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Possible Root Causes of Unethical Behavior

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POSSIBLE ROOT CAUSES OF UNETHICAL BEHAVIOR

The overwhelming majority of employers, managers, supervisors, Level IIIs, inspectors or staff personnel strive to do their work ethically and technically correct. But we do have shortcomings in professional behavior.

It only takes a very small percent of bad behaviors to stain millions of correct behaviors. It only takes one unethical behavior to cause death or destruction.

Today we will explore some outward signs that lead to unethical behavior.

We will discuss changes in the environment we can make to prevent undue influences.

We will also discuss systems and processes to minimize or reduce unethical behavior.

INTRODUCTION

The problem is that while there is room for interpretation of rules and regulations in the nondestructive testing world, there are pressures for bending the rules to the point of unethical behavior. It is my thesis that pressure originates from the profit motive, promoting a false self, or laziness.

In my experiences since 1970 when I learned to be a sailor, welder and nondestructive testing inspector the amount of “cheating, lying and stealing”, i.e., breaking the rules, has not been a rare occurrence but thankfully not prevalent. The examples I have observed are in my opinion directly correlated to the pressure to make money or cover up mistakes, i.e., to make a profit or look good.

INTRODUCTION

In this seminar we will explore my observed examples, the possible root causes and how to prevent or minimize unethical behavior. The examples cited will be from my own observations over a 50 year period. I have worked for a dozen employers, including military, government, and private industry. I have audited multiple dozens of NDT service providers and reviewed document packages and witnessed hundreds of NDT inspectors and observed thousands of inspections. No one quote or cited example is to be attributed to anyone of my employers, colleagues, or inspectors that I have had the pleasure to work with over the decades. It is the occasional exceptions that I wish to address. Sadly these exceptions are ones that create a toxic environment and get negative press. An environment that may lead others to change their normally ethical behavior to unethical behavior.

INTRODUCTION

There are exceptions to the previous two causal factors. When the profit motive is nor the need to look good not applicable then the pain avoidance motive frequently is the cause.

When the decision maker just doesn't wish to exert themselves to do the right thing because it is inconvenient to them. Such as crawl up that ladder, or descend a large distance, squeeze into a tight spot, stay in an uncomfortable environment, etc., the effort to do the right thing is painful and therefore they don't.

CRITERIA FOR ETHICAL BEHAVIOR

Follow the behaviors listed below to enhance professional behavior in your life and the work place.

1. Say what you mean and do what you say.
2. Follow the codes, standards, specifications, procedures or contractual requirements to the best of your ability. Report it if you cannot do so.
3. Influence others to do the right thing.
4. Report through the chain of command if exceptions to the above.
5. Blow the whistle if the direct line of communications results no improvement in behavior.

CRITERIA FOR ETHICAL BEHAVIOR

Follow the behaviors listed below to enhance professional behavior in your life and the work place. (cont'd)

6. Promote ethical behavior both in your actions and words.
7. Call attention to occasions when your interpretation of the requirements is at odds with principle actors perceptions.
8. If you cannot meet the requirements as written, say so.
9. If you are not qualified, don't do it or sign for it.
10. Only submit valid documents to support your hardware dispositions, personal qualifications or nondestructive test results.

CRITERIA FOR ETHICAL BEHAVIOR

We are going to discuss how things said by management, NDT Level IIIs, Inspectors, sales representatives, and examples of observed behavior that could or did lead to unethical behavior.

For each category we will:

A. Discuss how this criteria can help in the real world or not be practical.

B. Discuss additional criteria you think would be beneficial.

Management has been heard to say ...

In my life experience over 50 years I have heard or seen approximately the following quotes from management that could lead to unethical behavior.

Re: Personnel Qualification/Certification

How did these statements possibly lead to violation of:

1. Recommend practice of SNT-TC-1A?
2. The Standard requirements of CP-189?

Management has been heard to say ...

Re: Personnel Qualification/Certification

- *“Pass him anyway. It is only a couple of points”*
- *“Just give him the test again. Why must he restudy?”*
- *“The test is too hard!”*
- *“Why can’t the previous certification statement of training and experience be enough?” (It is not prima fascia supporting documentation)*
- *“Why does the instructor have to have a lesson plan? Stating training meets SNT-TC-1A is enough, right?”*

Management has been heard to say ...

Re: Personnel Qualification/Certification

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Management has been heard to say ...

Re: Personnel Qualification/Certification

- *“CP-105 doesn’t say we have to give hands on training. They can get that with on-the-job training, right?”*
- *“He is a UT II right? Why can’t he do UT Shear wave on welds? He has been doing UT thickness for years.”*
- *“Who says we need to do a Practical exam on multiple NDT Method techniques?”*
- *“Aren’t weld inspections in accordance with AWS UT II equal experience to ASME UT II?”*
- *“They have been doing film radiography for years. Why do you need to test them again in Digital Radiography?”*

Management has been heard to say ...

Re: Personnel Qualification/Certification

- *“How many more hours for UT Phased Array Training and experience? You gotta be kidding me!”*
- *“Why do you need additional remote visual training? He has been a weld inspector for decades!”*
- *“We need these new people trained and certified on the job by Monday!”*
- *“Can you give hints as to the right answers? He knew it in class. That’s not cheating.”*
- *“Let us do 8 days training in a row for 10 hours a day with no time off. That’s 80 hours, right?”*

Management has been heard to say ...

Re: Billable Hours/Making money

- *“Sign it so we can ship it. It is the end of the quarter! We need to post the billing.”*
- *“We are not making enough money to do the whole test.”*
- *“We need him/them on the job site at 8:00AM Monday. Make it happen.”*

NDT LEVEL III's have been heard to say...

- *“It is a judgement call. Who can challenge me?”*
- *“That is stupid. That engineer doesn't know NDT”*
- *“These formulas are just for guidance. I can tell if the test is adequate. I have been doing this for years.”*
- *“What is wrong with using the published questions for the exams? They have been reviewed and approved by committees.”*
- *“I give 40 hours per week experience for NDT for the entire outage. That's OK, right?”*
- *“He studied on his own with the programmed instruction books. That's sufficiently organized training, right?”*

NDT LEVEL III's have been heard to say...

- “I went over the questions he missed orally. He knows what he is talking about!”
- “Why can’t I use the same known defect specimens for testing that I used for training?”
- “The known defect specimens are secure in my desk. No one comes into the office.”
- “They are the same specimens I used last time I certified him. He can’t remember the flaws 3 years later.”
- “Yeah, that is the same set of questions he failed on the first time. He has studied since then.”
- “The last employer’s certification stated he was trained the right number of hours. Why can’t I use that as adequate documentation?”

NDT LEVEL III's have been heard to say...

Re: Personnel Qualification/Certification

How did these statements possibly lead to violation of:

1. the recommend practice of SNT-TC-1A
2. The requirements of CP-189?

NDT LEVEL III's have been heard to say...

What are the possible causes of these statements?

- a. There is pressure to skip the requirements, recommendations or common accepted practice for personal or company gain.
- b. They have seen shady behavior so often and with no consequences that it becomes corporate culture.
- c. They rationalize their behavior as satisfactory or even better than the requirements written down.
- d. They think the rules or guidelines are excessive and a waste of time and money.
- e. They think they know better than the standard established by the industry.
- f. The temptation is too great to get the job done and make money.

Inspectors (Level I/IIs) have been heard to say...

- *“This guy is a great welder. It will be a good weld any way. I can sign it off.”*
- *“I don’t need the procedure. I have been doing this for years.”*
- *“If I sign this off now, I can read the newspaper/look at social media for the rest of the shift.”*
- *“My boss said to charge the whole day on this job and go do another one so we can charge another day today.”*

Inspectors (Level I/IIs) have been heard to say...

- *“It is only out of calibration a couple of days. It will be alright.”*
- *“Stupid rules – wasting my/our time.”*
- *“The big bosses are stealing big time. I can steal small time. Everyone is doing it.”*
- *“I’m on the front lines and all alone. No one cares what I do.”*
- *I am not going up that ladder again. I will just “phone in” the numbers.”*

Inspectors (Level I/IIs) have been heard to say...

Regarding outside certification:

- *“I’m not going to pay for an ACCP certification. It is the employer that makes money off my services. Let them pay.”*
- *“If the boss doesn’t go after it why should I?”*
- *“I pay for the cert and won’t get a raise.”*

Inspectors (Level I/II) have been heard to say...

What are the possible causes of these statements?

- a. The inspectors is the tip of the spear and feels all alone.
- b. They are covering up their lack of knowledge and are making excuses.
- c. They want to avoid placing the blame depending what they call the indications.
- d. They think they can get away with dispositioning a weld or part any way they want.

Inspectors (Level I/IIs) have been heard to say...

What are the possible causes of these statements?

Inspectors rationalize their unprofessional behavior because of some of the following reasons:

- Feels *inadequately compensated*.
- Feels *abused* being on the road so much.
- Feels being asked to *do too much* without time to get it done.
- *Partying too much* when on the road.

Inspectors (Level I/IIs) have been heard to say...

What are the possible causes of these statements?

Inspectors rationalize their unprofessional behavior because of some of the following reasons:

- *Need stimulates* to keep going on the job.
- Been on the “*front line*” too long.
- *Insecure* in knowledge.
 - Reject them all to be safe.
 - Pass them all to avoid taking time to find out.

Inspectors (Level I/IIs) have been heard to say...

What could make these situations better when the inspector...?

- a. *feels all alone* – supervisors show up randomly and check in on inspectors
- b. *covers up due to lack of knowledge* – make sure training continues, OJT
- c. *places the blame* - let them know a professional calls them as it is.
- d. *gets away with it* - perform random checks, redo sampling of work
- e. Other...

Sales representatives have been heard to say...

- *“I told them we can hire enough people by next month to get the job done.”*
- *“What do you mean SNT-TC-1A doesn’t meet NAS-410 requirements?”*
- *“They were certified at the last job. Why do you have to test them again?”*
- *“What do you mean I cannot release the component for shipping from the vendor? I reviewed the radiographs myself on site.”*
- *“The inspectors we hired were certified at their last job. Why doesn’t that previous certification take care of the need to document training, education and experience?”*

Sales representatives have been heard to say...

What are the possible causes of these statements?

- a. Inadequate staff - sales force ignorant of human resource reality
- b. Ignorance of the codes and regulations
- c. Does not share company ethics grew up cutting corners
- d. Willing to skip QC/QA controls to make a commission sooner or greater

Sales representatives have been heard to say...

Root causes may be:

- a. High-pressure expectations lead to unethical behavior
- b. Poor planning puts pressure on sales to urge others to skip steps to meet production or delivery promises
- c. The desire to protect self from adverse consequences
- d. Other...

Random UNETHICAL behavior observations

Examples:

- Brothers with same last name copying the other's certifications and changing the first name. Management being told about it and taking no punitive or consequential action.
- Only performed MT in one direction when two directions required because part was new or used therefore expecting discontinuities in one direction only.
- Skipping NDT performance because nobody is looking at the midnight shift
- Using company resources for private gain. (trucks/coolers/side gig)
- Group think. Not standing up and speaking the true feelings when legitimate disagreement exists.

Random UNETHICAL behavior observations

Examples:

- *Be suspicious* where there is smoke look for the fire.
- Be a *whistle blower* – call out unethical behavior to authorities or upper management.

CAUTION: In my experience one has to be prepared to leave your employment if you blow the whistle. This is the pressure that lets most unethical behavior go unreported. That is why the corrective action is a confidential reporting program.

- Beware of *Group Think*. Stand up and speak the truth when legitimate disagreement exists. Don't let the group bully you.

CORPORATE CAUSES

- Whether it's a common infraction like misusing company time, mistreating others, lying, stealing or violating company internet policies, unethical behavior in the workplace is widespread. These are the causes.
- No code of ethics
- Fear of reprisal
- Peer Influence
- Slippery slope
- Setting a bad example

Ref: <https://bizfluent.com/info-8182488-causes-unethical-behavior-workplace.html>

LEADERSHIP CAUSES

1. Leaders can make it psychologically unsafe to speak up.
2. Leaders apply excessive pressure to reach unrealistic performance targets.
3. Leaders are not making ethical behavior and integrity a routine conversation.

Ref: <https://www.forbes.com/sites/roncarucci/2016/06/14/four-ways-your-leadership-may-be-encouraging-unethical-behavior/>

INSPECTOR CAUSES

1. Feels inadequately compensated.
2. Feels abused being on the road so much.
3. Feels being asked to do too much without time to get it done.
4. Partying too much when on the road.

INSPECTOR CAUSES

1. Need stimulates to keep going on the job.
2. Been on the “front line” too long.
3. Insecure in knowledge. Reject them all to be safe.
4. Insecure in knowledge. Pass them all to avoid taking time to find out.

RECOMMENDATIONS TO PREVENT FUTURE UNETHICAL BEHAVIOR

- Ombudsman Program established
- Whistle Blower Policy followed
- Cultural Values Standardized
- Professional Environment created

OMBUDSMAN PROGRAM

Establish a whistleblower policy.

There are two types of whistleblowing.

1. Internal Whistle Blowing: An employee informs about the misconduct to his officers or seniors holding positions in the same organization.
2. External Whistle Blowing: Here, the employee informs about the misconduct to any third person who is not a member of an organization, such as a lawyer or any other legal body.

WHISTLE BLOWER POLICY

Most often, the employees fear to raise a voice against the illegal activity being carried out in the organization because of following reasons:

- Threat to life
- Lost jobs and careers
- Lost friendships
- Resentment among workers
- Breach of trust and loyalty

Thus, in order to provide protection to the whistle blowers, the Whistle Blower Protection Bill was passed in 2011

WHISTLE BLOWER POLICY (application)

Following are the acts for which the voice can be raised and are law protected:

1. Fraud
2. Health and safety in danger
3. Damage to the environment
4. Violation of company laws
5. Embezzlement of funds
6. Breach of law and justice

CULTURAL VALUES

HOW TO PREVENT UNETHICAL BEHAVIOR:

Establish Clear values

- Make sure your employees know what is expected of them
- Notice behavior affected by poor work environment

Obs. if someone is phoning in sick frequently, are they overworked?

C/A Maybe work can be reallocated

Obs. If they are cutting corners and making mistakes is it because their workload is too heavy?

C/A Could it be redistributed?

C/A Seek better ways of doing things to reduce workload

PROFESSIONAL ENVIRONMENT

Management and Employees are more honest with each other in companies that are characterized by tolerance.

- Create a good work environment
- Become a better manager
 - articulate a clear set of ethical guidelines
 - set an excellent model of behavior
 - Ensure meetings that celebrate small milestones
 - Appreciate peoples' efforts, not only results
 - Give people the opportunity of breaks between intense work tasks, and enjoy time together

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