

**Ethical Guidelines for
Albert Einstein
Distinguished Educator
Fellows Assigned to DOE
through ORISE**

This document sets forth the Ethical Guidelines for Albert Einstein Distinguished Educator Fellowship Program assigned to the U.S. Department of Energy (DOE) through the Oak Ridge Institute for Science and Education (ORISE). This document provides information regarding many of the general ethical principles and ethical questions you may encounter during your participation as the Einstein Fellow at DOE. You have an important role in upholding the program's reputation, integrity, and educational purposes. In order to do this, you must be familiar with and conduct yourself in accordance with the ethical guidance provided in this document.

Ethical Decision Making Process

Sometimes you may face situations which, although they may not be a violation of law or policy, do not seem to be the "right thing to do." To assist you, consider the following decision making process and approach to the evaluation of an ethical dilemma.

A good ethical decision-making process includes, at a minimum, the following elements:

Make Yourself Aware

- Which policies are involved?
- What are the possible violations?
- What are the ethical implications?

Analyze the Situation

- How might an improper response affect the Program and/or me or my host organization, now or in the future?
- What are the possible short-term effects?
- What are the possible long-term effects?
- Is it legal?

Review the Facts

- Does it uphold my personal standards and principles?
- Is it consistent with the Program's and DOE's values, policies and operating procedures?
- How comfortable would I be explaining my actions in front of national television news cameras?
- How comfortable would I be if my decision was published in the newspaper?
- Would I do the same thing if a loved one, boss or friend were watching?

Use Your Resources

- What and who should I consult with for additional information, assistance or advice?
- Do I have an obligation to report the situation to others?

Asking and Answering Ethics-Related Questions

Mentor - When deliberating ethics-related inquiries, you may choose to discuss the situation with your mentor. Although you are not an employee of DOE and your mentor does not "supervise" you in the traditional sense, it might be beneficial to discuss your ethical concerns and issues with your mentor. This reinforces the educational and collaborative nature of your appointment as the Einstein Fellow at DOE. Your mentor may be able to share some his/her experiences with you and how he/she has handled similar situations.

ORISE Ethics Officer. The ORISE Ethics Officer is available to offer advice on how to properly handle an ethics-related situation and provide written justification for the position advocated. If a question is beyond the subjects presented in the Einstein Fellow Ethics Policy and this document, the ORISE Ethics Officer will research and reference existing policy, where applicable, or otherwise prepare individual ethical opinions where new ethics principles must be developed.

You may rest assured that if you raise an ethics issue, your privacy will be protected to the maximum extent possible, and all issues will be handled confidentially.

You may contact the ORISE Ethics Officer, Ivan Boatner, directly to discuss questions regarding ethical questions at (865) 576-3054 or via e-mail at Ivan.Boatner@oraui.org.

In addition, you may contact the Department of Energy (DOE) Office of Inspector General (OIG) when you believe the possible unethical misconduct involves fraud, waste, abuse, or violation of law. The OIG operates a 24-hour toll-free hotline number [1-800-541-1625 (toll free), FTS 8-1-202-586-4073, or 1-202-586-4902 (fax)] to permit immediate access. The OIG can also be reached by email at ighotline@hq.doe.gov or by mail at the following address:

U.S. Department of Energy
Office of Inspector General
ATTN: Hotline
Mail Stop 5D 031
1000 Independence Avenue S.W.
Washington, DC 20585

Accepting and Giving Gifts and Payments

It is important that your actions as the Einstein Fellow are free of influence from accepting or offering gifts or favors. You should not accept from any source a gift or gratuity that is offered or seems to be offered because of your position as the Einstein Fellow assigned to DOE. Also, you should not ask for, or accept, any gratuity, gift, favor, entertainment, loan, or other item of monetary value if you have reason to believe, or it may be construed that, the person, corporation, or group offering the item meets any of the following conditions:

- Is trying to influence any decision related to your assignment as the Einstein Fellow at DOE.
- Has interests that may be substantially affected by your performance or nonperformance of your responsibilities as the Einstein Fellow.
- Is trying to influence any actions you may take.

Even if the situation does not meet one of these conditions, you should discuss the acceptance of such offers with the ORISE Ethics Officer because the action may appear improper.

When you are conducting your activities as the Einstein Fellow, you may not do any of the following:

- Make loans, guarantee loans, or make illegal payments to government employees.
- Offer or give any type of gift or form of entertainment to a government employee unless it has been determined by the ORISE Ethics Officer that such gift or entertainment is a customary business courtesy that government employees may accept under the applicable Standards of Ethical Conduct for Employees of the Executive Branch.

It is acceptable to give a gift when the gift is based on a personal relationship and it is clear that the motivation is not based on the official position of either the giver or the recipient.

If at any time you are approached by an individual or company that seeks to influence any DOE decision, you should ask for advice on appropriate safeguards to avoid the appearance of (1) favoring that individual or company, and (2) sharing sensitive or proprietary information.

Customary Business Courtesies

You may, however, accept modest customary business courtesies on an infrequent or one-time basis provided the courtesies meet one of the following criteria:

- An ordinary business courtesy, such as payment for a modest lunch or dinner on infrequent occasions in the course of a business meeting.
- An unsolicited advertising novelty or promotional item, such as pens, pencils, notepads, or calendars.
- Loans from banks or other financial institutions that are unrelated to your activities as the Einstein Fellow and that are offered on customary terms to finance proper and usual activities, such as home mortgage loans.
- Free transportation in customary form (e.g., taxi ride) on official business.
- Gifts based on a personal relationship when it is clear that the motivation is not his/her official position.
- Discounts and similar benefits offered to the general public.
- Modest gifts, entertainment, or amenities, such as food or refreshments. “Modest” is defined as gifts, entertainment, or amenities of \$20 or less per occasion not to exceed \$50 in a year from one source.

Two good questions to ask when considering the acceptance of a gift are:

1. Is the gift so excessive that it would cause me to feel embarrassed by accepting it? If you would be embarrassed by the excessiveness of the gift, it is probably not okay to accept it.
2. Can the gift be shared with work colleagues? The gift is probably acceptable if it can be shared with colleagues, such as baked goods or other perishable items.

Engaging in Political Activities

In order to further the objectives of the Albert Einstein Distinguished Educator Fellowship Program, it is expected that the Einstein Fellow will not use any government property, time, workspace or materials (including any government-provided email address) for the purposes of promoting any type of political campaign, candidate, or party. You should conduct your personal political activities on your own time using your own resources.

In order to further the objectives of the Albert Einstein Distinguished Educator Fellowship Program, it is expected that the Einstein Fellow will not use government property, time, workspace or materials for the purposes of promoting any type of political campaign, candidate, or party. You should conduct your personal political activities on your own time using your own resources. You may work on political campaigns; however, you must not imply that DOE backs the candidate(s) for whom you are campaigning. Be sure that when you are speaking or acting, it is clear that you are doing so on your own behalf. Do not give the impression to others that you are speaking on behalf of or otherwise representing the Fellowship or DOE.

Properly Representing Your Status

Due to your status as the Einstein Fellow, it is important that you make it abundantly clear to all with whom you interact that you are the Einstein Fellow and not a Government official or employee. Part of the educational experience of the Einstein Fellow is interacting with government officials as they engage in their inherently governmental decision-making activities. In order to minimize the appearance to outside parties that you are a government employee, you should always make sure that your status is obvious to others. You should always clearly identify yourself as the Einstein Fellow when answering the telephone, attending meetings, and in correspondence (e-mails, memoranda, reports, documents, etc.).

Also, Fellows invited to give presentations must receive approval from their host office to give the presentation and for the time off for the event. Fellows who publish on work involved in their fellowship must obtain prior permission from the host office/agency and must clearly identify themselves as an Einstein Fellow.

Current DOE policy requires all federal contractors to identify that they are a contractor in the signature block of their emails. This applies to DOE Einstein Fellows funded through ORISE, a contractor to DOE. Likewise, DOE Einstein Fellows funded through ORISE, or any other contractor, may not use DOE business cards.

Safeguarding and Use of Government Assets

As a participant in DOE activities, you have an obligation to the American taxpayer to manage efficiently any asset, property, facility, or equipment with which you perform your activities as the Einstein Fellow. You should use and maintain these assets with the utmost care and respect, guarding against waste and abuse.

DOE policies do allow for limited personal use of government equipment by federal employees, such as computers and telephones. You should follow these policies and be sensitive to ensuring that your actions reflect good stewardship of government property. Such limited personal use should be for limited duration and occur on an infrequent basis. For example, limited personal use of your e-mail account, such as to arrange for lunch, is permitted. Personal use of your email account for political activities or for inappropriate workplace activities, such as viewing adult websites, is not permitted.

Such use should not adversely affect your performance as the Einstein Fellow or impact the work of others in your host office. Whenever possible, such use should occur during personal time. The use of government assets, property, facilities, or equipment should serve a legitimate organizational interest, such as minimizing absences, improving morale, enhancing professional skills or furthering education or training. In addition, such use should not overburden DOE's computer system or network and should not create appreciable additional cost. If you have questions about DOE's policies on the limited personal use of government assets, you should discuss this topic with your mentor.

Conducting Research

For those engaged in research, you should use your skills and expertise to expand the body of existing knowledge, and you should conduct yourself honorably. DOE-sponsored research shall be conducted in a work environment reflecting the highest standards of integrity, honesty, and fair dealing. You have a responsibility to society, DOE, and your colleagues to conduct research ethically. Any questions of ethics regarding the conduct of research will be addressed in coordination with the ORISE Ethics Officer.

If you are conducting research, it is essential that you avoid any conflict of interest or the appearance of conflict of interest. Concerns of conflict of interest or allegations shall be reviewed by the ORISE Ethics Officer, who will offer recommendations for actions necessary to remove or appropriately mitigate the conflict of interest or the appearance of such.

Sensitive Information

As the Einstein Fellow, you may be exposed to sensitive, restricted, proprietary, or confidential information. This type of information may be protected from public release under the Freedom of Information Act or other applicable laws and/or regulations. As an Einstein Fellow, you have a duty to protect non-public information which you acquire in the course of your participation in the program. In the

event that you ever receive a request for information, you should inform your mentor so that the request can be handled by DOE officials responsible for the reviews and release of DOE information.

In addition, some of the information you will be exposed to may be of material value to outside parties or give you an unfair advantage over the general public. You must never use any information that you have gained through your participation in the Albert Einstein Distinguished Educator Fellowship Program that is not available to the general public for either financial or material benefit. Also, you must not share sensitive information with any relatives, friends, or coworkers.

Remember, two simple rules provide protection in this area: (1) Do not use non-public information for personal gain and (2) Do not pass along such information to someone else who has no need to know. If you have questions about what information is sensitive and may not be subject to public release, discuss the issue with your mentor or the ORISE Ethics Officer.

Public-Facing Communications

Use of Blogs and Social Networking Sites – As discussed above, the Einstein Fellows have access to sensitive and protected information. It is very important to remember your confidentiality obligations before mentioning any matters related to your participation as the Einstein Fellow on a blog or social networking site. Once you publish information online, it can potentially be seen by anyone with access to the internet and a search engine. Keep in mind the requirements to protect certain sensitive information apply to your conduct even in cyberspace, where the potential impact of disclosing sensitive or confidential information is exponentially higher.

When blogging or posting to a social networking site outside of work, here are some things to keep in mind to help protect the sensitive information you have been entrusted with as the Einstein Fellow:

- Don't divulge any confidential information related to your appointment as the Einstein Fellow on the internet.
- Take care not to allow your interaction on these websites to damage relationships between you, your mentor, and colleagues at DOE and ORISE, and Einstein Fellows at other agencies or offices.

Communications with Congress, Other Agencies, and News Releases – Einstein Fellows are not authorized to make any statements, to give any information related to DOE activities, or to comment on the plans and activities of DOE to Congress, other agencies, or the news media without prior clearance by appropriate DOE offices responsible for such communications. All inquiries from any representative of Congress, other agencies, or the news media must, under all circumstances, be immediately referred without comment directly to your mentor so that they may be handled by the responsible DOE offices.

Avoiding Conflict of Interest

A conflict of interest is a situation where your personal interests or activities could influence your judgment or decisions. It also includes activities that may only appear to influence your judgment or decisions. We must ensure that our personal interests do not create such a situation because even the appearance of a potential conflict of interest can cause our business partners and customers to question our motives.

You should never influence decisions which could impact an organization in which you have a personal, financial, or family interest if this interest discourages you from acting in the best interest of the Einstein Fellowship and DOE. In order to provide assurance that the Einstein Fellows' outside financial interests do not create a conflict of interest, the Fellows are required to provide the ORISE Ethics Officer with a disclosure statement detailing their financial interests. This form is provided to Einstein Fellows and must be updated annually.

An example of an activity that would constitute conflict of interest is borrowing money from or accepting personal gifts or favors from a DOE contractor or organization that could benefit from DOE decisions. Another conflict of interest would be using or disclosing for personal, or your family members' advantage, privileged information made available to or gained by reason of your status as the Einstein Fellow. Additional situations that might present conflicts of interest include having a direct or indirect financial interest or being an employee, advisor, board member, or officer in an organization that could benefit from DOE decisions in which the Fellow personally participates. This also includes situations where a family member of the Einstein Fellow directly or indirectly has a financial interest or is an employee, advisor, board member, or officer in an organization that could benefit from DOE decisions in which the Fellow personally participates.

Note: The term "family" includes the Einstein Fellow's parents, stepparents, spouse, natural or adopted children, stepchildren, legal dependents, grandchildren, brothers, sisters, stepbrothers, stepsisters, half-brothers, half-sisters, grandparents, grandparents-in-law, parents-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, nieces, nephews, uncles, aunts, and first cousins.

Outside Employment

The Terms of Appointment make it clear that the educational benefits of the Albert Einstein Distinguished Educator Fellowship appointment are the primary focus of the program. Consequently, the Terms of Appointment provide that the Participant may not provide services for compensation to a third party that conflict with the appointment. Consequently, if you desire to obtain outside employment during your appointment, you should consult with you mentor and the ORISE General Counsel to ensure that this will not conflict with your appointment.

With regards to continuing scholarly work, the Einstein Fellows Ethics Policy states that: "Fellows involved in research collaborations or any appointments, with our without government support or remuneration of any kind, must receive approval from their host office/agency to continue that involvement. If the activity is not approved, the Fellow must take a hiatus from such involvement for the duration of the fellowship."

Upholding the Law

Complying with the law is a minimum standard. It is your responsibility to understand and follow both the DOE policies and the federal, state and local laws that apply to your situation as the Einstein Fellow. This is an area where your mentor and colleagues can provide guidance. Should you have further questions, the ORISE Ethics Office is available to provide assistance.