Foundation of fair use of materials protected by **COPYright** for educational purposes

The following material has been reproduced, strictly for educational and illustrative purposes, related to the material's subject. The material is intended to be used in the University for International Cooperation's (Universidad para la Cooperación Internacional: "UCI", for its acronym in Spanish) virtual campus, exclusively for the teaching role and for the students' private studying, in the Management Skills course which is part of the academic program.

UCI wishes to state its strict adherence to the laws related to intellectual property. All digital materials that are made available for a course and for its students have educational and research purposes. The use of these materials is not intended for profit. It is understood as a special case of use for distance education purposes, in places where it does not conflict with the normal use of the document and where it does not affect the legitimate interests of any actor.

UCI does a FAIR USE of the material, based on the exceptions to copyright laws set out in the following regulations:

a- Costa Rican Legislation: Ley sobre Derechos de Autor y Derechos Conexos (Law on Copyright and Related Rights), No.6683, dated October 14th, 1982, Article 73 and Ley Sobre Procedimientos de Observancia de los Derechos de Propiedad Intelectual (Law on Procedures for Enforcement of Intellectual Property Rights), No. 8039, Article 58, which allow for the partial copying of works for educational illustration.

b- Mexican Legislation: Ley Federal de Derechos de Autor (Federal Law on Copyright), Article 147.

c- Law of the United States of America: In reference to fair use, it is contained in Article 106 of the copyright law of the United States (U.S. Copyright - Act), and establishes a free use of documents for purposes such as criticism, comments and news, reports and teaching (which includes making copies for classroom use).

d- Canadian Legislation: Copyright Act C-11, makes reference to exceptions for distance education.

e- WIPO: Within the framework of international legislation, according to the World Intellectual Property Organization (WIPO), this matter is foreseen by international treaties. Article 10(2) of the Berne Convention allows member countries to establish limitations or exceptions regarding the



possibility for legal use of literary or artistic works, by way of illustration for teaching, through publications, radio broadcasts, or sound or visual recordings.

In addition, and by UCI's indication, virtual campus students have a duty to comply with what is stated by the relevant copyright legislation in their country of residence.

Finally, at UCI we reaffirm that we do not profit from the works of third parties, we are strict about plagiarism, and we do not restrict in any way, neither our students, nor our academics and researchers, the commercial access to, or acquisition of, any documents available in the publishing market, may it be the document directly, or through scientific databases, paying themselves for the costs associated with such access or acquisition.





PMI Code of Ethics and Professional Conduct

CHAPTER 1. VISION AND APPLICABILITY

1.1 Vision and Purpose

As <u>practitioners</u> of project management, we are committed to doing what is right and honorable. We set high standards for ourselves and we aspire to meet these standards in all aspects of our lives—at work, at home, and in service to our profession.

This Code of Ethics and Professional Conduct describes the expectations that we have of ourselves and our fellow practitioners in the global project management community. It articulates the ideals to which we aspire as well as the behaviors that are mandatory in our professional and volunteer roles.

The purpose of this Code is to instill confidence in the project management profession and to help an individual become a better practitioner. We do this by establishing a profession-wide understanding of appropriate behavior. We believe that the credibility and reputation of the project management profession is shaped by the collective conduct of individual practitioners.

We believe that we can advance our profession, both individually and collectively, by embracing this Code of Ethics and Professional Conduct. We also believe that this Code will assist us in making wise decisions, particularly when faced with difficult situations where we may be asked to compromise our integrity or our values.

Our hope is that this Code of Ethics and Professional Conduct will serve as a catalyst for others to study, deliberate, and write about ethics and values. Further, we hope that this Code will ultimately be used to build upon and evolve our profession.

1.2 Persons to Whom the Code Applies

The Code of Ethics and Professional Conduct applies to:

- 1.2.1 All PMI members
- **1.2.2** Individuals who are not members of PMI but meet one or more of the following criteria:
 - .1 Non-members who hold a PMI certification
 - .2 Non-members who apply to commence a PMI certification process
 - .3 Non-members who serve PMI in a volunteer capacity.

Comment: Those holding a Project Management Institute (PMI°) credential (whether members or not) were previously held accountable to the Project Management Professional (PMP°) or Certified Associate in Project Management (CAPM°) Code of Professional Conduct and continue to be held accountable to the PMI Code of Ethics and Professional Conduct. In the past, PMI also had separate ethics standards for members and for credentialed individuals. Stakeholders who contributed input to develop this Code concluded that having multiple codes was undesirable and that everyone should be held to one high standard. Therefore, this Code is applicable to both <u>PMI members</u> and individuals who have applied for or received a credential from PMI, regardless of their membership in <u>PMI</u>.



1.3 Structure of the Code

The Code of Ethics and Professional Conduct is divided into sections that contain standards of conduct which are aligned with the four values that were identified as most important to the project management community. Some sections of this Code include comments. Comments are not mandatory parts of the Code, but provide examples and other clarification. Finally, a glossary can be found at the end of the standard. The glossary defines words and phrases used in the Code. For convenience, those terms defined in the glossary are underlined in the text of the Code.

1.4 Values that Support this Code

<u>Practitioners</u> from the global project management community were asked to identify the values that formed the basis of their decision making and guided their actions. The values that the global project management community defined as most important were: responsibility, respect, fairness, and honesty. This Code affirms these four values as its foundation.

1.5 Aspirational and Mandatory Conduct

Each section of the Code of Ethics and Professional Conduct includes both aspirational standards and mandatory standards. The aspirational standards describe the conduct that we strive to uphold as practitioners. Although adherence to the aspirational standards is not easily measured, conducting ourselves in accordance with these is an expectation that we have of ourselves as professionals—it is not optional.

The mandatory standards establish firm requirements, and in some cases, limit or prohibit practitioner behavior. Practitioners who do not conduct themselves in accordance with these standards will be subject to disciplinary procedures before PMI's Ethics Review Committee.

Comment: The conduct covered under the aspirational standards and conduct covered under the mandatory standards are not mutually exclusive; that is, one specific act or omission could violate both aspirational and mandatory standards.

CHAPTER 2. RESPONSIBILITY

2.1 Description of Responsibility

Responsibility is our duty to take ownership for the decisions we make or fail to make, the actions we take or fail to take, and the consequences that result.

2.2 Responsibility: Aspirational Standards

As practitioners in the global project management community:

- **2.2.1** We make decisions and take actions based on the best interests of society, public safety, and the environment.
- **2.2.2** We accept only those assignments that are consistent with our background, experience, skills, and qualifications.

Comment: Where developmental or stretch assignments are being considered, we ensure that key stakeholders receive timely and complete information regarding the gaps in our qualifications so that they may make informed decisions regarding our suitability for a particular assignment.



In the case of a contracting arrangement, we only bid on work that our organization is qualified to perform and we assign only qualified individuals to perform the work.

- **2.2.3** We fulfill the commitments that we undertake we do what we say we will do.
- **2.2.4** When we make errors or omissions, we take ownership and make corrections promptly. When we discover errors or omissions caused by others, we communicate them to the appropriate body as soon they are discovered. We accept accountability for any issues resulting from our errors or omissions and any resulting consequences.
- **2.2.5** We protect proprietary or confidential information that has been entrusted to us.
- **2.2.6** We uphold this Code and hold each other accountable to it.

2.3 Responsibility: Mandatory Standards

As practitioners in the global project management community, we require the following of ourselves and our fellow practitioners:

Regulations and Legal Requirements

- **2.3.1** We inform ourselves and uphold the policies, rules, regulations and laws that govern our work, professional, and volunteer activities.
- **2.3.2** We report unethical or illegal conduct to appropriate management and, if necessary, to those affected by the conduct.

Comment: These provisions have several implications. Specifically, we do not engage in any illegal behavior, including but not limited to: theft, fraud, corruption, embezzlement, or bribery. Further, we do not take or abuse the property of others, including intellectual property, nor do we engage in slander or libel. In focus groups conducted with practitioners around the globe, these types of illegal behaviors were mentioned as being problematic.

As practitioners and representatives of our profession, we do not condone or assist others in engaging in illegal behavior. We report any illegal or unethical conduct. Reporting is not easy and we recognize that it may have negative consequences. Since recent corporate scandals, many organizations have adopted policies to protect employees who reveal the truth about illegal or unethical activities. Some governments have also adopted legislation to protect employees who come forward with the truth.

Ethics Complaints

2.3.3 We bring violations of this Code to the attention of the appropriate body for resolution.

2.3.4 We only file ethics complaints when they are substantiated by facts.

Comment: These provisions have several implications. We cooperate with PMI concerning ethics violations and the collection of related information whether we are a complainant or a respondent. We also abstain from accusing others of ethical misconduct when we do not have all the facts. Further, we pursue disciplinary action against individuals who knowingly make false allegations against others.

2.3.5 We pursue disciplinary action against an individual who retaliates against a person raising ethics concerns.



3.1 Description of Respect

Respect is our duty to show a high regard for ourselves, others, and the resources entrusted to us. Resources entrusted to us may include people, money, reputation, the safety of others, and natural or environmental resources.

An environment of respect engenders trust, confidence, and performance excellence by fostering mutual cooperation—an environment where diverse perspectives and views are encouraged and valued.

3.2 Respect: Aspirational Standards

As <u>practitioners</u> in the global project management community:

- **3.2.1** We inform ourselves about the norms and customs of others and avoid engaging in behaviors they might consider disrespectful.
- **3.2.2** We listen to others' points of view, seeking to understand them.
- 3.2.3 We approach directly those persons with whom we have a conflict or disagreement.
- 3.2.4 We conduct ourselves in a professional manner, even when it is not reciprocated.

Comment: An implication of these provisions is that we avoid engaging in gossip and avoid making negative remarks to undermine another person's reputation. We also have a duty under this Code to confront others who engage in these types of behaviors.

3.3 Respect: Mandatory Standards

As <u>practitioners</u> in the global project management community, we require the following of ourselves and our fellow practitioners:

- **3.3.1** We negotiate in good faith.
- **3.3.2** We do not exercise the power of our expertise or position to influence the decisions or actions of others in order to benefit personally at their expense.
- **3.3.3** We do not act in an abusive manner toward others.
- **3.3.4** We respect the property rights of others.

CHAPTER 4. FAIRNESS

4.1 Description of Fairness

Fairness is our duty to make decisions and act impartially and objectively. Our conduct must be free from competing self interest, prejudice, and favoritism.

4.2 Fairness: Aspirational Standards

As <u>practitioners</u> in the global project management community:



4.2.1 We demonstrate transparency in our decision-making process.

4.2.2 We constantly reexamine our impartiality and objectivity, taking corrective action as appropriate.

Comment: Research with practitioners indicated that the subject of conflicts of interest is one of the most challenging faced by our profession. One of the biggest problems practitioners report is not recognizing when we have conflicted loyalties and recognizing when we are inadvertently placing ourselves or others in a conflict-of-interest situation. We as practitioners must proactively search for potential conflicts and help each other by highlighting each other's potential conflicts of interest and insisting that they be resolved.

4.2.3 We provide equal access to information to those who are authorized to have that information.

4.2.4 We make opportunities equally available to qualified candidates.

Comment: An implication of these provisions is, in the case of a contracting arrangement, we provide equal access to information during the bidding process.

4.3 Fairness: Mandatory Standards

As practitioners in the global project management community, we require the following of ourselves and our fellow practitioners:

Conflict of Interest Situations

4.3.1 We proactively and fully disclose any real or potential conflicts of interest to the appropriate stakeholders.

4.3.2 When we realize that we have a real or potential conflict of interest, we refrain from engaging in the decision-making process or otherwise attempting to influence outcomes, unless or until: we have made full disclosure to the affected stakeholders; we have an approved mitigation plan; and we have obtained the consent of the stakeholders to proceed.

Comment: A <u>conflict of interest</u> occurs when we are in a position to influence decisions or other outcomes on behalf of one party when such decisions or outcomes could affect one or more other parties with which we have competing loyalties. For example, when we are acting as an employee, we have a <u>duty of loyalty</u> to our employer. When we are acting as a PMI volunteer, we have a <u>duty</u> <u>of loyalty</u> to the <u>Project Management Institute</u>. We must recognize these divergent interests and refrain from influencing decisions when we have a <u>conflict of interest</u>.

Further, even if we believe that we can set aside our divided loyalties and make decisions impartially, we treat the appearance of a <u>conflict of interest</u> as a <u>conflict of interest</u> and follow the provisions described in the Code.

Favoritism and Discrimination

- **4.3.3** We do not hire or fire, reward or punish, or award or deny contracts based on personal considerations, including but not limited to, favoritism, nepotism, or bribery.
- **4.3.4** We do not discriminate against others based on, but not limited to, gender, race, age, religion, disability, nationality, or sexual orientation.
- **4.3.5** We apply the rules of the organization (employer, Project Management Institute, or other group) without favoritism or prejudice.



5.1 Description of Honesty

Honesty is our duty to understand the truth and act in a truthful manner both in our communications and in our conduct.

5.2 Honesty: Aspirational Standards

As practitioners in the global project management community:

- **5.2.1** We earnestly seek to understand the truth.
- **5.2.2** We are truthful in our communications and in our conduct.

5.2.3 We provide accurate information in a timely manner.

Comment: An implication of these provisions is that we take appropriate steps to ensure that the information we are basing our decisions upon or providing to others is accurate, reliable, and timely.

This includes having the courage to share bad news even when it may be poorly received. Also, when outcomes are negative, we avoid burying information or shifting blame to others. When outcomes are positive, we avoid taking credit for the achievements of others. These provisions reinforce our commitment to be both honest and responsible.

- **5.2.4** We make commitments and promises, implied or explicit, in good faith.
- **5.2.5** We strive to create an environment in which others feel safe to tell the truth.

5.3 Honesty: Mandatory Standards

As practitioners in the global project management community, we require the following of ourselves and our fellow practitioners:

5.3.1 We do not engage in or condone behavior that is designed to deceive others, including but not limited to, making misleading or false statements, stating half-truths, providing information out of context or withholding information that, if known, would render our statements as misleading or incomplete.

5.3.2 We do not engage in dishonest behavior with the intention of personal gain or at the expense of another.

Comment: The aspirational standards exhort us to be truthful. Half-truths and nondisclosures intended to mislead stakeholders are as unprofessional as affirmatively making misrepresentations. We develop credibility by providing complete and accurate information.



A.1 History of this Standard

PMI's vision of project management as an independent profession drove our early work in ethics. In 1981, the PMI Board of Directors formed an Ethics, Standards and Accreditation Group. One task required the group to deliberate on the need for a code of ethics for the profession. The team's report contained the first documented PMI discussion of ethics for the project management profession. This report was submitted to the PMI Board of Directors in August 1982 and published as a supplement to the August 1983 *Project Management Quarterly*.

In the late 1980's, this standard evolved to become the Ethics Standard for the Project Management Professional (PMP®). In 1997, the PMI Board determined the need for a member code of ethics. The PMI Board formed the Ethics Policy Documentation Committee to draft and publish an ethics standard for PMI's membership. The Board approved the new Member Code of Ethics in October 1998. This was followed by Board approval of the Member Case Procedures in January 1999, which provided a process for the submission of an ethics complaint and a determination as to whether a violation had occurred.

Since the 1998 Code was adopted, many dramatic changes have occurred within PMI and the business world. PMI membership has grown significantly. A great deal of growth has also occurred in regions outside North America. In the business world, ethics scandals have caused the downfall of global corporations and non-profits, causing public outrage and sparking increased government regulations. Globalization has brought economies closer together but has caused a realization that our practice of ethics may differ from culture to culture. The rapid, continuing pace of technological change has provided new opportunities, but has also introduced new challenges, including new ethical dilemmas.

For these reasons, in 2003 the PMI Board of Directors called for the reexamination of our codes of ethics. In 2004, the PMI Board commissioned the Ethics Standards Review Committee [ESRC] to review the codes of ethics and develop a process for revising the codes. The ESRC developed processes that would encourage active participation by the global project management community. In 2005, the PMI Board approved the processes for revising the code, agreeing that global participation by the project management community was paramount. In 2005, the Board also commissioned the Ethics Standards Development Committee to carry out the Board-approved process and deliver the revised code by the end of 2006. This Code of Ethics and Professional Conduct was approved by the PMI Board of Directors in October 2006.

A.2 Process Used to Create This Standard

The first step by the Ethics Standards Development Committee [ESDC] in the development of this Code was to understand the ethical issues facing the project management community and to understand the values and viewpoints of practitioners from all regions of the globe. This was accomplished by a variety of mechanisms including focus group discussions and two internet surveys involving practitioners, members, volunteers, and people holding a PMI certification. Additionally, the team analyzed the ethics codes of 24 non-profit associations from various regions of the world, researched best practices in the development of ethics standards, and explored the ethics-related tenets of PMI's strategic plan.

This extensive research conducted by the ESDC provided the backdrop for developing the exposure draft of the PMI Code of Ethics and Professional Conduct. The exposure draft was circulated to the global project management community for comment. The rigorous, standards development processes established by the American National Standards Institute were followed during the development of the Code because these processes were used for PMI technical standard development projects and were deemed to represent the best practices for obtaining and adjudicating stakeholder feedback to the exposure draft.



The result of this effort is a Code of Ethics and Professional Conduct that not only describes the ethical values to which the global project management community aspires, but also addresses the specific conduct that is mandatory for every individual bound by this Code. Violations of the PMI Code of Ethics and Professional Conduct may result in sanctions by PMI under the ethics Case Procedures.

The ESDC learned that as practitioners of project management, our community takes its commitment to ethics very seriously and we hold ourselves and our peers in the global project management community accountable to conduct ourselves in accordance with the provisions of this Code.

APPENDIX B

B.1 Glossary

- **Abusive Manner.** Conduct that results in physical harm or creates intense feelings of fear, humiliation, manipulation, or exploitation in another person.
- **Conflict of Interest.** A situation that arises when a practitioner of project management is faced with making a decision or doing some act that will benefit the practitioner or another person or organization to which the practitioner owes a <u>duty of loyalty</u> and at the same time will harm another person or organization to which the practitioner owes a similar <u>duty of loyalty</u>. The only way practitioners can resolve conflicting duties is to disclose the conflict to those affected and allow them to make the decision about how the practitioner should proceed.
- **Duty of Loyalty.** A person's responsibility, legal or moral, to promote the best interest of an organization or other person with whom they are affiliated.
- **Project Management Institute** (**PMI**). The totality of the Project Management Institute, including its committees, groups, and chartered components such as chapters, colleges, and specific interest groups.
- PMI Member. A person who has joined the Project Management Institute as a member.
- **PMI-Sponsored Activities.** Activities that include, but are not limited to, participation on a PMI Member Advisory Group, PMI standard development team, or another PMI working group or committee. This also includes activities engaged in under the auspices of a chartered PMI component organization—whether it is in a leadership role in the component or another type of component educational activity or event.
- **Practitioner.** A person engaged in an activity that contributes to the management of a project, portfolio, or program, as part of the project management profession.
- **PMI Volunteer.** A person who participates in <u>PMI-sponsored activities</u>, whether a member of the <u>Project</u> <u>Management Institute</u> or not.

