



Code of Ethics

for the Professional Practice of Occupational Hygiene

Association number: A0017462L

ABN: 50 423 289 752

Policy number: AIOH04

Version: 2

Approved by Council: November 2018

Scheduled review date: November 2022

1.0 INTRODUCTION

This Code of Ethics provides guidance and assistance to members to maintain the highest level of ethics and professionalism amongst members of the Australian Institute of Occupational Hygienist, Inc (the Institute).

The Code provides a professional standard that should be expected of Institute members by workers, employers, clients, government, organisations, PCBUs and members of the public. The Code also provides a benchmark and criteria for the Council of the Institute which the Council may use to judge the behaviour of a member(s).

Nothing in the Code shall require a member to contravene any obligations under any relevant legislation or regulation.

In 2018 the previous version of this Code was revised to

- better align with the specific requirements of Victorian code of ethics and minimum service standards for professional members of Occupational Safety and Health (OSH) Associations;
- incorporate feedback from AIOH members and members of the general public and.
- reinforce that AIOH members shall give *paramount consideration to worker health*.

2.0 DEFINITIONS

In this Code, unless the context makes it clear that another meaning is intended:

- **member** means a person holding any grade of membership of the Institute;
- **member** means any member holding a grade of membership as defined by the Institute Rules and Statement of Purpose as well as those who are a Certified Occupational Hygienist®;
- **worker** means persons who are engaged in work which is the subject of the member advice;
- **employer** means the employer of the worker or persons in charge of a business of undertaking (PCBU);
- **general public** means the community at large;
- **as far as practicable** shall have the same meaning as so far as is practicable and so far as is reasonably practicable under state and Territory Occupational Health and Safety, Work Health and Safety and Safety and Health Legislation;
- **consultant** means a member providing professional services on the basis of fee for service;
- **commentary** means any expression of opinion, any expression of interpretation, offering of comment or any remark which is given as made in a public forum, made in any advice given, through any form of media, at any professional gathering or in a private setting;
- **Council** means the Australian Institute of Occupational Hygienists, Inc, Council
- **best scientific evidence** as would be determined by a peer group of professional members of the Institute
- **best practice** means as published or recommended by the Institute, or as determined by a peer group of professional members of the Institute;
- **profession** means the occupation or business of providing advice in occupational hygiene;
- **client** shall mean;
 - (i) where the member is providing professional services as an employee to an employer for a salary, the employer of the member; and
 - (ii) where the member is providing professional services as a consultant for a fee, the person or business who has engaged the member to provide the professional services in return for a fee,
 - (iii) where the member is providing professional advice or commentary in the field of occupational hygiene.

Throughout this Code the singular shall include the plural.

3.0 PURPOSE

This Code is designed to:

- 3.1 guide Institute members who may be subjected to contradictory pressures and enable them to act with integrity and objectivity.
- 3.2 provide a benchmark for clients, employers, other professionals and members of the general public against which to assess Institute members conduct.
- 3.3 provide grounds for referring a member to the AIOH Council for alleged misconduct for which, following due process the Council can warn, admonish, reprimand, suspend or expel a member and when deciding whether a member is fit to remain a member pursuant to clause 12.1 of the Rules and Statement of Purposes of the Institute.

4.0 SCOPE

The Code applies to paid and unpaid work provided or conduct of all members of AIOH.

5.0 SUMMARY

In providing advice to an employer, client or worker, members shall give paramount consideration to

- 5.1 their general obligation to act with Integrity, honesty, objectivity, impartiality
- 5.2 their specific responsibility to workers
- 5.3 the provision of advice and commentary so that it is always based on
- 5.4 the best available fact and scientific method;
- 5.5 their areas of professional competence;
- 5.6 their obligation to
- 5.7 avoid actual or potential conflicts of interest;
- 5.8 maintain confidentiality;
- 5.9 disclose when necessary to prevent likelihood of injury or disease; and
- 5.10 the reputation of other AIOH members and the Institute.

6.0 MEMBERS' SPECIFIC RESPONSIBILITIES

The *members primary responsibility is the health, safety and welfare of workers* and others whose health and safety may be at risk or affected by the activities being undertaken by the worker, the employer or the client. This responsibility to worker health shall take *precedence over responsibilities to commercial, sectional or private interests*.

The member shall therefore;

- 6.1 Advise workers, employers, clients and employees responsibly and competently so that healthy working conditions may be achieved and maintained as far as practicable.
- 6.2 Keep confidential all information relating to employers' or client's business operations or employees which is not common knowledge.
- 6.3 Advise the employer, client and public so that contraventions of any relevant legislation or professionally accepted standard can be avoided and inform them if there are statutory duties to disclose findings to workers or their representatives.
- 6.4 Conduct all field investigations to best practice applying recognised standard of monitoring methodology, recognised standard of equipment and instrumentation, and standard analytical and calibration methods conducted by accredited testing laboratories, such as those prescribed by the regulator, or other recognised occupational hygiene authorities.
- 6.5 Report findings clearly and factually to the client or employer directly and to no other body without the permission of the employer, unless there is no way other than disclosure, of averting the likelihood of death or serious illness or injury. Where disclosure is to occur, the member should notify the employer.

7.0 INTEGRITY, HONESTY, OBJECTIVITY, IMPARTIALITY

Members shall:

- 7.1 act with integrity and in a professional and responsible manner at all times;
- 7.2 act impartially and objectively;
- 7.3 act honestly; and in accordance with legal obligations;
- 7.4 ensure work done under their direction is competently performed and reliably reported;
- 7.5 take an objective position in the recognition, evaluation and control of environmental factors potentially adverse to health; and
- 7.6 accurately report results or outcomes of monitoring and observations and conclusions as far as practicable to represent actual, true conditions.

8.0 COMPETENCE

Members shall:

- 8.1 undertake adequate and appropriate training to maintain professional skills at a level necessary to provide competent advice;
- 8.2 base advice or commentary on the best scientific evidence available at the time the advice was conceived;
- 8.3 report clearly and factually and ensure that matters of opinion and judgment are founded on adequate knowledge and are within the member's professional training, professional competence and professional experience;
- 8.4 make public statements claiming professional knowledge in an area only if competent to do so, and only if such statements do not amount to a breach of this Code.

9.0 CONFLICT OF INTEREST

Members shall:

- 9.1 avoid real or apparent conflicts of interest;
- 9.2 declare any significant financial and other relevant interests with potentially conflicting with or influencing the impartiality of any reports, advice, commentary or decisions;
- 9.3 report all real or potential conflicts to any parties than may be affected promptly and effectively.

10.0 CONFIDENTIALITY

Members shall:

- 10.1 ensure that any information obtained is used solely for promoting occupational or public health and the conduct of occupational hygiene;
- 10.2 respect the confidentiality of the information obtained during their work and only reveal such information to others with the consent of the people or organisations from whom the information was obtained or their legal representatives for the express purpose for which it was obtained; and
- 10.3 meet relevant federal and state privacy laws.

11.0 DISCLOSURE AND WHISTLEBLOWING

- 11.1 If a member becomes aware of an employer, organisation or PCBU breaching occupational health and safety legislation or standards *likely to result in injury or disease*, the member must respond promptly to the situation.
- 11.2 Before doing so, the member should seek advice from other hygiene professionals and inform the employer or organisation of their ethical obligation to declare. In the case where the organisation is a public body, the member may be protected by 'whistle-blowers' legislation.
- 11.3 If there is no action on the part of the employer, organisation or PCBU and the only way of reducing the risk is to disclose their knowledge of the risk to a third party (eg WorkSafe, an employee health and safety representative, the workplace health and safety committee) the *member should do so*.

12.0 MAINTAINING STANDING AND REPUTATION OF THE PROFESSION

Members shall conduct themselves in a manner that will maintain, promote and improve the standing and reputation of the profession.

Specifically, members must uphold the occupational hygiene and environment profession and:

- 12.1 provide commentary on occupational hygiene solely in their role as a member;
- 12.2 avoid any conduct likely to discredit or misrepresent the profession or deceive the public or organisation or government institution;
- 12.3 recognise and respect the expertise of other professionals, avoiding maliciously or reckless damage to the professional reputation of another member; and
- 12.4 not make any commentary or take any action that could misrepresent the views of the AIOH
- 12.5 not engage in inappropriate use of media and social media.

13.0 RESPONSIBILITY TO CLIENTS

Members shall when dealing with those using their service or advice:

- 13.1 conduct themselves ethically;
- 13.2 not offer or pay any financial or material inducement;
- 13.3 advise them of any conflict of interest or any past present or future actions that may compromise, or may appear to compromise, the exercise of independent professional judgment or conduct;
- 13.4 provide proper and accurate representation of the member's capacities and competencies in all documents and statements as to the member's expertise or services to be provided;

- 13.5 make responsible and proper undertakings and commitments to any employer and client regarding performance and outcomes of proposed or completed work;
- 13.6 ensure that, as far as practicable, whenever risk of illness and injury is identified it is communicated to the persons who have the responsibility to control those risks;
- 13.7 ensure that they practise competently within the limits of their abilities, and maintain their professional skills, competence and knowledge in the area(s) in which they work;
- 13.8 not misrepresent their professional background or falsify or misrepresent qualifications or allow any other person to do so on their behalf;
- 13.9 give commentary or claim professional knowledge in an area of hygiene risks, general health risks or public interest only if competent to do so and only if based on sound personal investigation and adequate research of the risk;
- 13.10 inform the client of any interest or employment such as might compromise the exercise of independent professional judgment or conduct; and
- 13.11 work for one client only on the same matter, unless the consent of all relevant clients is obtained.

14.0 MANAGING COMPLAINTS AND DISPUTES

The Institute has implemented a procedure for managing complaints and disputes about professional conduct and breaches of this Code of Ethics may invoke disciplinary action by the AIOH Council up to and including expulsion from the Institute.