



What Would You Do?

Choices That Define
You Professionally



Today's Presenters



Jill James

MIS
Chief Safety Officer, HSI

Jill James is Chief Safety Officer at HSI where she focuses on product, thought leadership, and regulatory trends. Her 30-year EHS career includes 12 years as an OSHA Senior Safety Investigator, and several years in healthcare, education, biotech, life sciences and the poultry industry.

Jill hosts the Accidental Safety Pro podcast and created the Supervisor Safety Tip video series.

She received her Master's in Industrial Safety from University of Minnesota, Duluth and her undergraduate degree is in Community Health Education.



Todd W. Loushine

PhD, P.E., CSP, CIH
Associate Professor, Dept of Occ & Env Health & Safety, University of Wisconsin-Whitewater

Dr. Todd is an award-winning professor, specializing in everything from basic OSHA compliance to advanced data analysis techniques and research methods in EHS. He's been teaching for over 15 years and practicing safety for over 30 years.

He began as a CSHO with Minnesota OSHA. In 2023-2024, Professor Loushine put his over 30 years of experience "to the test" by working part-time as a safety manager

The professor takes a systems-based and data-driven approach to his practice and teaching, while staying connected to real-world experiences in safety.

Agenda/Learning Objectives

1. Define and differentiate between legal, ethical, and outcomes-based decision-making.
2. Understand professional standards and how that applies to the EHS profession.
3. Analyze situations and discuss decisions, actions and potential outcomes.
4. Establish personal and professional ethical standards for yourself.



Definitions

- **Legal** = what you are allowed to do (law-based, enforceable), external-driven
- **Ethical** = how you are expected to behave as a professional (standards-based, may go beyond the law), internal-driven
- **Outcomes-based decision making:**
 - ground in the ethical theory of **consequentialism**
 - consider the **possible outcomes** of all decisions
 - “if-then” considerations

Understand Professional Standards

Profession	Governing Body/Code of Ethics	Key Practice Requirements	Primary Ethical Mandate
Medical Doctor (MD/DO)	AMA (Code of Medical Ethics) State boards	Medical degree, residency, and passing the USMLE or COMLEX-USA.	Patient Autonomy & Beneficence: Prioritize the health and well-being of the individual patient above all.
Professional Engineer (PE)	NSPE (Code of Ethics for Engineers) State Boards	ABET-accredited degree, 4 years experience, and passing the FE and PE exams.	Public Welfare: Hold paramount the safety, health, and welfare of the public in all designs and decisions.
Professional Accountant (CPA)	AICPA (Code of Professional Conduct) State boards	150 credit hours of education, passing the CPA Exam, and specific work experience.	Integrity & Objectivity: Maintain independence (in fact and appearance) to ensure the integrity of financial reporting.
Licensed Teacher	NEA (Code of Ethics of the Education Profession) State Boards	Bachelor's degree, state-approved educator prep program, and Praxis or state exams.	Student Advocacy: Protect students from conditions harmful to learning and ensure diverse points of view are shared.

Compared to EHS...

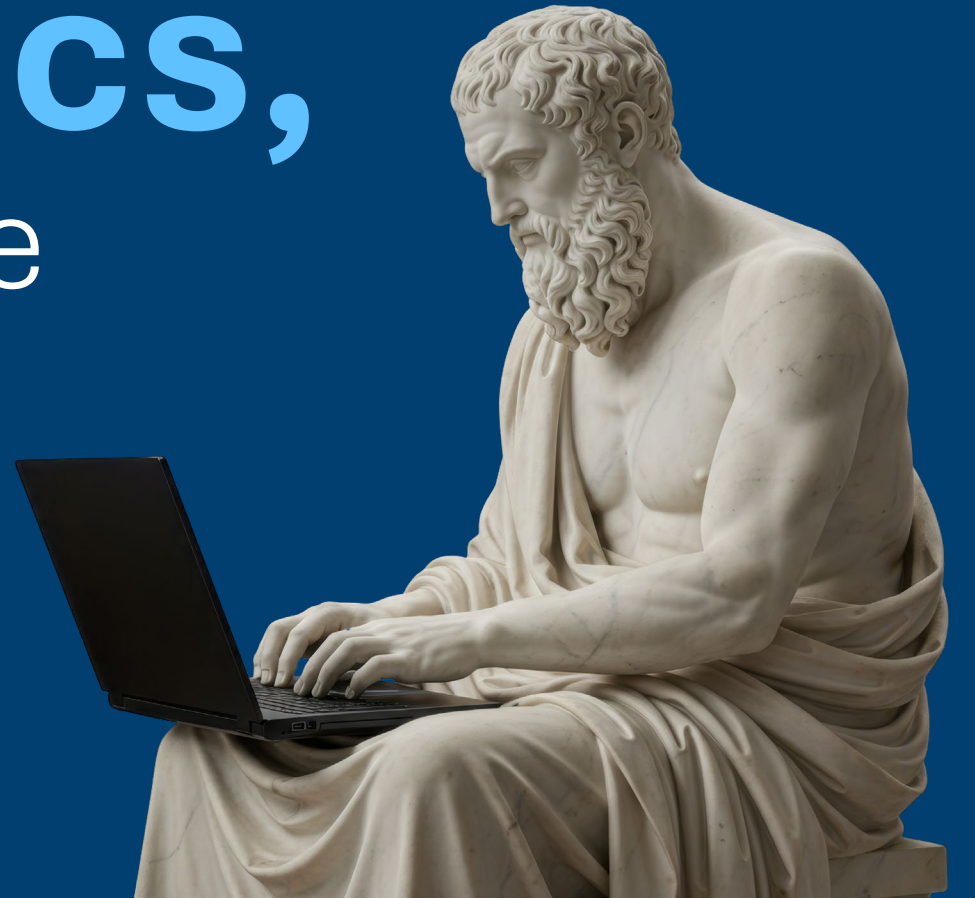
No certification or license as a condition of employment in a specific role.

No single EHS professional code of ethics, **however there are many sources of guidance...**



Feature	ASSP (Safety Professionals)	BCSP (Credentialing)	NSC (Safety Advocacy)	AIHA (Industrial Hygiene)
Primary Focus	Conduct of safety management & leadership.	Protection of the certification's integrity.	Safety advocacy, education, and policy.	Occupational health & science (IH).
Paramount/ Core Duty	Health, safety, and welfare of the world's workforce.	Safety/health of people, environment, and property.	Preventing injuries and deaths through advocacy.	Health and well-being of workers and the public.
Public Communication	Must be objective, honest, and impartial.	Issued only in an objective and truthful manner.	Based on data-driven research and policy.	Must follow recognized scientific principles.
Conflict of Interest	Avoid actual, potential, or perceived conflicts.	Disclose conflicts; avoid compromising judgment.	High standard of transparency in advocacy.	Avoid circumstances that compromise judgment.
Enforcement Style	Peer-regulated (ASSP Operating Guidelines).	High: Judicial Commission can revoke certifications.	Internal organizational policy & member standards.	Member conduct committee & joint ethical canons.
Competence Clause	Perform only services for which one is qualified.	Undertake assignments only when qualified by education.	Dedication to lifelong learning and expertise.	Practice within the limits of professional ability.
Relationship Duty	Treat all with respect, dignity, and fairness.	Act in a manner free of bias (religion, gender, etc.)	Broad focus on equity and systemic safety.	Protect confidential personal and business info.

Without a
code of ethics,
how does one behave
ethically?



Ethical Decision-Making Models



Utilitarian



Rights



Fairness/Justice



Common Good



Virtue



Utilitarian Model



- **Origin:** 19th century.
- **Goal/Premise:** help legislators determine which laws were morally best. Ethical actions are those that provide the greatest balance of good over evil.
- **Process:**
 1. Identify the various available courses of action
 2. Ask who will be affected by each action and what benefits or harms will be derived from each.
 3. Choose the action that will produce the greatest benefits and the least harm.

Utilitarian Model



The ethical action is the one that provides the greatest good for the greatest number.





Rights Model

- **Origin:** 18th century
- **Goal /Premise:** individual's right to choose for herself or himself.
- **Considerations:**
 1. What makes human beings different from mere things is that people have dignity based on their ability to choose freely what they will do with their lives
 2. It is a violation of human dignity to use people in ways they do not freely choose
 3. Human have many inherent rights: to be treated as we choose, truth, privacy, not to be injured, adherence to agreement/contract, and others



Rights Model

Does the action respect the moral rights of everyone?

Actions are wrong to the extent that they violate the rights of *individuals*; the more serious the violation, the more wrongful the action.





Fairness/Justice Model

- **Origin:** the teachings of the ancient Greek philosopher Aristotle
- **Goal /Premise:** treat everyone the same.
- **Considerations:**
 - Favoritism gives benefits to some people without a justifiable reason for singling them out.
 - Discrimination imposes burdens on people who are no different from those on whom burdens are not imposed.
 - Both favoritism and discrimination are unjust and wrong.

Fairness/Justice Model



**How fair is an action?
Does it treat
everyone in the same
way, or does it show
favoritism and
discrimination?**





Common Good Model

- **Origin:** 2,000 years ago, Plato, Aristotle, and Cicero
- **Goal/Premise:** a society comprising of individuals whose own good is inextricably linked to the good of the community. Community members are bound by the pursuit of common values and goals.
- **Considerations:**
 - Ensuring that the social policies, social systems, institutions, and environments on which we depend are beneficial to all.
 - View ourselves as members of the same community
 - Reflecting on broad questions concerning the kind of society we want to become and how we are to achieve that society.

Common Good Model



This approach challenges us to recognize and further those goals we share, while respecting and valuing the freedom of individual.





Virtue Model

- **Origin:** ancient texts/philosophers (Plato, Aristotle, Mencius, and Confucius).
- **Goal/Premise:** there are certain ideals toward which we should strive, which provide for the full development of our humanity. These ideals are discovered through thoughtful reflection on what kind of people we have the potential to become.
- **Considerations:**
 - Virtues are attitudes or character traits that enable us to be and to act in ways that develop our highest potential.
 - Examples of virtues: Honesty, courage, compassion, generosity, fidelity, integrity, fairness, self-control, and prudence.
 - Virtues are like habits; they become characteristic of a person.
 - The virtuous person is the ethical person.

Virtue Model



What kind of person should I be?

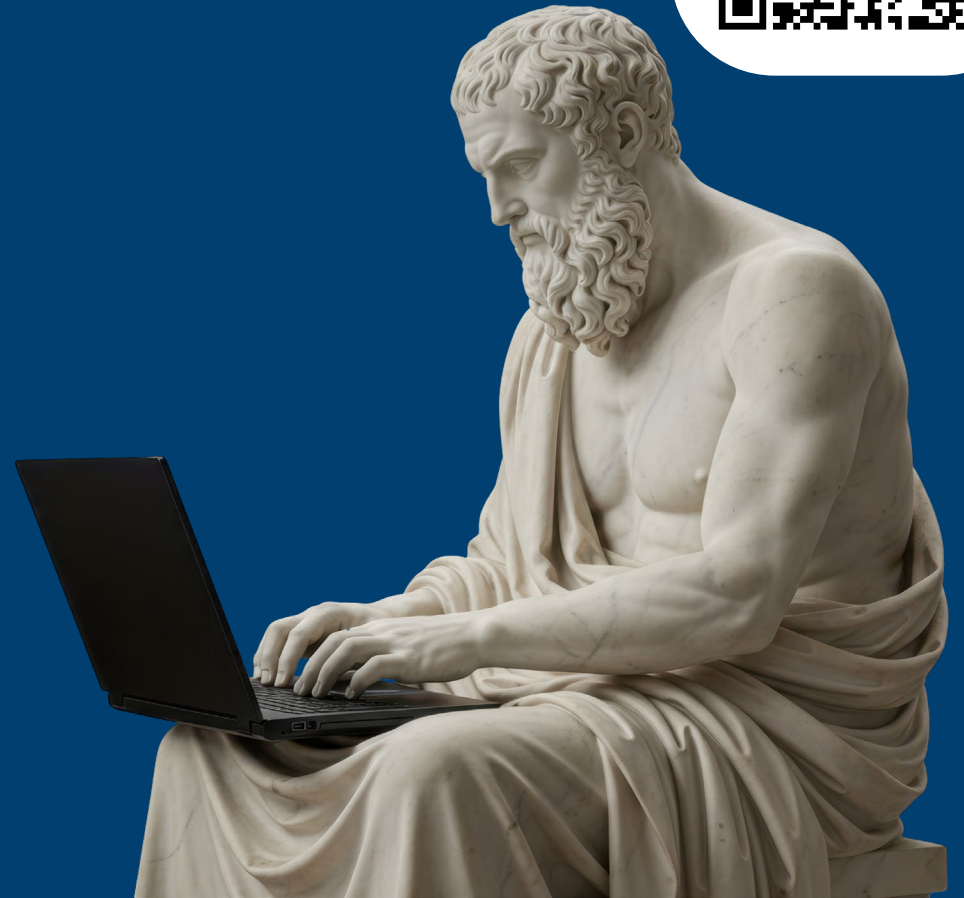
What will promote the development of character within myself and my community?



Model	Definition	Leading Question	Who is the focus?
Utilitarian	Greatest good for the greatest number, transactional.	Who benefits from this decision? Who is left out/hurt by decision? Compare those two.	Majority
Rights	Respect and protect individual rights.	Does this decision violate anyone's rights (autonomy, consent, choice, privacy, etc.)?	Individual
Fairness/ Justice	Fairness, equality, impartial treatment, equity	Is this decision fair to everyone? Is there any favoritism or bias?	Everyone, equally
Common Good	Benefits entire workplace community, shared culture	Does this decision improve the community as a whole; benefit all?	Everyone
Virtue	Moral character of decision-maker (honesty, integrity)	Does this decision violate my personal ethics, integrity?	Me

Scenarios

Use the five ethical decision-making models on the following scenarios



Sample:

Company considering whether to release a product with known defects.



Utilitarian: “Does releasing this harm more people than it helps?”

Sample:

Company considering whether to release a product with known defects.



Rights: “Do customers have a right to a safe product?”

Sample:

Company considering whether to release a product with known defects.



Fairness/Justice: “Is it fair to customers to sell something defective?”

Sample:

Company considering whether to release a product with known defects.



Common Good: “Does this support or undermine public trust and safety?”

Sample:

Company considering whether to release a product with known defects.



Virtue: “Is releasing this consistent with honesty and integrity?”

Scenario #1

- During a walkthrough, you notice that a contractor crew is using ladders incorrectly—standing on the top rung and leaning far to the side.
- You're not their supervisor, and the project manager overseeing them is off-site.
- You're already behind on your own tasks, and intervening could create friction with the contractor's foreman, who has a reputation for being dismissive.

What would you do? | Why? | Which ethical model?

Scenario #2

- A machine operator with ten years of spotless performance bypasses a lockout/tagout step to “save a few minutes” during a busy shift.
- A near-miss occurs, and an internal review confirms the violation.
- Company policy states that bypassing critical safety procedures is grounds for termination. The worker insists it was a one-time lapse and expresses remorse. Production supervisors argue that firing them will cripple the shift and hurt morale.

What would you do? | Why? | Which ethical model?

Scenario #3

- The company has never done safety & health training.
- You do an assessment and determine the topics in need of training by department/job description. You find a training solution (online training).
- The plant manager adds up the hours of lost production time due to your training proposal and tells you it's too much time.
- You ask how much time is appropriate, in his opinion. He cannot answer other than he doesn't want any lost production time.

What would you do? | Why? | Which ethical model?

Scenario #4

- You observe your direct supervisor repeatedly instructing workers to continue operating a forklift with a malfunctioning backup alarm because “maintenance is backed up” and “we can’t afford downtime.”
- You raise concerns privately, but the supervisor dismisses them and warns you not to “make waves.”
- You know the behavior violates both OSHA requirements and company policy.

What would you do? | Why? | Which ethical model?

Scenario #5

- A new dust-collection system costing several hundred thousand dollars is recommended to reduce combustible dust hazards.
- Leadership is skeptical because the facility has never had a dust-related incident.
- You believe the risk is real, but the data is limited and the cost is high.

What would you do? | Why? | Which ethical model?

Scenario #6

- Employee gets fingers amputated in a broken machine while trying to fix it as a maintenance guy. Wife and son work for the company. Worker was taken to the hospital and wife/son left work to be with him.
- You're in charge of workers compensation cases and safety.
- Company only wants to know if the employee can sue them and wonders if they really have to pay the wife and son for a day's work when they left to be with the husband/dad.

What would you do? | Why? | Which ethical model?

Scenario #7

- A veteran employee with 35 years of experience refuses to wear newly required cut-resistant gloves, insisting they “slow me down” and that they’ve “never been cut once.”
- Other workers look up to this person, and their resistance is undermining compliance across the department.

What would you do? | Why? | Which ethical model?

Scenario #8

- Employee falls down a set of stairs and gets injured.
- Plant manager can see it on the security camera. Plant manager wants to discipline the employee and deny a work comp claim because he notices the employee isn't wearing her Rx glasses.
- As the safety professional, you can see her company supplied work boots (packing plant) are way too big. You can see in the video footage how she is having difficulty walking down the stairs.

What would you do? | Why? | Which ethical model?

Scenario #9

- Nurses are compounding (mixing) chemotherapy drugs in a room next to the nurse's station.
- It's not being done in a fume hood. It isn't sterile. They aren't pharmacists. Food for families is stored in the same area. Drugs are aerosolized throughout the floor.
- You approach administrator with concerns and identified changes needed to make this process safe, including fume hood.
- Administrator says no because it'll all be moved from the clinic to the hospital in two years. They won't allow medical monitoring, education, nor fume hood.

What would you do? | Why? | Which ethical model?

Scenario Exercise: Key Takeaways

- Each model applied > different considerations, viewpoints
- Gaps at work: policies and procedures
- Progressive Discipline
- Human element: impact of decisions on others
- How to reconcile decision and “a great employee”
- Zero tolerance policy considerations
- When to choose yourself
- Face-to-face vs. written/online communication



Homework: Establish personal and professional ethical standards



- Understand your Why
- Core Values: identify yours
<https://brenebrown.com/resources/dare-to-lead-list-of-values/>
see the list of values on next slide
- Use existing sources and models of ethics and ethical decision-making
- Clarify legal requirements and regulatory needs
- Public Perception and Role Modeling:
*Practice what you preach;
actions speak louder than words*

Accountability	Contentment	Fun	Joy	Perseverance	Sportsmanship
Achievement	Contribution	Future generations	Justice	Personal fulfillment	Stewardship
Adaptability	Cooperation	Generosity	Kindness	Power	Success
Adventure	Courage	Giving back	Knowledge	Pride	Teamwork
Altruism	Creativity	Grace	Leadership	Recognition	Thrift
Ambition	Curiosity	Gratitude	Learning	Reliability	Time
Authenticity	Dignity	Growth	Legacy	Resourcefulness	Tradition
Balance	Diversity	Harmony	Leisure	Respect	Travel
Beauty	Environment	Health	Love	Responsibility	Trust
Being the best	Efficiency	Home	Loyalty	Risk-taking	Truth
Belonging	Equality	Honesty	Making a difference	Safety	Understanding
Career	Ethics	Hope	Nature	Security	Uniqueness
Caring	Excellence	Humility	Openness	Self-discipline	Usefulness
Collaboration	Fairness	Humor	Optimism	Self-expression	Vision
Commitment	Faith	Inclusion	Order	Self-respect	Vulnerability
Community	Family	Independence	Parenting	Serenity	Wealth
Compassion	Financial stability	Initiative	Patience	Service	Well-being
Competence	Forgiveness	Integrity	Patriotism	Simplicity	Wholeheartedness
Confidence	Freedom	Intuition	Peace	Spirituality	Wisdom
Connection	Friendship	Job security			Write your own

The world will little note,
nor long remember what
we say here;

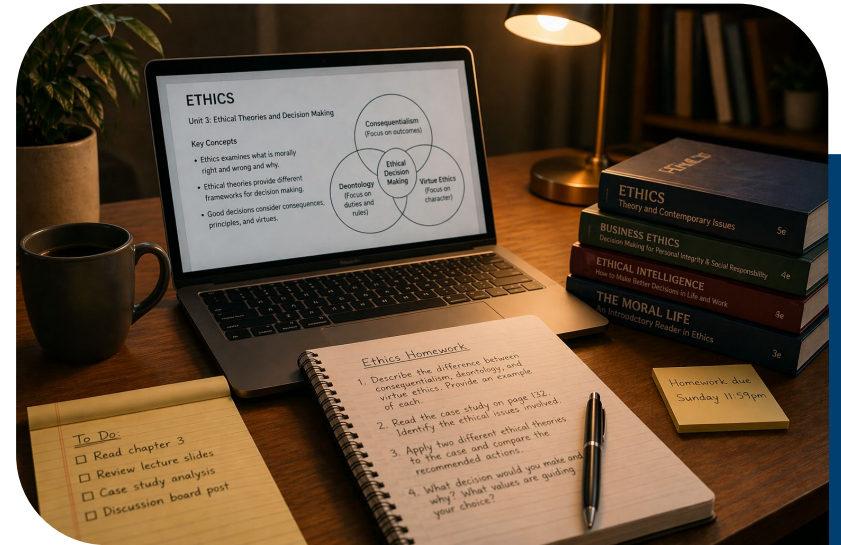
**but it can never
forget what
they did here.**

-President Lincoln, Gettysburg Address



Resources

- [NSC Code of Ethics](#)
- [ASSP Code of Professional Conduct](#)
- [BCSP Code of Ethics](#)
- [AIHA Ethical Principles](#)
- [Brene Brown, Dare to Lead](#)
- [The Markkula Center for Applied Ethics at Santa Clara University](#)
- [Ethical Decision-Making Models Overview](#)
- [Personal Code of Ethics Worksheet](#)



What Would You Do?

Thank you for joining us!

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