

FROM THE EXECUTIVE DIRECTOR

MILWAUKEE COUNTY ETHICS BOARD

Did you know?

Although the terms *Ethics Code* and *Code of Conduct* are often used interchangeably, there is some debate about whether or not there is a difference between the two. According to Willa Bruce, author of "Codes of Ethics and Codes of Conduct: Perceived Contribution to the Practice of Ethics in Local Government" (Public Integrity Annual, 1996, pp. 23-30) an *Ethics Code* is a general document that identifies ethical principles and values to which appropriate individuals or groups adhere. In contrast, a *Code of Conduct* is the detail of behavior appropriate for specific circumstances and the subsequent sanctions for violations of that behavior. Countering this position, the National Democratic Institute (Legislative Ethics: A Comparative Analysis, Legislative Research Paper #4, 1999) holds that an *Ethics Code* is more specific and prescriptive, while a *Code of Conduct* is more general and descriptive. The fact of the matter is that the difference between an *Ethics Code* and a *Code of Conduct* is not firmly established and that some overlap may exist in an agency's code.



Is there a difference between an Ethics Code and a Code of Conduct?

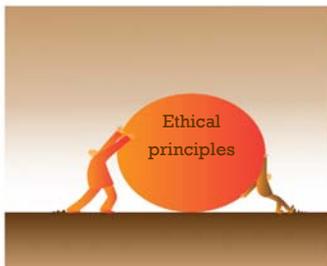
Milwaukee County's Ethics Code

According to Bruce's distinction, Milwaukee County's *Ethics Code* includes – and may even be considered a substitute for – a *Code of Conduct*. The County *Ethics Code* establishes and identifies **ethical principles** to which all candidates for Milwaukee County office, elected and appointed officers and employees of Milwaukee County, and members of Milwaukee County boards and commissions should adhere. These principles make up the Ethics Code and include the following thought:

"The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that decisions and policy be made in the best interests of the people, the community, and the government; that public office not be used for personal gain; and that the public has confidence in the integrity of its government." (M.C.G.O. § 9.01)

These **ethical principles** are further identified in a list of "To dos" – acts of commission – and "Not to dos" – acts of omission. The full list is included on the back of this newsletter. Take a few minutes to review the list and think about what it means to you.

- ◆ Can you identify ways in which you exercise these principles in your day-to-day activities at Milwaukee County?
- ◆ How do you extend these principles as you move from the work environment to your home environment or other environments in which you find yourself?
- ◆ Have you seen or experienced others who have not acted in accord with these principles? What did you do?
- ◆ What might you do the next time you identify yourself or a colleague struggling to act in accordance with these principles?



Ethical Dilemma

Although the County Ethics Code opens with general and fundamental principles of behavior, a portion of the remainder of the Code identifies more specific situations in which the ethical principles might apply. Regardless of whether you call it an Ethics Code or a Code of Conduct, however, no document can delineate every single circumstance in which an individual might find him or herself facing an ethical dilemma. An **ethical dilemma** is a situation that requires choosing the "right" moral alternative. **Ethical dilemmas** are resolved through ethical decision making, which can be difficult without useful guidelines.

Advisory opinions are confidential! When in doubt, ask, ask, ask! Contact the office of the Ethics Board by phone, [email](#), letter or in person.

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It is declared that high moral and ethical standards among County public officials and County employees are essential to the conduct of free government; that the County believes that a Code of Ethics for the guidance of County public officials and County employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the people of this County in their County public officials and County employees. It is the intent of the County that in its operations the Board shall protect to the fullest extent possible the rights of individuals affected. ([M.C.G..O. § 9.01\(1\)](#)).

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www.county.milwaukee.gov/ETHICSBOARD8460.htm

Ethical Decision Making

Acting in accordance with the principles established in Milwaukee County's Ethics Code can only occur if we know what the Code entails. One way to exercise our **ethical decision making** is by taking the online tutorial on the Ethics Board's website. The tutorial identifies common situations in which we might find ourselves. After taking the tutorial, compare your answers to the answers provided by the tutorial.



- ◆ How do differences in your answers and those of the tutorial reflect your background and circumstances?
- ◆ When making ethical decisions, do you think there are ever times when a behavior can be ethical or unethical depending upon the circumstances?
- ◆ Do you think ethical decision making involves matters of right and wrong? Or is ethical decision making impacted by each unique situation?
- ◆ Have you encountered any of the circumstances presented in the tutorial and, if so, how did you respond?

Know what's in our Ethics Code to fuel appropriate ethical decision making

Acts of Commission – “To Do”

- ◇ Properly administer the affairs of the county.
- ◇ Promote decisions that only benefit the public interest.
- ◇ Actively promote public confidence in county government.
- ◇ Preserve and protect all funds and other properties of the county.
- ◇ Conduct and perform the duties of the office diligently and promptly dispose of the business of the county.
- ◇ Maintain a positive image to pass constant public scrutiny.
- ◇ Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.
- ◇ Inject the prestige of the office into everyday dealings with the public, employees and associates.
- ◇ Maintain a respectful attitude toward employees, other public officials, colleagues and associates.
- ◇ Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the

- ◇ Faithfully comply with all laws and regulations applicable to the county and impartially apply them to everyone.

Acts of Omission “NOT To Do”

- ◇ Engage in outside interests that are not compatible with the impartial and objective performance of duties.
- ◇ Improperly influence or attempt to influence other officials to act in one's own benefit.
- ◇ Accept anything of value from any source, which is offered to influence one's action as a public official.

Just as there is debate over what distinguishes an *Ethics Code* from a *Code of Conduct*, there can also be debate over the “right” ethical decision. Holding ourselves to the highest ethical standards includes analyzing circumstances, examining choices, and aligning ourselves with the principles identified by the Codes that surround us. When in doubt, review the Code, talk to your supervisor, and always feel free to ask the Ethics Board for an advisory opinion.