Ethics, Bias and Conflict of Interest:
Guidance for PC Chairs

Rita Harrold
Director of Technology
Illuminating Engineering Society

Krishnan Gowri
Senior Research Engineer
Pacific Northwest National Laboratory

Learning Objectives

- Understand roles and responsibilities in standards development – appropriate behavior

- Reduce roadblocks and Increase competence in ASHRAE committee work

- Recognize how bias, conflicts arise and how to handle or avoid

Ethics

The code of conduct or behavior governing an individual or group (such as a committee)

The discipline dealing with what is <u>good</u> and <u>bad</u> and with a sense of duty or obligation

ASHRAE Code of Ethics

As members of ASHRAE or participants in ASHRAE committees, we pledge to act with **honesty, fairness, courtesy, competence, integrity and respect for others** in our conduct.

ASHRAE Code of Ethics

You are all familiar with this!! Yes??

- A. Efforts of the Society, its members, and its bodies shall be directed at all times to **enhancing the public health, safety and welfare**.

- B. Members and organized bodies of the Society shall be **good stewards of the world's resources** including energy, natural, human and financial resources.

ASHRAE Code of Ethics

- C. Our products and services shall be offered only in areas where our **competence and expertise can satisfy the public need**.

- D. We shall act with **care and competence in all activities**, using and developing up-to-date knowledge and skills.

ASHRAE Code of Ethics

- E. We shall **avoid real or perceived conflicts of interest** whenever possible, and disclose them to affected parties when they do exist.

- F. The **confidentiality** of business affairs, proprietary information, intellectual property, procedures, and restricted Society discussions and materials shall be respected.
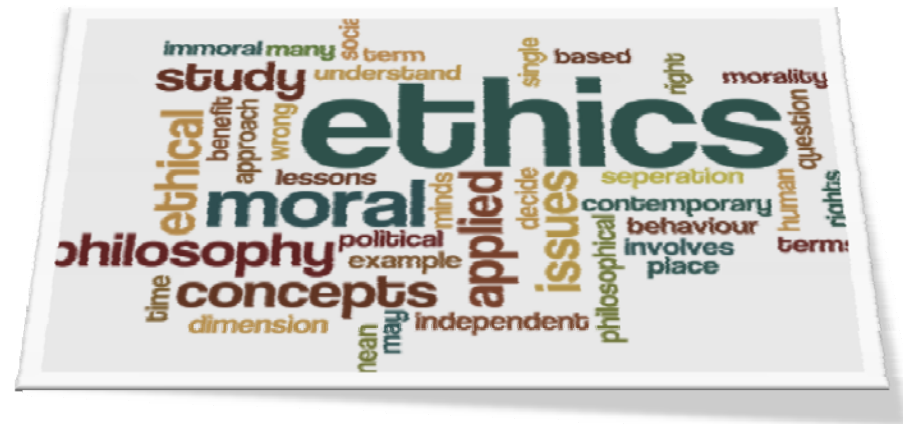
"Integrity is doing the right thing, even if nobody is watching."

ASHRAE Code of Ethics

- G. Each member is expected and encouraged to be **committed to the code of ethics of his or her own professional or trade association** in their nation and area of work.

- H. Activities crossing national and cultural boundaries shall **respect the ethical codes of the seat** of the principal activity.

Good Ethics Code

Behavior, ideals, and beliefs that we bring to writing standards

- Our competence - input to the body of work – data, test methods, procedures that satisfy users' needs
- Our ability to work collegially with other committee members – respect, courtesy, fairness, integrity

Bad Ethics – a few examples

- Lack of respect for other members

- Attempts to derail a project – undue influence - conflict

- Ignoring rules of the road - policies and procedures

- Plagiarism

- Infringement of copyright materials

- Disclosing confidential information

- Misrepresentation – self or other information

Beware of bias!

Committees need members with solid ideas but strong opinions can sometimes lead to:

- Predisposition
- Distortion of judgment
- Personal "promotion" of self serving contributions

Make sure that all members are afforded the chance to weigh in!

Compliance is just the beginning

Monitoring ethical conduct is an ongoing process

Poor Ethics

Leads to behavior that demonstrates

What is Conflict of Interest?

- Circumstances where someone's personal or financial interests benefit from his/her actions or influence

- Circumstances where someone advances activities or interests for a competitive or market benefit

Conflict of Interest

No committee member should have an:

- **Apparent conflict of interest**
- **Appearance of conflict of interest**

"Gain considerations impair objective decision making"
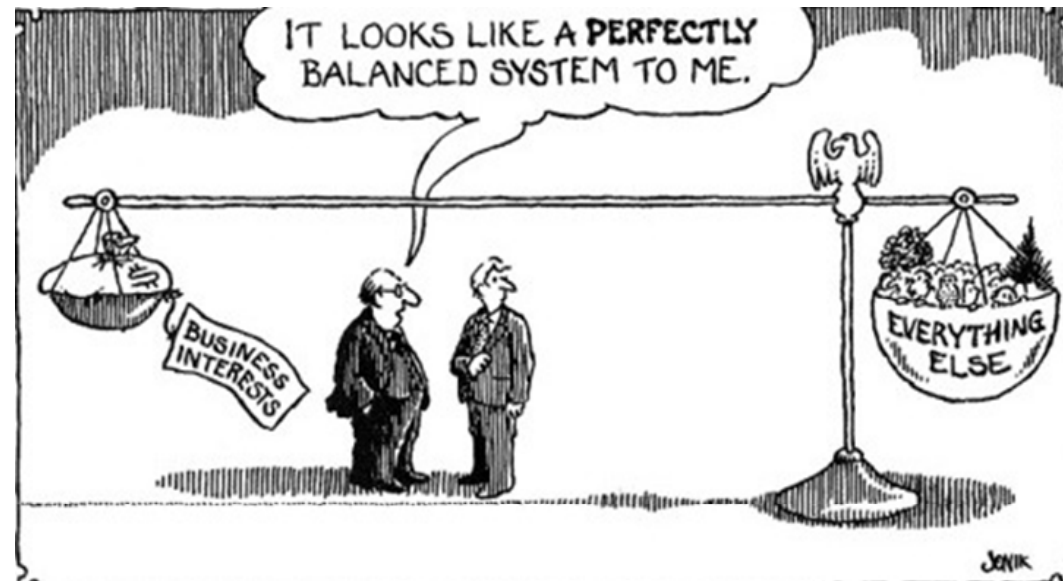
Conflict of Interest – Examples

- **PC Members announcing standards publication dates for their personal benefit of offering services**

  e.g. The public review and approval process could affect anticipated dates of publication and will put ASHRAE at risk

- **Lobbying PC members outside the PC meetings**

  e.g. Trying to sway the opinion and judgment of PC Voting Members

- **PC Members offering services based on working draft**

  e.g. Presenting papers and training seminars based on PC work

- **PC Members circulating working drafts**

  e.g. Making it available for download from their company web site (Though a copyright issue, it could be a sign of conflict of interest)

"appearance of conflict of interest can be as damaging as the existence of an actual conflict"

Conflict of Interest – Indicators

Conflict of interest may arise if:

- **PC members fail to disclose relevant background information**
- **PC includes voting members with strong personal, financial or professional interest in the project outcome**
- **PC has only one or two industry experts with technical knowledge and with certain bias**
- **All interest categories are not represented – potential for dominance**
- **PC is not balanced**

IT LOOKS LIKE A **PERFECTLY** BALANCED SYSTEM TO ME.

BUSINESS INTERESTS

EVERYTHING ELSE

Managing Conflict of Interest

When in doubt:

- **Inform the Manager of Standards (MOS) and SPLS Liaison**

- **Do not delay alerting the MOS and SPLS**

- **Provide documentation and evidence of activity**

- **Alert PC members to be vigilant of any perception of Conflict of Interest, provide periodic reminders**

Conflict of Interest – Impact

- **Removal of member from the PC**
- **Disbanding and reconstituting entire PC membership**
- **Delay in publication of the standard**
- **ASHRAE's Reputation and Track Record**
- **ANSI Accreditation of the Standard**

ASHRAE Policy

- **Bias, Conflict of Interest Disclosure for PC membership**
- **Review and Approval by SPLS**
- **Annual Review by PC Chair Recommended**

ASHRAE
Potential Sources of Bias / Conflict of Interest
Statement of Inclinations, Interests and Affiliations
This form must accompany all applications for membership on a Standard or Guideline Project Committee

ASHRAE Committee:
(Number and Title)

Name: Title:

Employer: Telephone:

Address incl.   Email:
City, State, Zip:

Product or Service: Today's Date:

Summary

Ethical principles to overcome bias and conflict in ASHRAE Standards development:

- **Honesty**
- **Objectivity**
- **Integrity**
- **Courtesy**
- **Competence**
- **Openness**
- **Respect for colleagues**
- **Social responsibility**

Resources

- ASHRAE Code of Ethics

http://www.ashrae.org/codeofethics

- Potential Sources of Bias/Conflict of Interest Form

https://www.ashrae.org/standards-research--technology/standards--guidelines/pc-chairs-toolkit

Standards Staff

Direct line 678.539.xxxx

Standards Committee

Stephanie Reiniche, Manager of Standards.......................ext. 1143
sreiniche@ashrae.org

Status of Standards/Guidelines and SPLS

Susan LeBlanc, Standards Administrator…………............ext. 1143
sleblanc@ashrae.org

Procedures, PPIS, and Appeals

Tanisha Meyers-Lisle, Procedures Administrator...............ext. 1111
tmlisle@ashrae.org

Staff Review of Drafts

Carmen Manning, Standards Analyst ....………...........ext. 1145
cmanning@ashrae.org

Standards Staff

American Standards, including Standards 62.1 and 62.2

Mark Weber, Asst. Mgr. of Standards - American……........ext. 1214
mweber@ashrae.org

Codes, CIS, Standards 90.1 , 90.2 and 189

Steve Ferguson, Asst. Mgr. of Standards - Codes………..ext.1138
sferguson@ashrae.org

International Standards and Standard 34

TBD, Asst. Mgr. of Standards - Int'l……………….ext. 1209

Standards 90.4 and 189.1

Bert Etheridge, Asst. Mgr. Special Projects……………..…ext. 1125
betheridge@ashrae.org

Project Committee Membership

Beverly Fulks, Standards Coordinator...............................ext. 1151
bfulks@ashrae.org

Standards Staff

Project Committee Membership SPCs 15 and 34

Angela McFarlin, Admin. Asst./ Secretary..........................ext. 1177
amcfarlin@ashrae.org

Project Committee Membership SPCs 90.1, 90.2, 90.4, and 189.1

Katrina Shingles, Secretary/Admin Asst…..........................ext. 1159
kshingles@ashrae.org

Questions?