

***CODE OF  
PROFESSIONAL,  
SOCIAL & ETHICAL  
RESPONSIBILITY  
FOR  
PROFESSIONAL  
AND  
MANAGERIAL STAFF***



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# **FOREWORD TO CODE OF PROFESSIONAL, SOCIAL AND ETHICAL RESPONSIBILITY OF P&MS**

We are living in a period of upheaval in which economics, science and technology play essential roles. Scientific advances and new technologies are exerting unprecedented influence on work and daily life, and workers are at the sharp end of change. As the globalisation process has advanced unchecked and uncontrolled, so the treatment of nature has become intolerable. This calls for a redefinition of man's relationship to his natural habitat.

In this environment of hyper-competition, the subordination of science and research to economic interests provokes distrust. It also raises the question of the legitimacy of those economic activities and the social and ethical responsibility of those who act.

Highly qualified professionals, managers and engineers find themselves at the heart of the "ethical dilemma". It is these employees who develop new products, technology, work out marketing strategies and open up new markets. Their decisions influence the environment, working conditions and consumers. What seems to make economic sense on an individual level can, in the worst scenario, waste natural resources, damage the environment, destroy jobs, harm consumers or evade embargoes.

Of course, employees act within the bounds of an employment relationship and under instructions from their employer, who also bears the final responsibility. However, this does not mean that these employees are necessarily free from individual or collective responsibility.

Recently, there have been a number of cases of employees refusing to perform tasks they consider irresponsible. Questions of professional ethics are being raised more often, particularly by trade unions. Similarly, employees will sometimes publicly expose projects or conditions in their companies which they consider irresponsible. Whistle blowing, as it is commonly known, is receiving close scrutiny in several industrialised countries. Protection of whistle blowers is long overdue world-wide. Legislation, supported by the government, employers and trade unions alike, should provide legal protection to whistle blowers from reprisals by employers. The practice will become more common as consumers and employees demand higher ethical standards from business.

The "Principle of Responsibility", as proposed in this document, whereby each individual is expected to act responsibly towards the human race, would seem to have a potential for consensus, but soon reaches limits in the world of business. It still requires great courage for individuals to make situations, which they consider unethical, within their companies public or refuse to perform tasks. Individuals who

courageously uphold their principles are often subjected to accusations of disloyalty towards the employer, warnings, repression, dismissal and interminable conflicts in industrial courts.

The trade union movement has a major role to play in this area. The recognition of the "Principle of Responsibility" as a maxim for individual action is a step in the direction of environmental responsibility, socially tolerable technological development and ethical values in business life. However, it is unacceptable to place the burden on individuals for developments which must be shaped and resolved by society as a whole.

Standards for morally and ethically responsible action are less explicit. The threshold which determines when actions are no longer justifiable is influenced by a number of conditions and is subject to change. Therefore, it is difficult for individuals to decide whether, and at what stage, certain reactions are justified, including refusal to carry out certain tasks, and whether their individual judgements will hold up in court if necessary.

This publication tries to serve an important function to create a collective basis for the principle of individual responsibility by actions such as:

- ✍ protecting responsible action, making it a subject of collective bargaining and, in case of conflicts, providing litigation protection against dismissal and discrimination, and giving those concerned human and moral support;
- ✍ lobbying for the creation of a legal basis for the refusal to perform work for reason of conscience;
- ✍ promoting responsible action;
- ✍ promoting the development of ethics codes in various sectors of the economy;
- ✍ encouraging discussion on ethical questions in the working world and organising meetings and other means for professional workers to exchange ideas and information;

The role of professional and managerial staff in the globalisation context is key. If hyper-competition is allowed to continue, without any control, then the results pose serious threats for humankind. Hyper-competition requires a social dimension, otherwise all that counts is the market and a company's share of those world markets.

In order to remain competitive, companies are developing new and harsh management methods which will undermine the social fabric unless we act now. These employees and the unions which represent them have a crucial role to play in maintaining an acceptable level of social and ethical responsibilities in business activities. The UNI World Professional and Managerial Staff Committee hopes that this publication is a positive step in this direction.

Philip J. Jennings  
General Secretary

# CODE OF PROFESSIONAL, SOCIAL AND ETHICAL RESPONSIBILITY FOR PROFESSIONAL AND MANAGERIAL STAFF

## PREAMBLE

UNI P&MS World Committee has decided to promote the following Code of Professional, Social and Ethical Responsibility for members of unions affiliated to UNI who work in a professional or managerial capacity. It represents the standards which it is reasonable to expect members to comply with when carrying out their duties within their special fields. UNI affiliates represent a very broad range of individuals who are employed as professionals or managers by corporate bodies operating in many countries of the world and who consequently find themselves working under different cultural, economic and social conditions, and under diverse laws, statutes and regulations which frequently interact or overlap.

Continual radical changes in economy, sciences and technologies play a key role in the working lives of professional and managerial staffs. Scientific and technological processes are exerting a greater influence on the work and lives of professional and managerial staff than at any other time in our history. The belief that technology can progressively solve the problems which it has often created for itself has to some extent been undermined. Professional and managerial staff are now often faced with scepticism and uncertainty created by the complexities and apparent inflexibility of technologies, where disagreement amongst experts on possible consequences sometimes calls the objectivity of scientific advance into question.

Because of the diversity of circumstances in which professional and managerial staff work around the globe it is not possible to reach immediately all the objectives set up by this Code.

Though the focus of this code is directed towards the responsibilities of professionals and managers, it does not diminish those of other participants, such as employers, shareholders, governments, politicians and the general public. This code is to guide individual and collective action.

This code does not set out to vary any contract of employment which may exist between an individual member of an affiliated union and the employer. Nor is it intended to do so. Nor is it a substitute for members' obligations to the individual rules of their trade unions affiliated to UNI.

## **PROFESSIONAL AND MANAGERIAL STAFF**

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### *Article 1. General*

In the pursuit of their professional activities, professional and managerial staff shall take into account not merely the scientific, technical and economic considerations, but also the social, environmental and ethical implications of their work.

The responsibility of professional and managerial staff for the sustainable welfare of the community is an integral part of their professional responsibility.

Professional and managerial staff shall ensure that their activity contributes to an equitable distribution of world resources.

### *Article 2. Sustainability*

Professional and managerial staff shall take all steps to maintain sustainable systems of work and to avoid dangers which may cause death, injury or ill-health to any person. They shall also avoid damage to nature and goods by any act or omission as a consequence of the execution of their duties.

Professional and managerial staff shall take all steps to safeguard public interest in matters of health and safety.

### *Article 3. Human Rights*

Professional and managerial staff shall respect and defend human rights, including trade union rights, in particular by promoting international standards.

They shall have the right to be unionised and shall actively take part in the working community, in particular in unions, with their professional skills.

### *Article 4. Regulations and Standards*

Professional and managerial staff shall familiarise themselves with the culture, economic and social background, laws and regulations appropriate to the country in which their work is being undertaken.

### *Article 5. Professional Integrity*

Professional and managerial staff shall act in a manner which neither compromises nor impairs, nor is likely to compromise or impair, their professional integrity in the performance of their duties. In particular they shall take all steps to make business agreements clear and fair, including the social clauses.

Professional and managerial staff shall uphold equity and dignity and conduct their affairs faithfully.

### *Article 6. Industrial Democracy*

Professional and managerial staff shall support the democratic process in industry, in particular collective bargaining and the establishment of arrangements for participation by employees in companies and in the workplace.

They shall seek to ensure that those affected by organisational change, or by the introduction of new technologies, are adequately consulted about the implementation of the changes and systems and their effect on working conditions.

### *Article 7. Data Protection and Privacy*

Professional and managerial staff shall ensure that protection of personal data and privacy is effective, in particular by observing relevant national or international laws and regulations.

### *Article 8. Information and Training*

Professional and managerial staff shall take steps both to maintain and develop their professional competence and knowledge within their special fields and to keep abreast of developments in economic, scientific, technical, social or other related disciplines relevant to their field of professional activity.

Professional and managerial staff shall take steps to further the information education and training facilities of their subordinates and to encourage their employers to allow appropriate facilities for their staff so that they can participate in continuing professional development courses and seminars.

Professional and managerial staff shall familiarise themselves with the systems applications in the workplace and display an understanding of their implications for employees and a willingness and understanding to respect the needs and interests of all interested parties.

### *Article 9. Confidentiality*

Professional and managerial staff shall not disclose or authorise the disclosure of information covered by " professional secret ", which has been acquired by them in the course of their professional activities and which is not already in the public domain, without prior written consent for disclosure.

Professional and managerial staff shall, however, make information public where disclosure is in the public interest.

### *Article 10. Moral Conflict*

Those who inform the public in accordance with previous articles, or refuse to work on projects which violate previous articles, shall be protected from dismissal and shall not incur other disadvantages in the work place.

## **NATIONAL TRADE UNIONS**

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### *Article 11. Promotion*

Trade unions affiliated to UNI with professional and managerial staff in their membership shall distribute this code to their members and promote professional, social and ethical responsibility at the workplace.

### *Article 12. Protection*

Trade unions shall encourage the professional, social and ethical responsibility of professional and managerial staff and protect their members in case of conflicts by means of legal advice and support and through collective agreements.

### *Article 13. Report back*

Trade unions shall report back to the UNI P&MS World Committee their experience of good practice and conflicts concerning the professional, social and ethical responsibility of professional and managerial staff.

***UNI P&MS WORLD COMMITTEE***

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*Article 14. Interdisciplinary dialogue*

UNI will use its good offices to facilitate discussion between individuals of different disciplines and specialisations and to ensure dialogue takes place on topics selected by the UNI P&MS World Committee. A record of the discussions will be made public from time to time.

*Article 15. Implementation*

The UNI P&MS World Committee will organise procedures for the discussion and implementation of this code at regional and at world level.

The UNI P&MS World Committee will establish a library of experiences of good practice or conflicts concerning the professional, social and ethical responsibility of professional and managerial staff.

The UNI P&MS World Committee will act with relevant organisations and institutions to promote the contents of this code and to ensure respect for it.

*Article 16. Review*

The UNI P&MS World Committee is committed to a periodical review of the effectiveness and relevance of its code of professional, social and ethical responsibility.

***Adopted by UNI's P&MS Committee on 13 May 1997***