

Module 3 outlined what we need to know transitioning into supervisory positions.

Are we now held to a higher standard? Yes.
Are we to adhere to core values? Yes.
Will this affect my role at ALDOT? Most definitely.



In Module 4, we are covering a leader's character and ethics.

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Module 4 Character and Ethics

Objectives

- Know the definition and proper behaviors of character.
- Identify why character is important in leading others.
- Know the positive outcomes from showing character.
- Know the five principles for developing character.

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Descriptions of Character

What is Character?

- The mental and moral qualities distinctive to an individual
- A combination of moral maturity and commitment to doing the right thing regardless of the personal cost
- What we do when no one else is watching because we are committed to doing the right thing

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Ethics

- Ethics is related to Character but deals with responsibilities that come with a role
- Study of the moral value of human conduct and of the rules and principles that ought to govern it
- Rules of conduct governing a particular class of human actions or a particular group, such as a culture or profession



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Order of Ethical Priorities

- **Public interest** – Public health, safety and welfare will come first.
- **Client/Customer interest** – The customer will be preferred over the professional's own interests and those of others.
- **Professional interest** – The profession will be put before self interest.
- **Personal/Self interests** – Only when the first three interests have been satisfied will professionals consider their own interests or welfare.

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Personal Ethical Tests

Ask yourself these question

- **Is it right?** Are you proud of yourself for making this decision? Would you like others to know you made the decision you did?
- **Is it balanced?** Is it fair to all parties concerned, both in the short term and in the long term? Is this a win-win situation for those indirectly as well as directly involved?
- **Is it legal?** In other words, will you be violating any criminal laws, civil laws, or company policies by engaging in this activity?

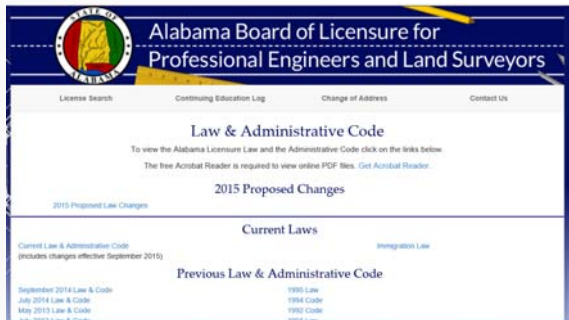
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Personal Ethical Tests

- **Reversibility test:** Would I think this choice were good if I traded places?
- **Colleague test:** What would professional colleagues say?
- **Publicity test:** How would this choice look on the front page of a newspaper?
- **Wise relative test:** What would my wise old aunt or uncle do?

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Professional Ethics Code



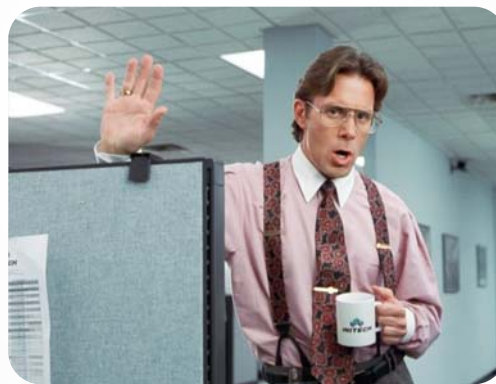
www.bels.alabama.gov/Laws.aspx



www.ethics.alabama.gov

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What are some of the most common character flaws you observe in your leaders and peers?



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Possible Character Flaw Descriptions

- Dishonest
- Selfish
- Apathetic
- Uncommitted
- Cowardly
- Arrogant
- Telling white lies
- Blaming others
- Unapproachable
- Disrespectful
- Lazy
- Self-Centered
- Unsupportive
- Biased
- Volatile
- Taking undue credit

**How do some of these flaws impact the workplace?
How do some of the flaws impact productivity?**

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**What are some of the
most common positive character traits
you have observed in your leaders and peers?**



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Possible Character Strengths



- Honesty
- Considerateness
- Supportiveness
- Reliability
- Stable Moods
- Approachability
- Truthfulness
- Trustworthiness
- Fairness
- Empathy
- Humility
- Respect
- Courage
- Giving credit when due

How do some of these strengths impact the work environment?

How do some of the strengths impact moral & productivity?

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Importance of Character

- Character is the foundation of leadership; it builds trust.
- People with character are usually effective influencers. On the other hand, people of low character are not likely to inspire others to take action.
- Character enables high standards and high performance.

Character can be improved.
Are you aware of your character flaws?

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Importance of Character

- Character produces a solid foundation for leadership, not just an image.
- Character is not part-time. This means living it before leading others.
- Character helps a leader be credible, not clever.

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*Everyone wants to live on top of the mountain,
but all the happiness and growth
occurs while you're climbing it.*

Andy Rooney

**How do you identify the character trait
you most need to work on?**

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What's Happening to Our Children?



- Cheating typically begins in middle school.
- Nine out of ten middle school students copied someone else's homework; two-thirds said they had cheated on exams.
- Cheating most often occurred in science and math classes.
- Seventy-five to ninety-eight percent of college students surveyed annually admitted to cheating at some point in their academic careers.

Education Portal, June 2011

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What's Happening To Us?

National Business Ethics Survey® for 2013

- Sixty percent of misconduct is attributable to individuals who hold some level of management responsibility.
- Twenty-four percent of observed misdeeds involved senior managers.
- A significant amount of misconduct happens on a continuing basis, and about 12 percent of it takes place company-wide.

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What's Happening To Us?

National Business Ethics Survey® for 2013

- The percentage of workers who reported the misconduct they observed had stalled. Fear of retaliation is among the biggest deterrents to reporting.
- The rate of retaliation remains alarmingly high, at 21 percent. When asked why they kept quiet about misconduct, more than one-third (34 percent) of those who declined to report said they feared payback from senior leadership.

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What's Happening To Us?

National Business Ethics Survey® for 2013

- It turns out that workers who feel proud of where they work and believe they have influence in how the company operates have a stronger commitment to good ethics.
- Trust and transparency also make a difference. Seventy-two percent of workers who believe management communicates honestly and openly are less likely to break rules and more likely to report bad behavior when they see it.

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Managers Who Follow These Steps Will Positively Influence Their Employees



- Communicate ethics as a priority.
- Set a good example of ethical conduct.
- Keep commitments.
- Provide information about what is going on.
- Support the following of organizational standards.
- Consider ethics in making decisions.
- Talk about ethics in the work we do.

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Three F's of Building Character

- **Foundation** – Recognize the state of your character today.
- **Feedback** - Look for insight on where you can improve.
- **Friction** - Act on the area that needs improvement.



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Five Principles for Developing Character

- ▶ Work on yourself before you work on others.
- ▶ Work on yourself more than you work on others.
- ▶ It is easier to teach what is right than to correct what is wrong.
- ▶ People do what they see.
- ▶ Role models profoundly impact lives



Character Outcomes

- Basing decisions on “what’s best for organization” instead of personal gain
- Being approachable and intentionally seeking feedback
- Treating others with respect (no favoritism)
- Trusting and working collaboratively with others
- Displaying emotional resilience in changing situations
- Giving honest opinions
- Keeping commitments
- Taking a stand on tough issues



*Nearly all men can stand adversity,
but if you want to test a man's character,
give him power.*

Abraham Lincoln

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WARNING

*If you can't be a good example,
then you'll just have to be a horrible warning.*

Catherine Aird

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Alabama Ethics Law Revolving Door

- The “Revolving Door” provisions of the Alabama Ethics Law put certain limitations on what state employees may do after they leave employment with state government. All former public officials and public employees are prohibited for a period of two years after leaving the public sector from lobbying or representing their new employer or their employer's clients back before the state agency where they were formerly employed.

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Alabama Ethics Law Revolving Door

- Ala. Code § 36-25-13(c) (1975) states: “No public employee shall serve for a fee as a lobbyist or otherwise represent clients, including his or her employer before the board, agency, commission, or department, of which he or she is a former employee for a period of two years after he or she leaves such employment. For the purposes of this subsection, such prohibition shall not include a former employee of the Alabama judiciary who as an attorney represents a client in a legal, non-lobbying capacity.”

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Alabama Ethics Law

Direct Regulation, Audit or Awarding Contracts

- **“Under the Revolving Door provisions, there is a prohibition against department heads and other enumerated categories of employees being hired back by their former agency for a period of two years. Other employees who held positions of authority may not be hired back for a period of two years.” Ethics Opinion 2017-03 p. 6.**

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Alabama Ethics Law

Direct Regulation, Audit or Awarding Contracts

- **Ala. Code § 36-25-13(d) (1975) states: “Except as specifically set out in this section, no public official, director, assistant director, department or division chief, purchasing or procurement agent having the authority to make purchases, or any person who participates in the negotiation or approval of contracts, grants, or awards or any person who negotiates or approves contracts, grants, or awards shall enter into, solicit, or negotiate a contract, grant, or award with the governmental agency of which the person was a member or employee for a period of two years after he or she leaves the membership or employment of such governmental agency.”**

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Alabama Ethics Law Definition of Position of Authority

- Does the position possess any of the following discretionary responsibilities:
 - 1. Hiring/firing authority or the ability to influence hiring or firing decisions
 - 2. Authority to make recommendations regarding hiring and firing
 - 3. Purchasing or contracting authority or the ability to influence those decisions
 - 4. Authority to make decisions regarding or to influence the awarding of grants or other awards
 - 5. Whether the individual was the employer's designated agent with the authority to make purchases, negotiate or approve contracts, grants, or award.
 - Ethic Opinion 2017-03 p. 5-6.
- Note same information will be used to determine whether the employee participated in the negotiation or approval of contracts for ALDOT.

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Alabama Ethics Law Direct Regulation, Audit or Awarding Contracts

- In addition, an individual who was personally involved in the direct regulation, audit or investigation of a private entity, or who played a discretionary role in any contracts or grants between their agency and that private entity, may not for a period of two years, accept employment with that private entity. Ethics Opinion 2016-27 talks in depth about these situations.
- Ala. Code § 36-25-13(e) (1975) states: "No public official or public employee who personally participates in the direct regulation, audit, or investigation of a private business, corporation, partnership, or individual shall within two years of his or her departure from such employment solicit or accept employment with such private business, corporation, partnership, or individual."

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Alabama Ethics Law Personal Gain to a State Employee

- The Ethics Law is designed to prevent the use of one's position as an employee for personal gain for themselves, a family member or a business with which the employee is associated.
- Ala. Code § 36-25-5(a)(1975) states: "No public official or public employee shall use or cause to be used his or her official position or office to obtain personal gain for himself or herself, or family member of the public employee or family member of the public official, or any business with which the person is associated unless the use and gain are otherwise specifically authorized by law."

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Is this okay under Alabama Ethics Law?

- A meeting starting at 10:00am is being held with several ALDOT employees and the contractor to discuss issues with an ongoing project and how to address problems. Based on the length of the meeting, the contractor orders lunch for all attendees. Is this okay under the ethics law?
- Yes Advisory Opinion 2011-05(Good One to Read Written to Road Builder Association about their Interactions with ALDOT employees) permits meals to state employees at a work session and even says a meals discussing work issue would be appropriate.

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Is this okay under Alabama Ethics Law?

- **What if prior to the meeting starting the contractor said if the meeting finishes in time they will be going to play golf his treat at the local golf course?**
- **No Advisory Opinion 2011-09 “there is no circumstance where a game of golf, a fishing trip, or football game will allow the work being conducted to continue or otherwise a public benefit.”**

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Is this okay under Alabama Ethics Law?

- **There is a conference being attended by several ALDOT employees and several Contractors who are currently performing work for ALDOT. As part of the conference, there is a golf tournament and fishing outing. Both events costs each participants \$150.00.**
- **Can the contractor pay for the ALDOT employee to play in the golf tournament or go on the fishing outing?**
- **Yes Advisory Opinion 2011-05 “a golf or fishing outing may be provided to ALDOT personnel attending a conference, when the meeting is held as an educational opportunity and the overall purpose is to provide information to ALDOT personnel and is not merely a recreational event, and hospitality is an integral part of the overall function.”**

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Is this okay under Alabama Ethics Law?

- An employee you supervise just passed their PE licensure test. The employee works in pre-construction as a roadway designer. The employee ask you if it is okay for them to start up a part-time Civil Engineering business that would perform site development plans for the private developers.
- How would you respond?

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Is this okay under Alabama Ethics Law?

- Advisory Opinion 2016-11 “an ALDOT employee may form a Civil Engineering business and may perform site development plans; however, he may not be involved in any project which would ultimately need ALDOT approval, as his private interests would conflict with his public responsibilities.”
- Anytime employee approaches you about this significant of an issued under the Ethic Law recommend they contact the Ethics Commission to obtain an opinion about whether it is appropriate. This will be best for the employee

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Is this okay under Alabama Ethics Law?

- You have an employee who is married and their spouse owns 50% of a erosion and sediment control company. This company is a subcontractor/vendor for general contractors. Your employee has no involvement with running her husband's company and doesn't have any ownership in the company.
- Is it okay for her husband to be a subcontractor for a general contractor who bidding on ALDOT job?

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Is this okay under Alabama Ethics Law?

- Yes in certain situations. Advisory Opinion 2009-10 provided the ALDOT employee has played no role in assisting her husband's company in obtaining the work, not been involved in the awarding of the contract, and not allowed to inspect any work her husband's company performs.
- Note the state employee is required to file with the Ethics Commission a copy of the contract signed by her husband's company within 10 days of the contract being entered.(Ala. Code § 36-25-11(1975))

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Is this okay under Alabama Ethics Law?

- **An organization is holding a charitable golf tournament. One of the major sponsors of the tournament, who is also a major contractor with ALDOT, has offered to pay your entry fee for the tournament.**
- **Is it okay for you to allow them to pay you fee for the tournament?**

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Is this okay under Alabama Ethics Law?

- **Yes in certain situations. Advisory Opinion 2011-09 if the charitable golf tournament includes an informational component so at some point individual/s speaking on behalf of the charitable organization including for example how much money raised the previous year, how the donations are expended, purpose of the charity.**
- **This opinion also states it is okay for state employees to accept door prizes when incidental to their attendance at a conference or seminar.**

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Summary

- Having a strong moral character is a choice and requires continuous effort.
- Character is taught by example. Find one, be one.
- Leaders must model honesty and integrity to gain respect.
- Four of the most important traits people expect from their leaders are honesty, competence, vision, and inspiration.

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Final Thought

*Ability may get you to the top,
but it takes character
to keep you there.*

John Wooden

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