

# APTAC Body of Knowledge Competency Guide

## A. Program Requirements

### A.2 Ethics

#### Description

Webster's New Collegiate Dictionary defines "ethic" (used in the singular or plural form) as: 1. The discipline dealing with what is good and bad and with moral duty and obligation. 2. A set of moral principles or values; a theory or system of moral values; the principles of conduct governing an individual or a group. "Moral" is defined as: 1. Of or relating to principles of right and wrong in behavior; expressing or teaching a conception of right behavior; conforming to a standard of right behavior; sanctioned by or operative on one's conscience or ethical judgement; capable of right and wrong action. ... "Value" is defined first as various quantitative concepts, then as: 7. Something (as a principle or quality) intrinsically valuable or desirable (as in, sought material values instead of human values).

In government contracting, the term "ethics legislation" commonly refers to laws and regulations specifying what behavior is prohibited, and sometimes specifying what behavior is required.

Technically, "ethics" refers to principles, values, and beliefs about moral standards, that is, concepts of right and wrong. In America, we do not legislate beliefs, nor do we govern conscience. It is important to differentiate between rules and beliefs. Humans are the only living creatures known to make such distinctions. So, the term "ethics legislation" is a misnomer and meaningless; nevertheless PTACers are required by DLA to study and teach it.

The rules about acceptable and unacceptable behavior among people engaged in transactions using public funds are often referred to as "procurement ethics". In fact, procurement ethics is a culture of right dealing that does not rely on written rules or laws or regulations.

Obedying the law is generally considered ethical conduct and disobeying any law is generally considered unethical or wrong. However, exceptions are usually considered in cases of civil disobedience when a law that is considered wrong or bad should be changed. It is important to note that ethical people engaged in civil disobedience are willing to accept the consequences of disobeying the law to effect social change. Civil Disobedience is rare in the procurement-related professions; instead, "whistleblowing" to uphold existing laws is more common.

The challenge is to engender ethical behavior based on the fundamental principles of right and wrong, regardless whether every detail is spelled out in laws, regulations, policies, procedures, instructions or guidelines. Procurement Technical Assistance professionals are expected to understand and teach these principles to their clients and to practice these principles in their daily lives and work.

In addition to courses in laws and regulations relating to prohibited and required procurement practices, PTAC members should study ethical philosophy and gain an understanding of the principles underlying the laws and regulations. Such workshops have been offered at APTAC

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conferences and are available in other professional organizations. We want to seek the intrinsic or conscience-driven values related to duty and responsibility. Although the anticipated outcome of our actions may also guide us, the fear of being punished for wrong-doing is not sufficient to engender an ethical way of life, and must be supported with knowledge about what constitutes fair and equitable dealings.

PTAC members are required by DLA to teach our clients the laws and regulations that specify what is prohibited and what is required. However, as APTAC affiliates, we also choose to understand and teach the underlying principles behind those laws and regulations and to pursue a culture of ethical practice based on fundamental beliefs in right and moral dealings.

#### References

*The Power of Ethical Management* by Kenneth Blanchard and Norman Vincent Peale. New York. William Morrow and Company, Inc., 1988. ISBN 0-688-07062-0

*Business Ethics*. Wharton Executive Development Video Series, The Aresty Institute of Executive Education, The Wharton School, University of Pennsylvania, 1988.

<http://legacy.bentley.edu/cbe/about/index.cfm>

The Center for Business Ethics (CBE) is one of the world's leading research and educational institutes in the field of business ethics. It is also among the oldest, having been established in 1976, when the field was in its infancy.

FAR, DFARS, and other Agency supplements.

SCAA.

APTAC Code of Ethics.