

# Ethical Foundations for Public Service

## Part 3: Case Studies & Scenarios



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Center for Learning & Organizational Development

Office of Human Resources

[hr.oregonstate.edu/training](http://hr.oregonstate.edu/training)

Oregon State University

Handbook

# Overview

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The following questions were developed from ethical scenarios that commonly occur at OSU. The questions are designed to encourage practical thinking and awareness of your responsibilities as a manager or supervisor around these issues.

## Questions (answers are found on page 5)

1. Under the Oregon Government and Practices Laws [Guide for Public Officials](#), who in the following list would be considered a “public official?” (Select all that apply.)

- A paid employee
- A student employee (paid)
- A student volunteer (not paid)
- An agent.

2. A relative is co-owner of a private company that has been subcontracted to do business with your office. What actions are you required under the Oregon Government Standards and Practices Laws [Guide for Public Officials](#)? (Select all that apply.)

- Nothing
- Disclose
- Tell your supervisor
- Officially state for public record

3. Conflict of interest is defined as taking official action that: (Select all that apply)

- May result in financial benefit.
- May avoid a negative financial impact.
- Involves financial impact that will affect the public official, the official’s relative or a business with which the official’s relative is associated.

4. You have an employee in your department whose duties consist of administrative tasks. As a hobby, this person does photography. You’d like to hire her to take photographs for an after hours event that your department is hosting at a rate of \$90.00 per hour for 3 hours. Since the total amount is less than \$5,000, can these services be rendered through an OSU Personal Services contract? Why or why not?

5. It is the holiday season and a vendor is appreciative of the business your department has done with them in the past year. The vendor would like to show gratitude by giving you and five of your staff members each a \$75 gift certificate to a local restaurant. Should you and the staff members accept the gift certificate?

6. "Joe's Basement Computers" offer you an incredible deal on five brand new computers for your office. You sign an agreement on behalf of your office for this purchase, working directly with the vendor on your own. This is permitted at OSU. True or false?

- True
- False

7. It is fiscal year end and your department has discovered year-end funds available for a large piece of equipment that is needed to replace older equipment in one of your labs. The estimate for the purchase is \$151,000.00. The vendor you need to purchase the equipment from has agreed to invoice you for various components so that you can essentially split the order into seven smaller orders of \$21,571.42. This way your department won't have to work through [PaCS](#) for purchasing the equipment and they won't have to bid it out. This solution is feasible to meet the deadline. True or false?

- True
- False

8. There is a different standard for public vs. private employees. One of the differences lies in the area of public trust. From the choices below, select the action items you might apply as a supervisor to promote public service as a public trust. (Select all that apply.)

- Never use government resources for personal gain.
- Honor the intent and spirit of rules and laws.
- Be discreet when receiving gifts from vendors.
- Never use prestige or the implicit power of your position for personal benefit.
- Take steps to avoid waste, inefficiency, illegality or unintended consequences.
- Do not accept responsibility for actions--this gives the appearance of weakness.
- Honor my commitments.
- Be transparent when handling financial transactions.
- Act with integrity--I am a representative of OSU and serve the State of Oregon.
- Understand and uphold the policies and rules of OSU as a role model for staff.

9. You receive a call from an agency requesting verification of employment. What information can you give out? (Select all that apply.)

- Birthdate
- Social security number
- Length of employment
- Insurance benefits
- None of the above

10. A potential employer calls you seeking a reference and employment verification on a student employee who has worked for you for the past two years. Under what condition can you give a reference?

With a release statement giving permission in writing from the student  
When the student verbally asks you  
You are always obligated to give a reference no matter what  
None of the above

11. Who is permitted to verify employment for a student worker?

The department for which they were employed  
Whoever has login access to Banner  
Office of Human Resources

12. [Family Educational Rights and Privacy Act](#) (FERPA) require a written release for any student data (including employment data) to protect the privacy rights of students.

True  
False

13. An employee in your unit will be leaving soon. You've asked her to show the new hire how to use Banner. It will be a few days before the new hire receives her Banner user ID and password. What is the appropriate way to accomplish the cross training until the new hire obtains her Banner ID and password?

The departing employee lends her Banner user ID and password to the new hire to use until she receives her own user ID and password.  
The new employee cannot view Banner information under any circumstances, including observing, until receipt of his/her user ID and password.  
If the departing employee still has access to Banner, the new hire may observe the departing employee while she enters records.  
Whatever means necessary to get the work done.

14. An employee checks out a state vehicle for early business travel the next morning. On the way home, she picks up her two young children and spouse. Which are true about this scenario? (Select all that apply.)

As long as the employee was not doing business at the time, she is permitted to pick up family.  
State vehicles are for official business only; personal business is not allowed at any time.  
Children are not allowed in state vehicles.  
An exception may apply for the spouse at the discretion of the employees department Director or Chair.

15. You will be attending a national professional association conference that is being held in Los Angeles. For several years, you have planned a vacation to Disneyland with your family and children. What do you need to do to combine the business and vacation trip? (Select all that apply.)

Discuss with your supervisor how you will fulfill your conference obligations.

Because of public perception, it is not permissible for public employees to travel with family when on business.

Inform your supervisor and request vacation time for any non-business days that you will need time off of work.

Keep separate, written accounting for business and personal expenses.

16. As a supervisor, it's important to regularly discuss safety issues and concerns with employees whether or not those employees are working in high risk environments or with dangerous equipment.

True

False

17. What goes with what regarding OSU employees using email? Put the correct letter in the box.

Employee email...

A. Is considered public record.

OSU as an institution...

B. Acceptable Use of University Computing Resources

Contains OSU policy language...  
regarding computing.

C. Owns OSU employee email.

18. As supervisor, you are concerned about the amount of time your employees are surfing the internet on non-business matters. What action might you take in addressing this issue with your employees? What resources could you share with your staff on this topic?

19. Email correspondence that is created and/or received in the course of doing OSU business, and directly relates to OSU programs or administration... (select all that apply)

Must be retained with associated program and/or administrative records

Is retained depending on department or unit preference

Is left up to individual employees to retain or not

Is retained according to the OUS General Records Retention or State Archivist schedules

20. During noon hour, an employee passes out literature in a designated "free speech" area on campus supporting a particular candidate. This is allowed if: (Select all that apply.)

The literature is labeled as other than state sponsored

It is on the employee's own time

There are no allowances. "Free speech" areas on campus are designated for students only.

If the employee generally wears a uniform, they have changed into "street" clothes when passing out literature

21. Joan is active in the local union and a volunteer group associated with her child's school. On non-work time (lunch and after work) she has reserved meetings using a conference space in the building where your office is located. This is acceptable as long as it doesn't conflict with University business.

True  
False

22. To protect volunteers, OSU has "[Volunteer Injury Coverage](#)" from the OSU Office of Risk Management. This program provides up to \$25,000 worth of coverage up to one year after the accident and secondary coverage to any insurance the volunteer already has. As a supervisor of volunteers, what items must be completed and on file in advance for this coverage to be active?

A completed W4 form  
A job description and/or list of duties and responsibilities for the volunteer position  
A signed "[Conditions of Volunteer Service](#)" agreement reviewed and signed by the volunteer  
Written permission from parents if the volunteer is a minor

## Answers:

1. All

2. B, C and possibly D

The laws as a public official are not designed to prevent conflicts of interest from occurring, rather for appropriate disclosure. As such, the laws distinguish between "potential conflict of interest" and "actual conflict of interest."

A potential conflict of interest may arise when a public official takes official action that could financially impact the public official, the official's relatives, or a business with which the public official or relative is associated. Generally, this requires disclosing and then proceeding to act.

An actual conflict of interest may arise when a public official takes official action that would financially impact the official, a relative or an associated business. Generally, this requires disclosing and not acting. [Conflict of interest policy at OSU.](#)

3. All

4. OSU may only purchase from or contract with OSU employees, relatives of OSU employees (relative as defined in ORS 244) or members of the OSU employee's household if the OSU employee is not involved in the selection, award or administration of the purchase/contract and all of the following requirements are met:

- The OSU employee must complete the "Disclosure of Real or Potential Conflict of Interest" form and submit to the Procurement office for review.

- It has been determined by Procurement that no real conflict of interest exists or if a conflict exists, it has been mitigated.
- The OSU employee, employee's relative or member of the employee's household must be determined to be an Independent Contractor for the services being proposed. In the case of an OSU employee as a vendor, the goods or services sought for purchase or contract must be substantially different from the work the employee performs in their employment with OSU.
- No, you cannot accept the gift. An employee, relative or member of the household may not solicit or receive gifts with a value in excess of \$50 during a calendar year, or receive payment for expenses for entertainment from a single source that has an interest in the agency in which the public official works. Additionally, employees may not accept a favor, gratuity or special consideration from vendors and contractors doing or seeking to do business with the university in order to influence a purchase or secure a contract.

6. False.

Oregon Administrative Rules (OAR) gives the [Vice President of Finance and Administration](#) authority to designate staff to sign agreements and contracts on behalf of OSU. At OSU there are a limited amount of individuals who have this designation.

- Anyone not authorized by the Vice President of Finance and Administration who signs a contract may incur personal liability and the subject agreement is invalid and non-binding on the University.
- Service, maintenance, warranty and other factors beyond price are often considered when negotiating with vendors.
- There is no dollar limit associated with contract signature authority. A no-dollar value contract is still a contract and must be reviewed and signed by someone authorized to sign contracts on behalf of OSU.
- In addition:
- [PaCS](#) will assist department and Business Centers by reviewing contracts as well as negotiate on behalf of your organization.
- PaCS maintains a list of contracted vendors.
- Procurements under \$25,000 are authorized to the Business Centers.

7. False.

[Oregon Administrative Rules](#) prohibits breaking up purchases, contracts, and requisitions in order to circumvent the procurement rules that govern purchasing at Oregon State University. [PaCS policy 103-002](#) also addresses this topic by prohibiting fragmenting of purchases. Issues pertaining to this purchased include:

- If the purchase is a sole source, a procurement analyst must review the sole source justification and ensure measures were taken to validate the claim. There is a requirement that all sole source purchases over the direct procurement level of \$25K be advertised as such.
- Any procurement or contract exceeding \$150,000 must be reviewed by the Oregon Department of Justice (DOJ) for legal sufficiency. PaCS prepares these procurements and contracts for submission and works with DOJ in managing the review.

8. A, B, D, E, G, H, I and J

9. Length of employment. If the caller wants additional information, they will need to call the [Work Number](#). For students, direct these calls to the Registrar's Office. (Inquiries for records older than 4 years are directed to OSU Archives.)
10. Yes, but only with a release statement giving permission in writing from the student. Students are protected under FERPA law and releasing information is sensitive. See [here](#) for information.
11. The Office of Human Resources. When you receive an employment verification request, forward it to human resources as is current procedure. Human Resources will return the request to the verifier along with instructions on how to use **THE WORK NUMBER**<sup>®</sup>. Remember that the verification can be completed instantly with the proper codes, so you are not delaying the process by returning the request.
12. True.
13. If the departing employee still has access to Banner, the new hire may observe the departing employee while she enters records. A Banner user ID and password is NEVER shared and if done, will result in some form of disciplinary action, including possible termination of access or termination of employment. Disciplinary action will be taken against the supervisor if the supervisor advised that the password be shared. Enroll the new employee in Banner training as soon as possible.
14. State vehicles are for official business only; personal business is not allowed at any time. Children are not allowed in state vehicles. An exception may apply for the spouse at the discretion of the employees department Director or Chair.
15. Discuss with your supervisor how you will fulfill your conference obligations, inform your supervisor and request vacation time for any non-business days that you will need time off of work, and keep separate, written accounting for business and personal expenses.
16. True. Safety issues and concerns encompass all work environments and should be discussed at least annually. Topics to include may address:
  - Fire evacuation, location of fire extinguishers, and designated safety locations.
  - Prank calls.
  - Bomb threats.
  - Locking of doors before and after work; particularly if somebody is in the office alone.
  - Escort to cars when dark.
  - Who, if anyone, is CPR certified?
  - Procedure for handling disgruntled customers who are acting out?
  - Process for handling possible disgruntled spouse or personal relationship in which partner has made threats.
  - Procedure for checking and asking a person wandering office/building who may not belong there.

17. What goes with what regarding OSU employees using email? Put the correct letter in the box.
- |   |   |
|---|---|
| <b>A</b> Employee email...                                    | A. Is considered public record.                     |
| <b>C</b> OSU as an institution...                             | B. Acceptable Use of University Computing Resources |
| <b>B</b> Contains OSU policy language... regarding computing. | C. Owns OSU employee email.                         |
18. This issue could be discussed at length. Important in this conversation are the expectations and standards for what you will tolerate. Revisit the "Acceptable Use of University Computing Resources" policy. Reviewing policies such as this one on a regular basis (at least once or twice a year) and discussing scenarios will help reinforce both the policy and your expectations. Consistent application throughout your unit and prior notification of the policy are key components for any possible disciplinary consideration.
19. Correspondence must be retained with the associated program and/or administrative records. Correspondence is retained according to University Records Retention Schedule. See [http://leadership.oregonstate.edu/sites/leadership.oregonstate.edu/files/policies/records\\_retention\\_2015-07-06.pdf](http://leadership.oregonstate.edu/sites/leadership.oregonstate.edu/files/policies/records_retention_2015-07-06.pdf).
20. All is correct.
21. False. Under University Policy, the use of facilities is limited to University business. There are few exceptions to this policy. Both the union and her volunteer organization are non-campus organizations.
- Non-campus groups CAN reserve space through public conference facilities such as LaSell's Stewart Center and the Alumni Center. They would be required to pay the applicable fees of these facilities.
22. A job description and/or list of duties and responsibilities for the volunteer position. A signed "Conditions of Volunteer Service" agreement reviewed and signed by the volunteer. Written permission from parents if the volunteer is a minor. Volunteer agreements and forms can be obtained from the OSU Risk Officer.