**When in Doubt, Don’t!**

Today is going to be a rough day, Chief. It’s going to be one of those days you wish you could have stayed in bed.

It started off with a telephone call at 0430 hours from the local police department. They arrested one of your firefighters for possession of marijuana. He was stopped for driving under the influence of alcohol and a routine search of his vehicle revealed a sufficient amount of the drug to warrant his arrest.

Shortly after arrival at your office at 0800 hours, you were greeted by a phone call from the fire chief of a neighboring town. He wants you to hire his nephew who is sixth on the list. The morning mail has a letter containing two free tickets to a wine-tasting party hosted by a local contractor. After the department head meeting, you are approached by a member of city staff who asks if you would look the other way on a small fire safety violation at his brother’s restaurant.

As you leave for lunch, a local apparatus manufacturer drops in and insists on taking you out. He invites you to be his guest at a country club next week for a golf tournament. At going-home time, just when you thought everything was over for the day, you observe an off-duty fire captain driving down the street with his arm around the wife of an on-duty captain.

Granted, most of us have very few days that are that hectic.

We would much rather be fighting fire than dealing with problems of this nature. But what is the problem here?

All of these scenarios require reaction without firm guidelines: each scenario represents the opportunity for a person to break the law, bend the rules, or take a stand. They are the most difficult problems a chief officer has to hassle with because each issue involves a set of ethics.

The Greeks gave us two concepts. The first was democracy, a form of government. The second legacy was ethics, a form of personal conduct. The root word for ethics is *ethikos*. Ethikos meant a standard of behavior.

In previous columns we have discussed personal crises. Many of the personal crises fire chiefs have to face derive from ethical behavior. That is, someone or some group of individuals have taken exception to the manner in which the fire chief has conducted himself, and decided that the fire chief’s behavior was not up to their standards. The result has been conflict.

Several years ago while preparing a course for fire officers, I developed a game, *Code of Conduct*, fashioned after a game on the commercial market called *Ethics*, which was played with three or four people. In this game, an individual faced a scenario having many possible outcomes. When it came your turn to deal with the problem, you were supposed to read the scenario and select one of the possible alternatives in dealing with the problem. The selection of the alternatives was based upon the personal values of that person.

Upon selecting one of the four options, the remaining members of the team were given the assignment of attacking the decision and trying to discredit it in every way possible. The old cliché “One man’s ethics is another man’s controversy” applied. For example, if an individual strongly believes in the concept of honesty, it tends to shape his behavior in a very definite fashion. On the other hand, if the person bases his values on expediency, then honesty may be the matter of situational opportunity.

Fire departments probably have such extensive rules and regulations because the question of ethics has often been interpreted in the context of an organization. In one fire department where I served, we used to jokingly refer to different rules and regulations in the book by the name of the individual who was either disciplined or chastised for causing the rule to be formulated. In other words, rules are a form of controlling ethical behavior.

Unfortunately, rules don’t cover all types of situations in which a chief officer finds himself involved. Concepts that apply to a chief officer are different than the lower ranks in the organization. These include conflict of interest, misuse of authority, and conduct unbecoming the position. There has never been a rulebook written comprehensive enough to guide a person on exactly how to avoid being trapped into a circumstance in which one of these three situations occurs.

What is ethical behavior in the context of the fire service? Can a person perform within the boundaries of the rules and regulations and yet be subject to criticism? Yes. Does it require an illegal act to breach the ethical considerations of an organization or a community? No.

Ethics are values. A person can be operating strictly within his own rules and regulations and yet violate some value that creates the perception of illegality, even when it does not exist. I recall an incident where a chief officer did establish a set of values. Several of us were involved in fighting a fire in a place that produced fishing rods. We did an outstanding job. The following Monday morning, the owner of the facility brought a handful of fishing rods into the fire station, left them in the dispatch center and told the dispatcher that they were for the guys that fought the fire. Shortly thereafter the chief officer of the department came in, saw the rods, and asked who they were for and why they were there. He was advised of the circumstances. The chief officer demanded that the rods be placed in his possession. They were removed to his office and the dispatcher was told not to discuss the matter with anyone else in the organization. Of course, we all know how long it took for that rumor to get around. Several months later a chance conversation occurred between one of the firefighters and the rod manufacturer. The firefighter was asked how he had enjoyed the use of the fishing rod. The owner was informed that the rods had been taken back and were supposedly returned to him. The embarrassed stares on the part of both parties raised some serious questions. Just what happened to those rods? Where did they go? Were they disposed of? Or were they misused?

Frankly, I don’t know and I probably never will know. What remained afterwards was the perception on the part of the firemen that some form of unethical behavior had occurred.

This situation is relatively blatant, yet other sets of circumstances appear on the surface to be relatively innocent, but with just as serious connotation. As chief officers, we have to be careful to protect the image of this position by preventing the development of a perception of impropriety. This is easier said than done and we in the fire service are certainly not the only professions plagued with this problem.

In the July-August 1986 issue of the Harvard Business Review Executive Summaries, there is an article by Sol W. Gellerman, entitled “Why ‘Good’ Managers Make Bad Ethical Choices.” The advice in this article can be summarized in a very short statement – “When in doubt, don’t!”

Slanted to the corporate world, Gellerman’s article deals with bad ethical choices of such major corporate giants as Manville Corporation, Continental Illinois Bank, and E. F. Hutton among others. In each example illustrated in the article, Gellerman points out that most ethical considerations have a way of becoming rationalized by the decision-maker to the point where they are not only not unethical, but also, according to the decision-maker, they are appropriate and essential.

Gellerman identifies four rationalizations: 1) A belief that the activity is within reasonable, ethical, and legal limits – that it is not really illegal or immoral; 2) A belief that the activity is within the individual’s or the corporation’s best interest – that the individual would somehow be expected to undertake the activity; 3) A belief that the activity is “safe” because it will never be found out or publicized – the classic crime-and-punishment issue of discovery; and 4) A belief that because the activity helps the company, the company will condone it and even protect the person who believes in it.

There are basically three strategies a chief officer may consider in dealing with the problem of ethical considerations. These three strategies are adoption of a code of ethics, documentation of interests, and open discussion of activity.

Adoption of a code of ethics is more meaningful than the statement implies. For example, when you become a doctor you swear to the Hippocratic Oath. When you become a firefighter, you swear an oath of office. Code of ethics in most organizations is not really stated and in most organizations is considered to be the rules and regulations. However, they are not the same. Rules tend to be a series of acts and inhibition, whereas a code of ethics is a statement of beliefs. Many organizations have a code of ethics that might be adopted by a local firefighting agency with minor changes.

Documentation of interests is a different set of circumstances. In many states, it is essential that a person reaching the level of fire chief file a document of public disclosure of personal financial interests. In some states, this conflict of interest statement clearly identifies those areas in which an individual has personal opportunity to gain through the decisions they effect.

For example, a fire chief who owns a fire extinguisher company in the community would have a difficult time avoiding conflict of interest if the chief proposed an ordinance requiring annual inspections of those same extinguishers. Further, these kinds of documents often provide opportunity for a person to make a matter of public record advantages that do accrue to the job. For example, it is perfectly legal in many cases for a chief officer to receive a pass to the local movie theatre, providing that pass is adequately documented and a value placed on it in a public disclosure statement. Whether or not one accepts the free pass or utilizes it after acceptance is a totally separate issue.

Public disclosure documents create a concern in some people’s minds because they believe those disclosures are an invasion of their privacy. Other individuals who do not have the same level of responsibility can avoid disclosing their personal dealings. The advantage to public disclosure statements is that they do not have to be public in the sense that they are printed, published, and distributed to each and every person in the community. Instead, they are a matter of legal filing and in many cases serve absolutely no purpose unless a person is accused of improper behavior.

Last, but certainly not least, is the subject of openness. If a chief officer is considering engaging in a particular type of behavior such as attending a golf tournament with members of the distributor agency, then mark it on the calendar. Discuss it with staff members. Let people know where you are and who you are with. If you are asked to participate in an activity that has some possible problems, discuss it with your superior or another department head. Nothing dispels rumors as rapidly as open dialogue. One of the best friends a fire chief can have, when it comes to avoiding unethical behavior, is the city attorney. (There are many who will debate the relationship between law and ethics, but that’s the subject of another discussion.)

Members of your staff should be well aware of your involvements and it pays to listen to their concerns. Loyalty on these types of issues is a two-way street. If members of the staff feel that they are being kept in the dark regarding your activities or behavior, then they may feel it is appropriate to deprive you of information regarding their behavior. This doesn’t mean that we engage in an on-going dialogue each and every day about our personal involvements. What we are talking about is the environment that is created, an environment establishing honest and stability.

It is sort of interesting that the Greeks gave us two concepts that denote contradiction. They gave us democracy, based on the premise that people should have the freedom to do whatever they desire as long as it is not in conflict with other people. They gave us ethics, which says that the group can set some standards, which will limit that behavior. Recognizing our flexibility in choosing lifestyles and leadership methods means that we may sometimes choose a course of action that offends someone else.

If democracy is the engine that drives our system, then ethics is like the steering wheel. Before putting your motor in gear, make sure you are aimed in the right direction.