THE GLOBAL CODE OF INTEGRITY FOR LABOUR INSPECTION

IALI

ASSOCIATION INTERNATIONALE DE L'INSPECTION DU TRAVAIL • INTERNATIONAL ASSOCIATION OF LABOUR INSPECTION
ASOCIACION INTERNACIONAL DE LA INSPECCION DE TRABAJO • INTERNATIONALE VEREINIGUNG FUR ARBEITSINSPEKTION
الجمعية العالمية للتفتيش • МЕЖДУНАРОДНАЯ АССОДИАДИЯ ИНСЛЕЙДИИ ЛО ТРУДУ



A document designed to support the achievement of a high standard of professional and ethical conduct by all employees in labour inspection systems and services

Government of South Australia
SafeWork SA

ACKNOWLEDGMENT

With grateful thanks to Wolfgang Frhr. von Richthofen, International Consultant and Technical Advisor to IALI and Annie Rice. Ref: A Code of Ethical Behaviour for Labour Inspectors, ILO 2006.

This document was drafted by SafeWork SA, South Australia on behalf of IALI.

TABLE OF CONTENTS

Message from the President	2
1. Introduction	4
1.1 Why a Code of Integrity?	4
1.2 Underpin signatory nations' commitment to ILO Convention No. 81 on Labour Inspection	4
1.3 Give all countries guidance on professional and ethical standards and expectations	5
1.4 Promote modern ethical/professional standards of good practice	5
1.5 Contribute to the development of safe and fair workplaces	5
2. Application of the Code	6
3. The Code - an Ethical Framework	7
3.1 Personal Commitment	7
3.2 Commitment of the Labour Inspectorate Organisation	7
3.3 Government/Parliament Commitment	7
4. Values	
1 Knowledge and Competence	8
2 Honesty and Integrity	9
3 Courtesy and Respect	10
4 Objectivity, Neutrality and Fairness	10
5 Commitment and Responsiveness	11
6 Consistency between Personal and Professional Behaivour	12
5. Complaints Review Process	13
6. Steps for Implementation	15
7. A Model for Ethical Decision-Making	15
Glossary	16



MESSAGE FROM THE PRESIDENT



BACKGROUND

The development of a Global Code of Integrity, for the endorsement of members at the General Assembly of 2008, was one of the International Association of Labour Inspection's (IALI) goals for the years 2005-2008. This goal was identified as a key strategy towards achieving the broader objective of building a foundation of professionalism for Labour Inspection.

I am pleased to advise that at IALI's three-yearly General Assembly in Geneva in June 2008, this Global Code of Integrity was formally endorsed as an appropriate set of principles to underpin, encourage and promote the professionalism of Labour Inspection worldwide. It is now intended that IALI members work towards achieving implementation of these principles in their own country.

The Code is intended to provide a framework designed to stimulate each country to discuss and adopt its own code reflecting these common principles and suited to local conditions.

The Code aims to promote professionalism through integrity, commitment, responsiveness and good governance. Implementing the Code will require Labour Inspectorates to engage with their communities and governments and in particular, with workplace stakeholders such as representatives of employers and workers. Their involvement is vital to successfully implement the values expressed in the Code.

The Code is intended to apply to all who work in the Labour Inspectorate – not just the Inspector. At organisational level the Code is intended to commit the Labour Inspectorate itself to facilitate a work environment and conditions that will allow and encourage the staff to work to these principles. Overall, the Code serves as a foundation for establishing a credible and professional Labour Inspection system.

Raising awareness of the high standards of personal behaviour expected of Inspectors worldwide will also provide assurance for employers and the workforce about the Inspectors' role.

The project to develop the Code was led by SafeWork SA - South Australia's Labour Inspection authority - with assistance from IALI's Senior Technical Advisor and international consultant, Wolfgang von Richthofen, and the Ontario Ministry of Labour.



The Code represents the results of three years of consultation throughout the world. During this period, IALI has used its regular conferences, forums, publications and website for global discussion of the concept and promotion of the document in its various draft forms.

We have tested the feasibility of the proposal across many nations and have concluded that it will assist all countries, regardless of the maturity of their labour administration, both in establishing the importance of an effective and professional Labour Inspection system and in providing the principles for its operation. Further, there is a clearly demonstrated commonality of thought about the content of the document and an enthusiasm among IALI members for implementation of the results.

At the IALI Conference held in Adelaide in March 2008, representatives from international employer and union groups also endorsed the Code and commended IALI's initiative in developing the document.

I now encourage all of you to work towards implementing the principles of this Global Code of Integrity in your own country. For those of you who already have such arrangements in place, I encourage you to generously share your experiences with members who are just now commencing on this journey. Working together, IALI members can ensure professional standards of Labour Inspection throughout the world.

In commending this Code to you, my thanks go to all those who have contributed to the document's evolution over the last three years. I look forward to being able to report on progress towards worldwide implementation at our next General Assembly in Geneva, in June 2011.



Michele Patterson
President
International Association of Labour Inspection



1. INTRODUCTION

Labour Inspectorates are in a position to influence the development of safe, healthy, fair and productive workplaces. IALI recognises that ethical practices and high professional standards are central to the ability of any Labour Inspectorate to provide the best possible services to the social partners and the wider community.

The Code of Integrity represents a commitment to ensure that people who work in Labour Inspectorates will at all times act with professionalism, respect, neutrality and integrity when performing their duties.

The Code is designed to assist people employed in Labour Inspectorates to understand their obligations as public officials and to ensure that the standards of conduct expected of them by their organisation and the community are met. The Code also establishes the commitment of the Labour Inspectorate organisation to facilitate a work environment that allows individuals to work to the values described in the Code.

The development of IALI's Global Code of Integrity is consistent with the International Labour Organization's (ILO's) commitment of November 2006, to a new series of measures designed to 'reinvigorate', modernise and strengthen Labour Inspectorates worldwide. A key initiative included in the measures is the development of global codes of ethics and professionalism.

1.1 WHY A CODE OF INTEGRITY?

IALI has developed this Code of Integrity to underpin professional Labour Inspectorate work. Commitment to the values in the Code will ensure Labour Inspectorates operate in a transparent and accountable manner. Implementation of the Code will also provide protection for all employees of the Labour Inspectorate in the proper exercise of their role.

The Code serves as a foundation for establishing credible, ethical and consistently professional behaviours expected of Labour Inspectorate employees. It aims to establish standards of conduct:

- to define acceptable patterns of behaviour;
- to promote high standards of practice;
- to provide a benchmark for self-evaluation;
- to establish a framework for official and private behaviour and responsibilities;
- to provide a vehicle for professional identity;
- to provide the basis for increased influence to achieve safe, healthy and decent standards of work; and
- to identify opportunities that promote maturity and recognition of the profession.

Further reasons for the Code of Integrity are explained below.

1.2 TO UNDERPIN SIGNATORY NATIONS' COMMITMENT TO ILO CONVENTION NO. 81 ON LABOUR INSPECTION

As one of the most widely ratified technical Conventions of the ILO, Convention No. 81 has become a catalyst for social dialogue and a healthy, safe and fair workplace culture. The role of the modern Inspectorate is to ensure social peace and social justice by preventing unfair work practices, work-related accidents or occupational illnesses, and by working in collaboration with employer and worker organisations.

By implementing this Code, countries will be committing their Labour Inspectorates to the dynamic development of principles which reflect integrity and professional and ethical behaviour.



The Code will become a platform for leadership at the highest level and determine employee conduct throughout the organisation.

1.3 TO GIVE ALL COUNTRIES GUIDANCE ON PROFESSIONAL AND ETHICAL STANDARDS AND EXPECTATIONS

Unethical behaviour and corruption happens in all countries and comes in many and varied forms. For example, unethical behaviour could include: accepting small gifts from the factory production line during a visit by the inspector; providing interest-free loans; not divulging conflicts of interest resulting in material gain for inspectors, their family or friends; providing a service denied to others; or allowing queue jumping, and so on.

Adopting the values in this Code provides a means for establishing clear and ethical parameters for regulating the behaviour of all Inspectorate employees.

The Code provides guidance on mechanisms for all employees to distance themselves from unethical practices, and to out such practices whenever they are noticed. This can only be achieved when there is a shared understanding by all as to what constitutes unethical behaviour and the mechanisms for avoiding such behaviours.

1.4 TO PROMOTE MODERN ETHICAL/ PROFESSIONAL STANDARDS OF GOOD PRACTICE

Honesty, justice and courtesy form the moral basis which, along with mutual interest within the profession, constitutes the foundation of ethics. As the links between professional attitude and ethical behaviour are strong, it is imperative that professionalism and ethical behaviour is the foundation of any Labour Inspectorate.

Labour Inspectorates should recognise that this Code is not passive. Implementation requires the continued, unrelenting observance of a set of dynamic principles that guide conduct. It is the officials' duty to practice their profession in accordance with the keystone of integrity – discharging all their duties with impartiality and fairness. It is their duty to interest themselves in the welfare of vulnerable citizens (workers and businesses) and to apply their specialist knowledge to the benefit of all. And it is the Labour Inspectorate's duty to facilitate, encourage and promote a work environment that allows these values to be met by each individual.

1.5 TO CONTRIBUTE TO THE DEVELOPMENT OF SAFE AND FAIR WORKPLACES

Establishing a credible Labour Inspection system is vital to ensuring the development of safe, healthy, fair and decent work in any community.

The profession of Labour Inspection is well positioned to assist those in the workplace to meet safe and decent standards of work. But the Labour Inspector's ability to positively influence behaviour depends on their credibility.

Building and fostering the foundations of a credible, effective and fair Labour Inspection system depends on being able to demonstrate integrity.

The Code, in providing a basis for ethical behaviour for all employees of Labour Inspectorates, empowers each Labour Inspector to reject or prevent situations where they may be placed under pressure to disregard safety or unsatisfactory working conditions. This empowerment strengthens their credibility amongst those they must influence to achieve safe and decent standards of work.



2. APPLICATION OF THE CODE

The application of this Code is global. Commitment to the values described in the Code can be at any or all of the following levels:

- Country
- State/Province
- Region
- Industry Sector
- Project
- Community
- Organisation
- Individual

The Code is designed so that any country, organisation or individual can either adopt the Code in its current form or choose to use it as a model framework for the development of their own document and standards.



3. THE CODE – AN ETHICAL FRAMEWORK

Employees of Labour Inspectorates are expected to provide services that promote the highest possible standard of integrity, meet community expectations and result in confidence in the organisation and its position of authority.

To assist in meeting these expectations, this Code provides an ethical framework of six broad values:

1. Knowledge and competence
2. Honesty and integrity
3. Courtesy and respect
4. Objectivity, neutrality and fairness
5. Commitment and responsiveness
6. Consistency between personal and professional behaviour.

Each of the six values is explained in terms of 'Standards of Conduct' for both individuals and organisations. Implementation of the values and standards of conduct requires commitment at both the individual and organisational level.

3.1 PERSONAL COMMITMENT

Each member of the Labour Inspectorate should recognise and commit to the 6 values and standards of conduct in the Code, on which ethical behaviour is based.

3.2 COMMITMENT OF THE LABOUR INSPECTORATE ORGANISATION

At organisation level, each Labour Inspectorate should facilitate a work environment which provides the opportunity for all employees to comply with and apply the values and standards of conduct in the Code.

3.3 GOVERNMENT/PARLIAMENT COMMITMENT

It should be noted that for a Labour Inspectorate and its employees to be able to fully implement the Code, the organisation needs to have an appropriate level of resources. Governments and parliaments responsible for the resourcing of Inspectorates, in terms of funding, personnel and legislative arrangements, will need to consider the provision of appropriate resources to facilitate the achievement of the values.



Value 1

KNOWLEDGE AND COMPETENCE

BROAD DEFINITION:
Gained through continuous learning and a focus on building capabilities.

STANDARDS OF CONDUCT

Individual Commitment:

I will continually improve professional knowledge and skills, and strive to improve service to the community.

Labour Inspectorate Commitment:

The Labour Inspectorate is committed to organising and/or providing opportunities for professional development to increase competency of all staff.

VALUE STATEMENT

This value seeks to develop knowledge and build capabilities. It stresses the importance of professional development and the use of professional skills in helping colleagues and the community achieve safe and fair workplaces.

Value 2

HONESTY AND INTEGRITY

BROAD DEFINITION:
Where conduct inspires respect, confidence and trust.

STANDARDS OF CONDUCT

Individual Commitment:

I will:

- give opinions, observations or conclusions for official purposes only after all the relevant facts and appropriate professional considerations have been explored;
- exercise diligence, impartiality and honesty in professional activities and be aware of the responsibility to identify improprieties or conflicts of interest;
- ensure public interest is paramount in the performance of work and avoid any conduct that might compromise integrity and community confidence;
- refuse any gifts, presents, subscriptions, favours, gratuities, promises or special advantage that could be interpreted as impeding the performance of official responsibilities;
- serve the community in accordance with the direction of the government, parliament or relevant authority and the organisation, without fear of reproach, by providing impartial, professional service and advice that is frank and apolitical;
- prevent nepotism and patronage; and
- utilise resources at my disposal for the public benefit effectively and efficiently while ensuring that they are attainable and justifiable.

Labour Inspectorate Commitment:

The Labour Inspectorate is committed to ensuring processes and procedures are developed and maintained to foster a culture of professional and ethical behaviours.

VALUE STATEMENT

This value seeks to promote honesty and integrity. This is characterised by the ideals of moral and independent judgement, ethical practices, confidentiality and informed and professional decision-making.

Value 3 — COURTESY AND RESPECT

BROAD DEFINITION:
Where empathy, compassion and understanding are demonstrated, acknowledging the diversity of the community

STANDARDS OF CONDUCT

Individual Commitment:

I will:

- not act with malice, prejudice or personal bias when making decisions;
- approach people and issues with tolerance and an open mind; and
- respect people regardless of roles and status and will not subject them to abuses of power.

Labour Inspectorate Commitment:

The Labour Inspectorate is committed to building processes and practices that foster a culture of respect for others that is underpinned by equity and diversity.

VALUE STATEMENT

This value promotes professionalism by treating people equitably, without bias and with impartiality.

This value fosters tolerance and avoidance of the abuse of power. It highlights an understanding that Labour Inspectorates have a position of authority and the power to impact on the community – to advance or hinder.

Value 4 — OBJECTIVITY, NEUTRALITY AND FAIRNESS

BROAD DEFINITION:
Where conduct is impartial, objective and without bias.

STANDARDS OF CONDUCT

Individual Commitment:

I will:

- treat the community and colleagues with respect and courtesy, having regard for the dignity of the people with whom I interact and taking into consideration their cultural and spiritual beliefs; and
- be fair and just to people, promote equity and utilise diversity in both my work and in the community.

Labour Inspectorate Commitment:

The Labour Inspectorate is committed to implementing systems that promote and assist staff to perform according to the principles of this value.

VALUE STATEMENT

This value is about how you treat people and show consideration in any advice, decision-making and service delivery.

Value 5

COMMITMENT AND RESPONSIVENESS

BROAD DEFINITION:
Commitment to the purpose and values of the Labour Inspectorate. Planning and timeliness of activities are effective.

STANDARDS OF CONDUCT

Individual Commitment:

I will:

- apply myself and lead by example in my profession as well as my tasks and activities for which I have control;
- persist with any assignment until objectives are achieved or are no longer reasonably attainable and strive to uphold the vision of labour laws;
- respond to the diverse needs of the community in a timely and open manner.

Labour Inspectorate Commitment:

The Labour Inspectorate is committed to strategic planning that establishes measurable results of key tasks and activities.

VALUE STATEMENT

This value characterises dedication, application, perseverance and a belief in the Inspector's role to achieve and add value.

Value 6

CONSISTENCY BETWEEN PERSONAL AND PROFESSIONAL BEHAVIOUR

BROAD DEFINITION:
Where the characteristics of these principles are reflected both at work and in private life.

STANDARDS OF CONDUCT

Individual Commitment:

I will:

- not engage in any employment or accept rewards without consent;
- not intentionally transmit or use confidential information obtained in professional work, for personal gain or other advantage;
- consider the public interest to be paramount in the performance of any assignment;
- not engage in any activity or relationship that creates or gives the appearance of a conflict with my official responsibilities; and
- behave in a manner that does not bring discredit to the agency or myself, thus maintaining a position of respect in the community in which I live and serve. My personal behaviour must be beyond criticism.

Labour Inspectorate Commitment:

The Labour Inspectorate will establish employment conditions that recognise the value of staff and will encourage appropriate behaviours and an open and transparent environment.

VALUE STATEMENT

This value promotes proper use of position for the public good when faced with conflicting personal and professional interests.

5. COMPLAINTS REVIEW PROCESS

To ensure the application of the principles of this Code, a transparent complaints review process needs to be developed and implemented by each Labour Inspectorate service.

Complaints may be from a variety of sources, such as another colleague, an employer, trade union, worker or member of the public.

The review process needs to incorporate wide representation, which includes persons from outside the Inspectorate, to ensure transparency and accountability and, ultimately, the credibility and respect of the service.

The outcome of the complaint process needs to be subject to public record and scrutiny. This enables the substance of the complaint to be remedied; or in the case of a vexatious complaint, vindication of the parties involved. Public record ensures that complaints themselves do not become the circumstances of malicious intent (eg libel or slander) or corruption.



6. STEPS FOR IMPLEMENTATION

For effective implementation of the Code, it is imperative that mechanisms are developed to monitor, review and evaluate. The following steps are provided as a guide to implementing the Code:

1. Adaptation of the Code to an appropriate format for your country.
2. Adoption of the Code.
3. Publication of the Code.
4. Raising awareness about the adoption of the Code – with all members of the Labour Inspectorate and the community.
5. Training of all members of the Labour Inspectorate.
6. Commitment from all members of the Labour Inspectorate. This may differ from country to country. For example, it might include a signed pledge or oath by individual members of the Labour Inspectorate, or it could become an integral part of each employee's contract of employment, etc.
7. The Code will require supporting documentation, such as a customer service charter and internal policies, procedures and guidelines.
8. Within a continuous improvement model and in recognition of the dynamic nature of the Code, it should be ensured that the Code is periodically reviewed by means of tripartite social dialogue.



7. A MODEL FOR ETHICAL DECISION-MAKING

This Code outlines what these values mean for you and your work, and provides you with a Model for Ethical Decision-Making. This decision-making model is provided to assist you to apply these principles in practice.

The following model is provided to guide your ethical decision-making. This decision-making guide can assist you to determine an appropriate course of action when faced with an ethical dilemma.

1 DEFINE THE PROBLEM

- What makes the situation difficult?
- Does it involve the whole or any part of a policy of the government or parliament?
- Who else is involved? Have their points of view been considered and do they matter?
- What effect would your behaviour have on them?

2 IDENTIFY THE UNDERLYING PRINCIPLES

- Do your personal ideals conflict, or appear to conflict, with the public interest?
- Consider your duties as a public service employee.
- Consult the Code of Integrity that requires you to behave in a certain way.
- Identify any legal implications if you do not work or act ethically or with integrity.

If you are unsure, seek advice before you act.

3 IDENTIFY AND CONSIDER THE OPTIONS

- Identify the impact on different stakeholders, your family, colleagues and yourself.
- Identify the legal implications and the relevant principles of the Code of Integrity.
- For decisions that could have a large impact, or if you are still unsure as to the preferred action, get a second opinion from an independent, trusted person.
- Where necessary, seek advice from your manager or other agencies.

4 SELF ASSESSMENT

Ask yourself the following questions:

- What would your family, your colleagues, your managers or your higher authorities (eg parliament, ministers etc) say if your actions were reported on the front page of a newspaper?
- How will this decision be viewed by future generations?
- What would you do if it happened to you?

5 CHOOSE YOUR COURSE OF ACTION

- Your choice of action must be within the legislation, policies and guidelines of your organisation and the government or parliament that provides your authority.
- Your behaviour must reflect the Code of Integrity.
- You must be able to justify your course of action to all.

GLOSSARY

Behaviours	The way a person behaves or acts toward other people which is influenced by culture, attitudes, emotions, values, ethics and/or authority.
Conduct	Personal behaviour.
Ethics	Moral philosophy dealing with values relating to human conduct, with respect to the rightness and wrongness of certain actions and to the goodness and badness of the motives and ends of such actions.
IALI	The International Association of Labour Inspection, the global association for labour inspection.
ILO	The International Labour Organisation, the tripartite United Nations agency that brings together governments, employers and workers of its member states in common action to promote decent work throughout the world.
Inspector	Any civil servant or other public official with responsibility for inspecting any aspect of working conditions and holding proper credentials issued by the relevant authorities (eg government or parliament) to perform inspections for a labour administration organisation.
Integrity	Adherence to moral and ethical principles that is used to make decisions that rely on truth and honesty.
Labour Inspectorate	The organisation responsible for administration and/or enforcement of labour inspection work.
Stakeholder	Any party that has an interest in or relationship with an organisation and may include government, employers, employees, customers, suppliers and the community.
Tripartite	Involving, participated in, or made by three parties (eg employers, workers, government and/or their associations).



Printed on paper sourced from sustainable forests.
Elemental Chlorine Free (ECF) and ISO 14001 Mill accredited.

International Association of Labour Inspection