Successful HR Strategies for Building an Ethical Workplace Culture

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Today’s Agenda

• Current State
• Good for Business
• Ethical Workplace Culture
• HR Strategies
• Ethical Practice - HR Competency
Big Business scandals

$13 billion

Unethical practices
$1.228 trillion
Current State of Workplace Ethics

Lack of Trust in Leaders

15%

28%
“The steady and sharp drop in misconduct since 2007 suggests that something both fundamental and good is taking place in the way Americans conduct themselves at work.”

National Business Ethics Survey
Ethics Resource Center
July, 2013
Current State of Workplace Ethics

2014 ERC National Business Ethics Survey

- **Pressure**: 13% (2011) vs. 9% (2013)
- **Misconduct**: 45% (2011) vs. 41% (2013)
- **Reported**: 65% (2011) vs. 63% (2013)
- **Retaliation**: 22% (2011) vs. 21% (2013)

Significant improvement since NBES 2011
No significant improvement since NBES 2011
Current State of Workplace Ethics

2014 ERC National Business Ethics Survey

HIGH RETALIATION RATE: A Cause for Concern

More than 1 in 5 U.S. workers [21%] who reported misconduct said they experienced retaliation. That is about 6.2 million Americans.¹
Good news - Strong:
60% in 2011 to 66% in 2013
20% observed misconduct

Weak:
88% observed misconduct
An Ethical Culture Brings Higher Performance

1997 – 2013

100 firms outperformed 200%

Fortune 100 Best Companies to Work

1.8% versus 6% S&P 500

Source: Great Place to Work Institute 2014
Good Ethics = Good Business

An Ethical Culture Brings Competitive Advantage
Good Ethics = Good Business

An Ethical Culture Benefits Employees and Management

- Higher employee job satisfaction
- Increased legal/rule compliance
- Increased organizational commitment
- Increased cooperation
- Increased change management success
- Increased attraction of high-potential talent
- Lower turnover
- Lower health care costs
Elements of an Ethical Culture

2014 SHRM Foundation

Shaping an Ethical Workplace Culture

www.shrm.org/foundation
“Ethics – the values an organization demonstrates in its goals, policies, and practices – are the heart of any workplace culture. And, the quality of experience in an organization depends on the quality of the culture. Whether we are employees, customers, or clients, a positive culture enlivens our experience of a firm – and a negative culture diminishes it.”

Steven D. Olson
Shaping an Ethical Workplace Culture
SHRM Foundation 2014 EPG Report
Elements of an Ethical Culture

Ethical Culture Hallmarks

1. **Leaders** live by clear standards and self-transcending principles.

2. **Employees** feel genuinely cared for and respected.

3. **Employees** put the work at hand and the interests of others above themselves.

4. **Employees** feel empowered and energized to reach for ethical and technical excellence in serving customers, clients, and each other.

Source: April 2014 HR Magazine article: “Creating an Ethical Culture” by Dori Meinert
Elements of an Ethical Culture

Ethical Culture Hallmarks

5. **Employees** hold themselves and their managers accountable to uncompromising standards of conduct.

6. **People at all levels** move toward, not away from, ethical dilemmas and conflicts in order to address them through self-transcending ideals.

7. **Ethical lessons learned** during conflicts alter the organization's practices, setting in motion a virtuous cycle of improvement.

Source: April 2014 HR Magazine article: “Creating an Ethical Culture” by Dori Meinert
Elements of an Ethical Culture

Six Basic Elements

1. Written Standards
2. Ethics Training
3. Internal Reporting Mechanism
4. Means to Report Anonymously
5. Discipline for Misconduct
6. Ethics Inclusion in Performance Rating

Source: US Sentencing Commission FSGO guidelines 2004
Elements of an Ethical Culture

Written Standards

- **Values statements**: Reflect an organization’s guiding principles
- **Codes of conduct**: Reflect an organization’s values and provide guidelines employees should follow
Would you fire an exceptional employee if using Social Media during work hours???
Elements of an Ethical Culture

Ethics Training

Training and development programs at organizations with ethical cultures emphasize character formation, resolution of conflicting values, and a “calling” orientation towards work and career.
Internal Reporting/Advice Mechanism

Options for employees to report or seek advice about possible legal or code of conduct violations

Employees encouraged to report concerns to their supervisor and, if they are not comfortable with this option, to contact HR
Anonymous Reporting Mechanism

Confidential, anonymous hotline for employees not comfortable with using the internal mechanism.

SHRM’s hotline is conducted by a third party ethics hotline, which provides 24 hour toll-free telephone and internet service to answer, report and track ethics concerns.
Elements of an Ethical Culture

Discipline for Misconduct

HR and legal departments - review ethics complaints and decide on appropriate action.

Code of conduct - make clear violators may be subject to discipline up to and including termination of employment and even possible civil or criminal penalties.

No retaliation!
Do you allow employees to discuss wages???
Elements of an Ethical Culture

Ethics in Performance Rating

Organizations should include measures of ethical behavior in performance ratings to help focus employees’ attention on its importance.

Doing so serves as a tool to reward those who excel in this area and to incentivize all employees to strive for high ethical behavior.
Elements of an Ethical Culture

Compliance with Legal Regulations

**Sarbanes-Oxley Act of 2002**

Passed by Congress after major scandals

Publicly-traded companies must have adequate internal control structure and procedures for financial reporting

They must also have a code of conduct, a complaint system, an anti-retaliation statement, ethics training, and a system to protect whistleblowers
Elements of an Ethical Culture

Compliance with Legal Regulations

Foreign Corrupt Practices Act of 1977

Prohibited payments: Offers, payments, or gifts to foreign government officials, parties, or candidates to obtain or retain business

Accounting standards: Keep books, records, and accounts in detail, accurately reflecting transactions and corporate asset disposition

Applies to: US citizens and residents, US companies and employees, and US citizens involved in foreign subsidiary activities
HR Ethical Culture Strategies

Leadership Role of HR

HR is in a unique position to lead in strategies to build an ethical workplace culture

HR professionals should be both guardians and champions of the ethical culture in their organizations
HR Ethical Culture Strategies

Assess your Workplace Culture

Measure 3 Factors:

Ethical Content
Ethical Operations
Ethical Individuals
Assess Your Workplace Culture

### Ethical Culture Inventory

Rate your organization on each of the 21 levers described below, according to the criteria shown here at the right.

<table>
<thead>
<tr>
<th>Ethical Clarity</th>
<th>Self-Transcending Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>We make our ethical expectations—our values, norms and rules—clear, concrete and understandable for all recruits, managers and employees.</td>
<td>The values that drive our mission and value-creation insist on employees' excellence in serving the welfare and interests of our customers, clients and co-workers.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Ethical Competency</th>
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<tr>
<td>Our ethics training includes clear criteria for the competencies we expect managers to possess or develop to fulfill the organization's ethical expectations.</td>
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<tr>
<th>Ethics Communications</th>
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<tbody>
<tr>
<td>All formal and informational communications by managers and management (websites, newsletters, e-mails, etc.) describe the ethical issues occurring within the organization and industry in explicit ethical terms.</td>
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<tr>
<th>Respect for Employees' Rights</th>
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<tr>
<td>We regularly communicate to our employees their workplace rights and actively support their exercise of those rights.</td>
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<tr>
<th>Respect for Employees' Dignity</th>
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<tbody>
<tr>
<td>We insist that all managers and employees treat each other with dignity and respect.</td>
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<tr>
<th>Employee Input</th>
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<tr>
<td>We ask for employee input on decisions that affect them and their work before those decisions are made.</td>
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<th>Fairness in Decision-Making</th>
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<tr>
<td>We make decisions regarding performance, pay and promotion impartially, according to clearly understood criteria.</td>
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<tr>
<th>Consistent Decision-Making</th>
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<tr>
<td>We apply our rules consistently to all people, regardless of role or status.</td>
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<tr>
<th>Honest Communications</th>
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<tr>
<td>All our managers tell people honestly why decisions are made.</td>
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<th>Ethical Transparency</th>
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<tr>
<td>We make information about ethical and unethical conduct inside our organization and its consequences visible to all managers and employees.</td>
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HR Ethical Culture Strategies

Use Organizational Levers

1. Onboarding
2. Ethics and Compliance Programs
3. Pay, Performance, Promotion, Procedures
4. Leadership Role-modeling
5. Training and Development
6. Workplace Communications and Routines
7. Culture Surveys and Feedback Tools
Onboarding

The best place to start shaping an ethical workplace is at the beginning of each employee’s experience with your organization.

In addition to framing your organization’s ethical guidelines, examples from your own case files can be used to help new employees understand exactly what is expected of them.
The most effective ethics and compliance programs are integrated closely with training and development departments and with senior management.

HR professionals need to understand their organizations’ ethics and compliance programs requirements and be able to integrate them into their ethical culture strategies.
The criteria for pay, performance, and promotion should be made clear to all employees so that they are perceived to be fair and consistently upheld throughout the organization.

One way to demonstrate that ethics matter is by acknowledging, rewarding and/or promoting high performers who live and model your organization’s values and ethical standards.
Leadership role-modeling of consistent adherence to an organization’s rules, procedures, and values is the linchpin of an ethical workplace culture.

Schedule regular ethics “reset” sessions in which supervisors at all levels are reminded of core values and updated on organizational ethics issues.
Training and Development

Ethics training programs should emphasize character formation, the resolution of conflicting values, and a “calling” orientation towards work and career.

**NBES 2013 Survey**

- 74% in 2011
- 81% in 2013
What does your Ethics Training Look Like???

Ethic Training Video
Workplace Communications and Routines

Formal and informal communications of employees’ day-to-day work experience are a rich resource for shaping an ethical culture

Make use of organizational symbols and ceremonies to express and reinforce employees’ ethical expectations and identification with your organization’s values
Engagement surveys: include measures related to desired aspects of an ethical culture

Always follow effective practice guidelines when using survey data to help foster the sense of fairness among employees
Special Role of Top Managers

The tone set by top managers goes a long way toward shaping the overall ethics of a workplace.

Executives who speak and act courageously on behalf of the organization’s highest ethical ideals represent the best form of ethical leadership:

personal example

**NBES 2013 Survey**
Senior managers vs lower-level managers
HR Ethical Workplace Strategies

Special Role of Top Managers

2015 ERC Report on Ethical Leadership

• Seek out personal character when hiring and make 24-7 integrity a job expectation
• Educate managers about the way employees evaluate leaders
• Encourage leaders to share credit for success and seek honest feedback from employees
• Annually review business objectives and policies to ensure they promote ethical performance
Ethical Practice as a Competency

www.shrm.org/hrcompetencies/documents
Characteristics of Ethical Practice

**Definition:** Integration of integrity and accountability throughout all organizational and business practices

Adherence to the organization’s core values and ethical guidelines

HR professionals help to drive their organizations’ ethical climate by responding to ethical issues
Ethical Practice as a Competency

Behaviors at Highest Level of Proficiency

1. Maintains confidentiality
2. Responds immediately to all reports of unethical behavior or conflicts of interest
3. Empowers all employees to report unethical behavior without fear of reprisal
4. Acknowledges mistakes
Ethical Practice as a Competency

Behaviors at Highest Level of Proficiency

5. Drives the corporate ethical environment
6. Recognizes bias in self and others and takes measures to mitigate bias in business decisions
7. Maintains appropriate levels of transparency in organizational practices
8. Ensures that all stakeholder voices are heard
9. Manages political and social pressures when making decisions
The New SHRM Credentials

- Encourage HR professionals to acquire the knowledge and behaviors that drive effective performance and career success and contribute to positive organizational outcomes;
- Establish a certification that is highly relevant to employers and meets the needs of business;
- Grow certification in the HR profession; and
- Create a new and universal standard for HR

Find out more at www.shrm.org/certification
HR must take a leading role in efforts to build ethical workplace cultures to deter misconduct and help the organizational bottom line.

Research shows that an ethical workplace culture improves company performance, employee engagement, and provides many other benefits.
An ethical workplace culture has six elements: Written standards, ethics training, an internal reporting mechanism, an anonymous reporting mechanism, disciplinary action, and ethics as part of performance appraisals.

Onboarding and the other organizational levers outlined in this presentation are key vehicles to use to advance ethical workplace strategies.

Ethical practice is a critical competency for all HR professionals and is one of the nine competencies required for SHRM Certification.
SHRM Support Resources

HR Magazine article
April, 2014 issue
“Creating an Ethical Culture”
By Dori Meinert
www.shrm.org/publications/hrmagazine

SHRM Code of Ethics for HR Professionals
www.shrm.org/about/bylaws

SHRM Toolkit: Ethics and Corporate Social Responsibility
www.shrm.org/templatestools/toolkits

www.shrm.org/hrdisciplines/ethics
Questions

Answers
THANK YOU!
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