

Professionalism and Government Ethics Essentials

OBJECTIVES

To demonstrate mastery of Professionalism and Government Ethics Essentials the trainee will:

1. Define “professionalism”- what does it look like.
2. Define how professionalism relates to, and impacts, food safety and biosecurity.
3. Identify appropriate and inappropriate behavior and explain how they affect employees, industry officials, consumers and others.
4. Define the Agency’s expectations and the role each employee has in supporting the Agency in achieving its public health mission.
5. Identify the 14 Principles of Ethical Conduct in public service and your responsibility annually in completing the ethics training.

REFERENCES

1. Participant Guide: “Professionalism and You the FSIS Employee” with questions, workshops and ethical conduct sections
2. Facilitator Guide: “Professionalism and You the FSIS Employee”
3. Power point presentation “Professionalism and You the FSIS Employee”

INTRODUCTION

We'll be talking about professionalism at all levels of our workforce, which is critical to support FSIS in achieving our vision of becoming the premier public health agency and improving our working environments.

To achieve our public health mission:

- Professionalism and a culture change must take place within FSIS.
- Food safety, bio-security, morale and workplace safety must be enhanced.
- We must become a world-class public health agency.
- Have management and accountability systems in place.

In FSRE you will learn “What are the Best Tools for Making the Right Decisions?” (acts, due process, professionalism) – Like all professionals, we have a set of tools that we use in our work – the acts, due process, and professionalism.

Conduct and behavior affects how we regard each other and industry’s perception of the FSIS workforce.

Conduct perceived as “unprofessional” adversely affects our integrity, consumer confidence, and our ability to carry out our public health mission. Protecting our employees and the public is essential to FSIS.

The consequences of “unprofessional conduct and behavior” puts you and the public at risk relative to food safety and bio-security, because it detracts from:

- Inspection responsibilities
- Authority to enforce food safety standards
- Effectiveness.

Professionalism Characteristics

Describe that person:

What do you notice about him or her?

How do they act?

Five Characteristics of Professionalism

List the 5 Characteristics that distinguish Professionals:

1. _____
2. _____
3. _____
4. _____
5. _____

Definition of Professionalism

We said in the beginning that we need to be able to define Professionalism. If we look at the dictionary definition of professionalism, we will see it says: "skillful virtue". Virtue is another one of those words that we have an intuitive feeling for, but we find it difficult to describe in words. When we look up the dictionary definition of Virtue, we will see it says: "moral excellence". We now have our definition of Professionalism, the art of moral excellence! Since it is a skill/art, it is something that we learn and can improve upon

CASE STUDIES EXERCISE

Please read your group's case study and answer the questions that pertain to your case study.

1. Romantic Relationships

An FSIS employee has been dating a plant employee and this has evolved into a romantic relationship. They become deeply involved.

Is this professional behavior? Why or why not?

How does this behavior compare to the definition of Professionalism?

What is the potential impact for food safety/bio-security?

What impact does it have on the Agency's credibility?

What might be the outcome of this situation?

How could this behavior be prevented or avoided (by supervisor or employees)?

How would you demonstrate your professionalism in this situation?

2. Attitude, Initiative, and Communications

The FSIS line inspector is on the poultry line and the plant foreperson walks up to the line inspector. The plant foreperson starts asking questions in a harsh manner. The FSIS inspector slams the red button and stops the line, steps off the line, and an argument results. At this point, the FSIS floor inspector comes upon the situation, approaches the two and asks, "What is the problem?" After hearing their explanation, the FSIS floor inspector says, "I will take care of the problem" and asks the line inspector to, "Please go back to the line." The FSIS floor inspector tells the plant foreperson to take the problem up with the IIC and requests that the foreperson leave the immediate area. The FSIS floor inspector promptly reports the incident to the IIC.

Which one of the FSIS inspectors exhibited professionalism? Why?

How does this behavior compare to the definition of Professionalism?

What is potential impact for food safety/bio-security?

What impact does it have on the Agency's credibility?

What might be the outcome if the floor inspector had not taken action?

How could this behavior be prevented or avoided?

How would you demonstrate your professionalism in this situation [line inspector]?

3. Relationships, Touching or Hitting

There are two FSIS employees with an attraction to the same plant employee. Each is involved in a dating relationship with the plant employee. While on the line they are distracted from their duties and carcasses are not being inspected. Instead, they take every opportunity to get a glimpse of the plant employee or to show-off. The competition for attention leads to an exchange of negative comments between them. Their animosity builds until they are in each other's face. One places a finger on the other and the other knocks it off. They exchange blows.

Is this professional behavior? Why or why not?

How does this behavior compare to the definition of Professionalism?

What is potential impact for food safety/bio-security?

What impact does it have on the Agency's credibility?

What might be the outcome of this incident?

How could this behavior be prevented or avoided (by supervisor or employees)?

How would you demonstrate your professionalism in this situation?

4. Horseplay

*The FSIS employee is hit by a spleen / lymph node / piece of fat thrown by someone.
The FSIS employee saw that it was another FSIS employee that threw the object.*

Is this professional behavior? Why or why not?

How would a professional respond?

How does this behavior compare to the definition of Professionalism?

What is potential impact for employee safety / food safety / bio-security?

What impact does it have on the Agency's credibility?

What might be the outcome of this incident?

How should this be handled if a plant employee threw the object?

How could this behavior be prevented or avoided (by supervisor or employees)?

How would you demonstrate your professionalism in this situation?

5. Dress/Appearance/Sanitation

The FSIS employee comes to work wearing apparel that has dirt and grease spots on them, and pet hair clinging to their clothing.

Is this professional behavior? Why or why not?

How does this behavior compare to the definition of Professionalism?

What is the potential impact for food safety/bio-security?

What impact does it have on the Agency's credibility?

What might be the outcome of this incident?

How could this situation be prevented or avoided (by supervisor or employees)?

How would you demonstrate your professionalism in this situation?

Exercise on Personal Action Plan:

Please take about 5 minutes to complete your Personal Action Plan. In a brief sentence or phrase, list three things you plan to do differently, or that you will do more conscientiously, that will signify your commitment to professionalism, personal excellence, and being part of the team along with Dr. McKee, Mr. Bill Smith, the Professionalism Workgroup, and FSIS. This is your personal goal setting.

Three things that I plan to do differently, or more conscientiously, are:

- 1.
- 2.
- 3.

Three things that I have learned from this training that will help me focus on professionalism, personal excellence, and teamwork are:

- 1.
- 2.
- 3.

Key Points from “Professionalism and You: The FSIS Employee”

- The Agency values each and every one of you.
- You represent FSIS and that means being a person of integrity, honesty, respecting others, pride in your work, and a commitment to excellence.
- Ensuring that the food that reaches the consumer is the safest possible, and that if something does go wrong we will act quickly, investigating and taking action to prevent further distribution of adulterated products, because, after all, our public health mission is to ensure food safety and prevent foodborne illness.

An FSIS professional is someone who:

1. Displays personal integrity and honesty;
2. Is committed to excellence;
3. Shows respect for others;
4. Takes pride in public service; and
5. Protects the public’s health.

WORKSHOP

1. An employee may sell products to co-workers during breaks when it does not disturb others.
 - a. TRUE
 - b. FALSE

2. When can an employee use an establishment's copying machine to make copies of official documents?
 - a. When the plant requests a copy of the document
 - b. When there is no other resource available
 - c. When it is only one copy so the cost is minimal
 - d. When the employee pays for the copy

3. You may collect contributions to fund political activities.
 - a. TRUE
 - b. FALSE

4. You do not need approval for outside employment or activity when it has nothing to do with your government job.
 - a. TRUE
 - b. FALSE

5. You just found out the plant will be working overtime tonight. Since you will not be able to get to your emergency small animal veterinary clinic job because of the overtime, you can use the government phone to call them and let them know.
 - a. TRUE
 - b. FALSE

6. You can sell personal items such as a car, washer, VCR, etc. to plant employees and coworkers as long as you first put up a notice on the plant's bulletin board.
 - a. TRUE
 - b. FALSE

7. When you have a work-related ethics question, you should:
 - a. Ask the plant manager
 - b. Flip a coin
 - c. Ask your subordinates
 - d. Ask the Agency (District) Ethics Advisor

APPENDIX

FSIS Directive 4735.3, Employee Responsibilities and Conduct

The FSIS Directive on Employee Responsibilities and Conduct covers all of the incidents/situations that we have discussed today as well as many others you may encounter at some time in your employment. Specifically it contains Agency policy regarding conduct standards of Agency employees. Part Two, Misconduct and Discipline, Subpart 1, Section A, states:

“The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Government employees...is essential to assure the proper performance of the Government business and the maintenance of confidence by citizens in their Government. The confidence of citizens in their Government is influenced not only by the manner in which employees serve the public, but also in the way they conduct themselves in the eyes of the public. The avoidance of misconduct...on the part of Government employees...is indispensable to the maintenance of these standards.”

14 PRINCIPLES OF ETHICAL CONDUCT

1. Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.
2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
4. An employee shall not, except pursuant to such reasonable exceptions as are provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interest may be substantially affected by the performance of the employee's duties.
5. Employees shall put forth honest effort in the performance of their duties.
6. Employees shall make no unauthorized commitments or promises of any kind purporting to bind the Government.
7. Employees shall not use public office for private gain.
8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment that conflict with official Government duties and responsibilities.
11. Employees shall disclose waste, fraud, abuse and corruption to appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as Federal, State or local taxes that are imposed by law.
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age or handicap.
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.

CONFLICT OF INTEREST

In accordance with 5 C.F.R. 2635.101, each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal government, each employee shall respect and adhere to the principles of ethical conduct set forth in applicable laws, regulations, and executive orders.

The Agency will continue to ensure that all employees are trained on conflict of interest matters for which employees are to be knowledgeable and accountable, in conjunction with providing a copy of the Standards of Ethical Conduct for Employees of the Executive Branch.

Conflict of Interest

In accordance with the Standards of Ethical Conduct for Employees of the Executive Branch, employees who find themselves in an actual conflict, a potential conflict, or in a situation that could give the appearance of a conflict of interest shall immediately make known to their supervisor the nature of the situation. The employee shall state any suggestions as to how the situation may be remedied. Employees who fail to make such situations known within fifteen (15) days may be subject to disciplinary action. In accordance with 5 C.F.R. 2635.102(b)(14), whether particular circumstances create an appearance that the law or applicable standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts. Employees shall disclose fraud, waste, abuse, and corruption to appropriate authorities.

Employment of Relatives

Employees shall not be assigned to any establishment where a member of his/her immediate family (father, mother, spouse, child, brother, sister) is employed. Employees shall not be assigned to any establishment where other family members (father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, mother-in-law, son-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, aunt, uncle, niece, nephew, grandparents, grandchildren), who are residents of the employee's household are employed. Employees shall not be assigned to any establishment where other family members, who are not a resident of the employee's household but who are in supervisory, managerial, or policymaking capacity at the establishment.

Outside Employment

An employee shall not engage in outside employment or other outside activity that conflicts with his/her official duties. An activity conflicts with an employee's official duties: if it is prohibited by Statute or by an Agency supplemental regulation; or, if under the standards set forth in government-wide regulation, it would require the employee's disqualification from matters so central or critical to perform the duties of his/her position would be materially impaired. Employees must obtain prior approval for all outside employment or activities whether paid or unpaid. Requests must be made through supervisory channels to the approving official on FSIS Form 4735-3 "Request For

Approval Of Outside Employment or Activity” prior to the beginning of the employment or activity.

Reports of Misconduct

Employees who have reason to believe that misconduct has been committed shall report it promptly to their supervisors. If the circumstances of the case are such that the employee feels his/her report should not be routed through his/her supervisor, it shall be reported to the next higher or appropriate level of supervision. Employees are covered by the Whistleblower Act. Nothing herein shall affect the right of employees to petition Congress or other officials.

Ethics Official

Employees will be notified of the identity and phone number of the Agency’s Designated Ethics Official. Employees who have questions about the application of ethics requirements or any particular situations should seek advice from the Agency Ethics Official. Disciplinary action for violating such requirements or any supplemental Agency regulations will not be taken against an employee who has engaged in conduct in good faith reliance upon the advice of an Agency Ethics Official, provided that the employee, in seeking such advice, has made full disclosure of all relevant circumstances.

Bribery or Attempted Bribery

Any employee who is offered a bribe has the responsibility for immediately reporting the facts of the case to the Office of Investigation (OI) by the most expeditious means available.

The employee shall not disclose the information reported or that it was reported without the prior approval of OI or the Federal Bureau of Investigation (FBI). The Agency shall maintain a listing of appropriate OI reporting points, which shall be readily available to employees in field locations.

If an employee has reasonable cause to believe that he/she is the personal subject of a bribery investigation, he/she has the right to contact a representative of his/her choice.

Farm/Ranch

Any outside employment or financial interest in land used for commercial production of any commodities inspected, graded, regulated, or otherwise controlled by FSIS must be reported through supervisory channels for appropriate conflict of interest review and approval.

Applicability of Employment Restrictions

Employment restrictions will apply when there is an appearance of a conflict of interest or a conflict of interest between one's off-duty activities and performance of inspection duties.

Purchase of Product

Employees may not purchase, without prior approval from an immediate supervisor, products, personally or through another individual, from a plant or establishment regulated, inspected, or otherwise controlled by FSIS if employee performs a function related to the commodity or commodities dealt with or processed by the plant or establishment.

Political Activity

Employees will not be subject to additional limitations on political activity beyond those provided by law.

Member of Family Conduct

Although FSIS employees will not be held responsible for the conduct of their adult family members, they will be held responsible to acknowledge and report all situations in which any adult family member's employment, duties, or financial interests may create or give the appearance of a conflict of interest in relation to the FSIS employees' employment and/or assignment.

FSIS "ETHICS AT A GLANCE"

The following highlights of the ethics regulations published by the Office of Government Ethics (OGE) are not meant to be a summary of the ethics regulations. They are for guidance for use by FSIS employees only. If you have any specific questions, feel free to ask your supervisor or an employee relations specialist. Remember: any time you are in doubt when confronted with an ethical problem--ASK!

Gifts from Outside Sources (Subpart B - 5 CFR 2635.201-205)

The rule: As a Federal employee, you may not accept gifts from a prohibited source. You may never solicit a gift. While the OGE regulations allow for some exceptions for the acceptance of gifts, as FSIS employees operating under the Federal Meat Inspection Act, you may not take advantage of any of the exceptions, as you are prohibited from accepting anything of value, no matter for what purpose it is offered.

Prohibited Source: A prohibited source is any person, company or organization which does business with FSIS, or is seeking to do business with FSIS, or conducts activities regulated by FSIS, or has interests that may be substantially affected by the performance or nonperformance of your duties, or is an organization a majority of whose members fit any of the above categories.

Gifts Between Employees (Subpart C - 5 CFR 2635.301-304)

The rule: You may not (1) give a gift to your supervisor or anyone higher up the chain, or (2) accept a gift from any lesser-paid employee.

Exceptions: It is okay to give or receive a gift if it is one of the following: (1) a gift from a lesser-paid employee who is not your subordinate; (2) a gift for a traditional occasion such as a birthday if it is worth less than \$10; (3) food or refreshment shared among FSIS employees; (4) a small contribution for a gift for a special occasion like a wedding or an employee leaving the job; (5) a gift in connection with personal hospitality, like a bottle of wine on being invited to someone's home. Remember, these exceptions apply to gifts between FSIS employees, not between you and plant employees.

Conflicting Financial Interests (Subpart D - 5 CFR 2635.401-403)

The rule: You may not participate in any matter, as part of your official duties, if it would have a direct predictable effect on your financial interests, or those of your spouse, minor child, or outside employer.

Impartiality in Performing Official Duties (Subpart E - 5 CFR 2635.501-502)

The rule: If you are in a situation where your official duties could affect your own financial interests, or those of your business partner in an outside employment, or those of someone like your spouse or child, or one where a reasonable person might question your impartiality, you may not work on that matter until you have informed your

supervisor and the Agency's ethics official about it. The Agency ethics official will let you know whether you may proceed or not.

Seeking Other Employment
(Subpart F - 5 CFR 2635.601-606)

The rule: If you are seeking employment with a person or company, or have an arrangement concerning future employment with them, then you cannot participate in any matter involving that person or company as part of your official duties, if their financial interests could be affected by your performance of your duties.

Misuse of Position
(Subpart G - 5 CFR 2635.701-705)

The rule: If your friends or relatives have any kind of dealing with FSIS or USDA, you cannot use your position to try to intercede on their behalf and help them. You cannot use your position to endorse any product, service or company, except where it is part of your official duties to do so. You cannot use nonpublic information (information you receive in the course of your job that is not available to the general public) for the financial gain of yourself or others. You cannot use government property for any reason other than government purposes. This includes government buildings, telephones, typewriters, computers, computer software, office equipment, supplies, copiers, fax machines, government vehicles, etc.

Exceptions: There are a few exceptions to these rules, such as brief use of the government telephone to check on children with a babysitter, or the use of a copier machine on behalf of recognized employee organizations or professional associations.

Outside Activities
(Subpart H - 5 CFR 2635.801-809)

The rule: An FSIS employee may not engage in any outside employment or activity, whether you are compensated for it or not, if it conflicts with your official duties, or creates the appearance of a conflict of interest with your official duties.

**CHAPTER III--FOOD SAFETY AND INSPECTION SERVICE
DEPARTMENT OF AGRICULTURE**

PART 416-- SANITATION--Table of Contents

Sec. 416.5. Employee hygiene

(a) Cleanliness. All persons working in contact with product, food-contact surfaces, and product-packaging materials must adhere to hygienic practices while on duty to prevent adulteration of product and the creation of insanitary conditions.

(b) Clothing. Aprons, frocks, and other outer clothing worn by persons who handle product must be of material that is disposable or readily cleaned. Clean garments must be worn at the start of each working day and garments must be changed during the day as often as necessary to prevent adulteration of product and the creation of insanitary conditions.

(c) Disease control. Any person who has or appears to have an infectious disease, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, must be excluded from any operations which could result in product adulteration and the creation of insanitary conditions until the condition is corrected.

[64 FR 56417, Oct. 20, 1999]

Points of Contact

Questions on ethics:

- Kristie Kelm, Supervisory Employee Relations Specialist, Ethics Officer, (202) 720-5657
- Dawn Ruffner, Employee Relations Specialist, (301) 504-9318

Questions concerning Labor Relations, Employee Relations, or Workplace Violence Prevention:

- Labor and Employee Relations Division, (202) 720-5657

To report incidents of Workplace Violence, call: 1-888-894-6217

Questions on “Professionalism and You, The FSIS Employee”:

- Mark C. Reichenbacher, WTMS, (202) 720-5360

Questions on Facilitation of “Professionalism and You: The FSIS Employee”;

- Susan Collins, CFL, (979) 260-9562

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