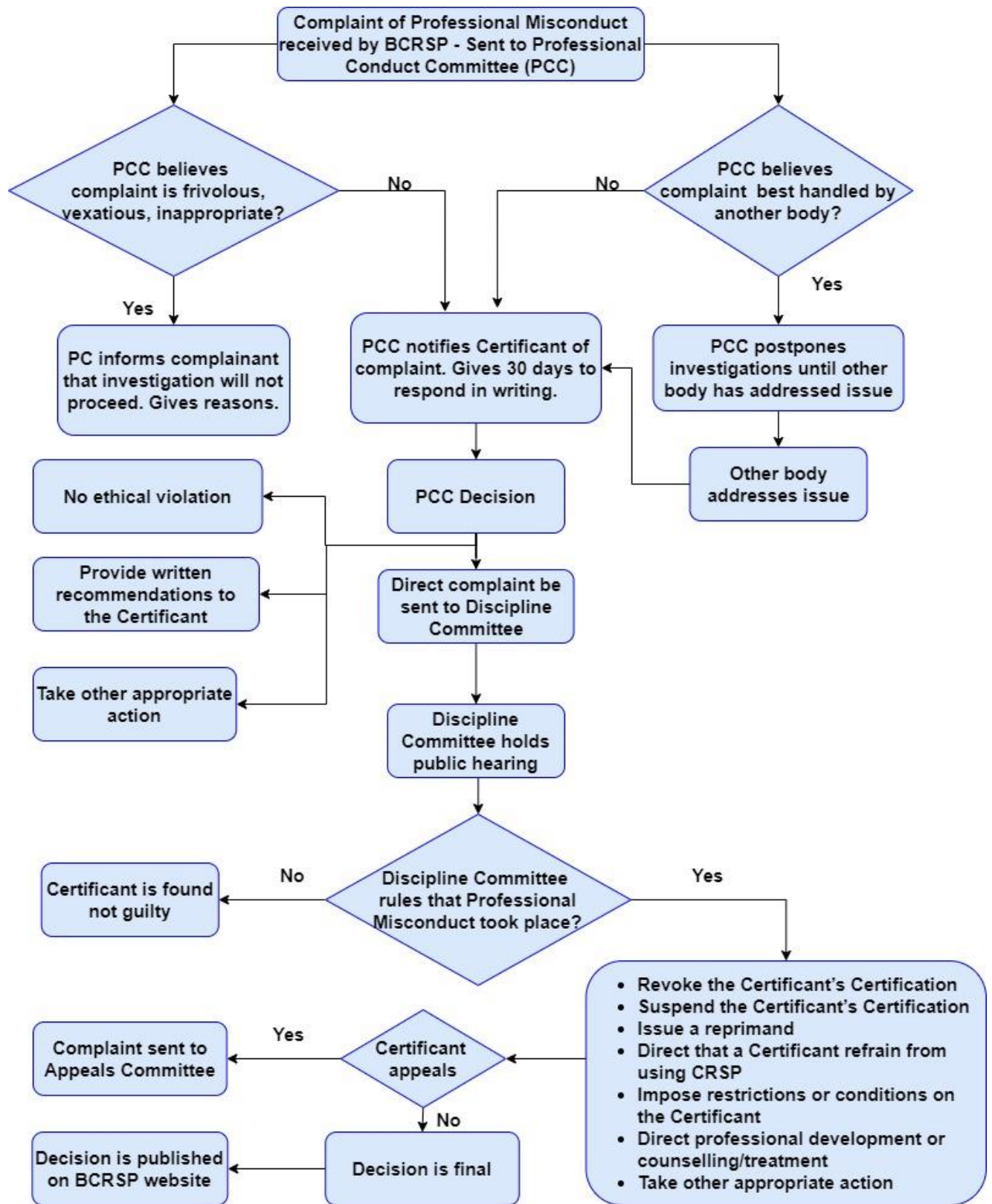
## Purposes of a Code of Ethics

- Express the core values of a group
- Clarify values and rules
- Strengthen group identity and collegiality
- Foster public confidence
- Act as a framework for discipline
- Usually not legally enforceable

## Obligations of a CRSP

- If you have reasonable grounds to believe that a CRSP has engaged in Professional Misconduct, you must report them to the Executive Director
- If you are convicted of a criminal offence or an offence under health and safety law, you must report yourself to the Executive Director
- You must cooperate with any misconduct investigation
  - Share documents
  - Answer questions

## BCRSP Disciplinary Process



# Notes

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