

CODE OF CONDUCT

LANL Mission

To solve national security challenges through scientific excellence.

LANL Vision

To deliver science and technology to protect our nation and promote world stability.

Goals

We will

Deliver national nuclear security and broader global security mission solutions

Foster excellence in science and engineering disciplines essential for national security missions

By

Attracting, inspiring and developing world-class talent to ensure a vital future workplace

Enabling mission delivery through next-generation facilities, infrastructure and operational excellence

LANL Core Values

Service: Serving our country, our partners, our community, and each other

Excellence: Ensuring timely mission execution through scientific, operational, and business excellence

Integrity: Building trust through intellectual honesty, ethical conduct, and individual responsibility

Teamwork: Collaborating with colleagues and partners, respecting diverse opinions and backgrounds, vigorously debating alternatives, and coming together to achieve the best solutions

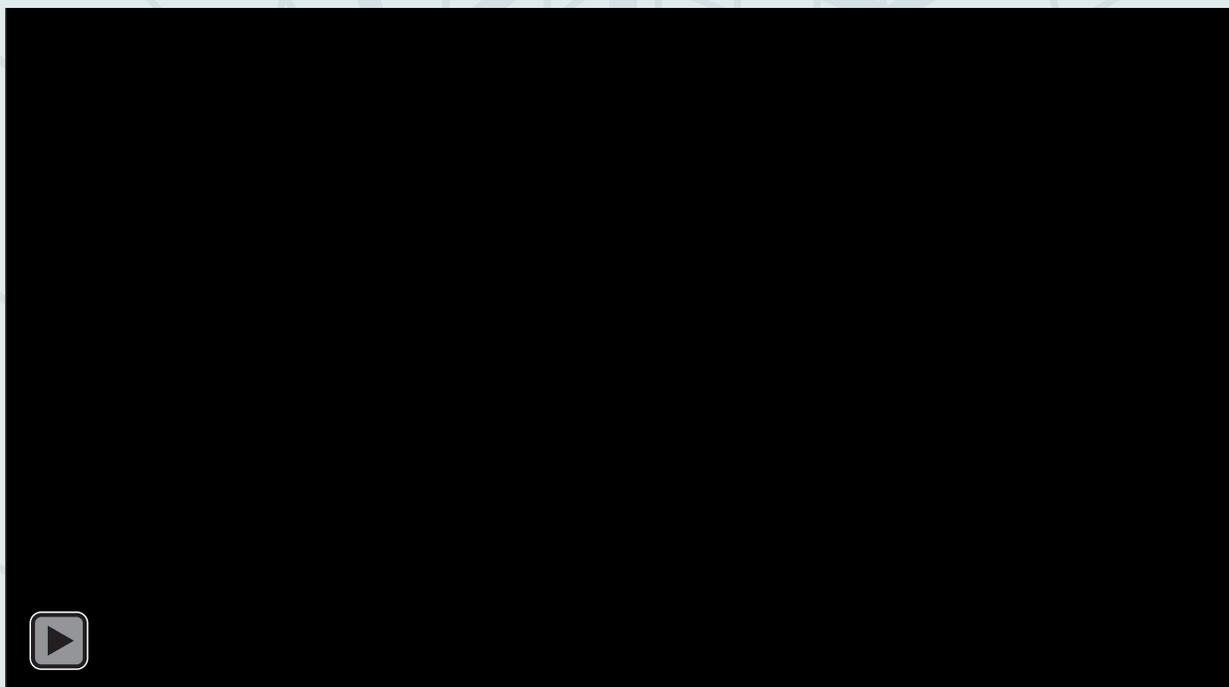
Stewardship: Being good stewards of the taxpayers' dollars, the Laboratory, our community, and the environment

Safety and Security: Ensuring that safety and security are integral to everything we do

A Message from Los Alamos National Laboratory Director, Charles McMillan

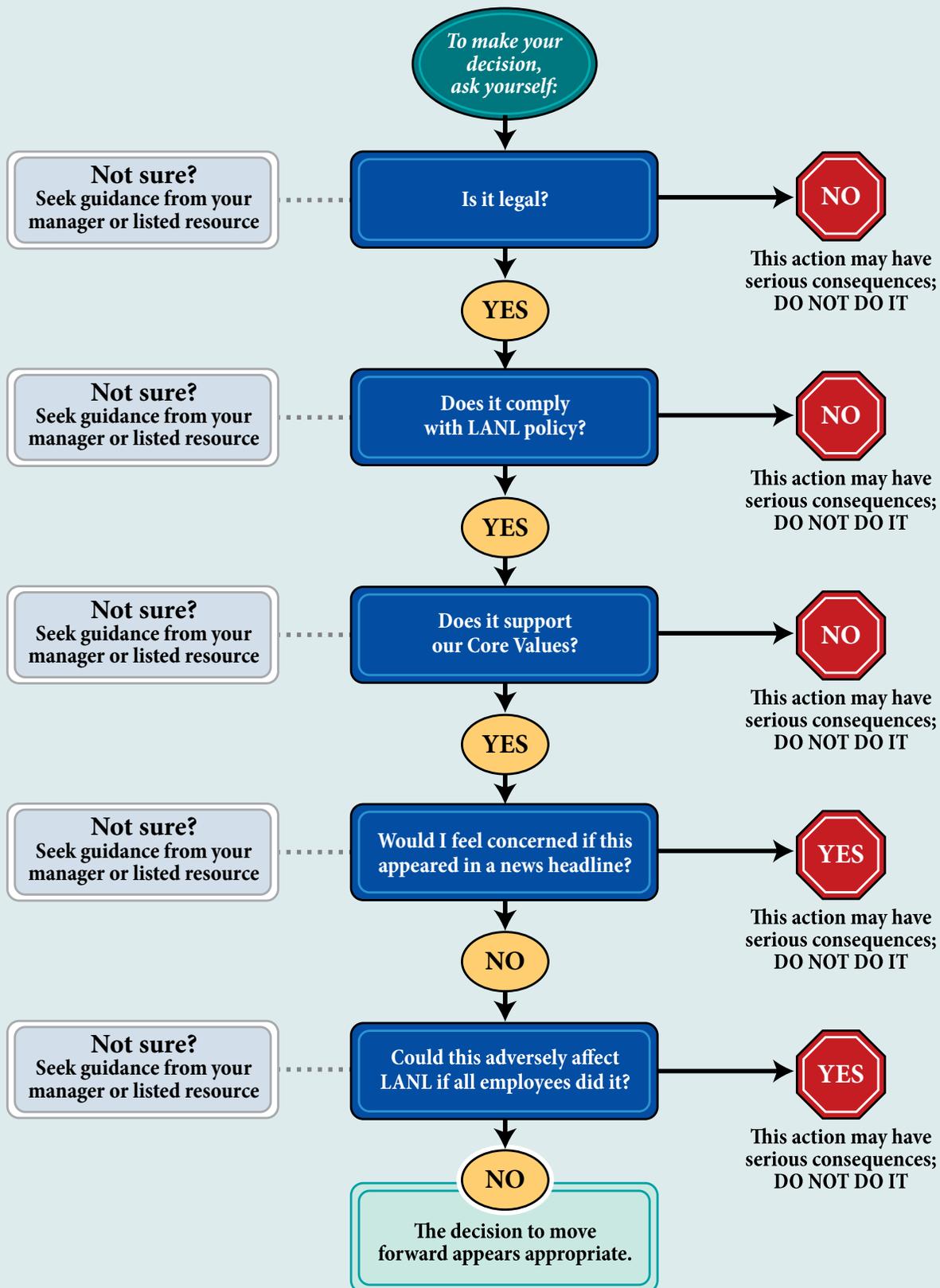


Charles McMillan
Los Alamos National Laboratory Director



Ethics Decision Tree

A decision tree can be a useful tool when you are faced with a difficult decision.



Listed resources are found at the back of this document.

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Introduction

What is LANL's Code of Conduct?

LANL's Code of Conduct is designed to help employees recognize and resolve the ethics and compliance issues that may arise in their daily work. It provides general information and practical advice about the behavior that is expected of LANL employees both on and off the job.

To whom does it apply?

Our Code of Conduct summarizes the standards of conduct that guide our actions and applies to all LANL employees and to members of the Board of Governors, agents, consultants, contractors, and others when they are representing or acting for, or on behalf of, LANL.

Summary of Ethics Program Description:

LANL is committed to operating in accordance with the highest standards of ethics and with its values of:

- **Service:** Serving our Country, our partners, our community, and each other.
- **Excellence:** Ensuring timely mission execution through scientific, operational, and business excellence.
- **Integrity:** Building trust through intellectual honesty, ethical conduct, and individual responsibility.
- **Teamwork:** Collaborating with colleagues and partners, respecting diverse opinions and backgrounds, vigorously debating alternatives, and coming together to achieve the best solutions.
- **Stewardship:** Being good stewards of the taxpayers' dollars, the Laboratory, our community, and the environment.
- **Safety and Security:** Ensuring that safety and security are integral to everything we do.

These values guide LANL as we work towards our mission of developing science and technology to protect our nation and promote world stability. Integrity is central to the Laboratory's credibility and credibility is central to our mission.

LANL must demonstrate to customers and the public that the Laboratory is accountable for its actions and that it conducts business in a trustworthy manner.

Since there may not always be regulations or standards to guide every situation, employees must apply a high personal sense of ethics, beyond minimum compliance, in day-to-day performance of Laboratory business. Some requirements employees must follow include:

- Adhere to the Laboratory's values and this Code of Conduct in order to safeguard the Laboratory's resources and reputation.
- Understand that honesty is an integral part of ethical behavior, and trustworthiness is essential for lasting productive relationships.
- Ensure that any action taken in the course of day-to-day activities as a Laboratory employee and in relationships with customers, subcontractors, suppliers, coworkers, and others is fully justifiable and reflects the Laboratory's values..
- Avoid both unethical actions and any actions that may appear unethical to others.
- Understand that these requirements apply to conduct both on and off the job.



- Cooperate fully with internal inquiries and reviews of alleged unethical behavior or inappropriate activities. Never hinder or impede another employee's cooperation in an inquiry or audit.
- Comply with local, state, and federal laws, rules, and regulations; contractual obligations with the United States Department of Energy/National Nuclear Security Administration (DOE/NNSA); and Laboratory institutional requirements documents.
- Promptly report unethical, improper, or illegal activities committed by Laboratory employees to a manager, Ethics and Compliance (EA-Ethics), Human Resources, or Laboratory Counsel.

How do I use this booklet?

Please familiarize yourself with this Code of Conduct. If you have questions about the propriety of a particular act or contemplated course of conduct, look through the Table of Contents to find the section that most likely applies to your issue. Each section contains a summary of the relevant LANL policy, examples of specific behaviors expected of employees with regard to the policy, practical examples in question and answer format, and information on where to find further guidance.

Here are some examples of how to use this booklet:

- You receive a birthday card from a supplier that contains a \$100 gift certificate. Can you keep it? Go to section on *Business Gifts and Gratuities*.
- A customer representative offers you some freelance work updating their technical procedures. Can you do it on your own time? Go to section on *Avoiding Conflicts of Interest*.
- You are active in a social networking site on the Web. Can you identify yourself as a LANL employee? Go to section on *Workplace Security and Government Personal Property*.



Common Questions

Q: *What should I do if I still have questions after consulting this booklet or I need an interpretation of the applicable LANL Institutional Document?*

A: Consider talking with your manager or supervisor. Each Institutional Document lists a contact that can assist with questions. You may also contact EA-Ethics Group at 667-7506 or ethics@lanl.gov.

Using and Protecting Information and Other Property

This section highlights the responsibilities for employees to protect information and maintain integrity in all reporting.



Proprietary and Technical Data

Summary of Policy

Employees may not use or disclose proprietary technical data or privileged information obtained through LANS employment for personal purposes, to gain an unfair advantage in the purchase of goods or services, or for any unauthorized activity. This requirement is ongoing and generally continues even after an employee leaves the Laboratory. This information includes the following:

- Unpublished information relating to technological and scientific developments.
- Planned or proposed changes in programs, organization, funding, or personnel assignments.
- Research and engineering data, engineering drawings and associated lists, specifications, standards, technical reports, and related information.
- Information about patents or other intellectual property.
- Subcontractor and supplier bids or proposals.
- Anticipated materials requirements or pricing actions.
- Knowledge about potential subcontract awards before the official announcement is made.
- Data or information that is classified as "Official Use Only," "Los Alamos National Security, LLC (LANS) Contractor Owned and Proprietary Information (LPI)," "Cooperative Research and Development Agreement (CRADA) Protected Information," or is otherwise marked as in confidence, privileged, proprietary, and/or sensitive.
- Data or information (including software and/or data models) that has been obtained from a third-party engaged in a CRADA, Work for Others (WFO), or other technology transfer activity.

What Behavior is Expected?

- Never use company, customer, supplier, or employee confidential information other than for its intended business purpose.
- Comply with any applicable nondisclosure agreements.
- Do not accept confidential information unrelated to your job.
- If you receive information that is not marked, but you believe it may be proprietary, bring it to the attention of the person who gave it to you and follow up if necessary to make sure the information is properly marked and protected.
- If someone tries to give you confidential information you are not authorized to receive, do not accept it and notify your supervisor or manager.

Common Questions

Q: I received a report marked "Official Use Only (OUO)" and want to share with my coworker. Is this allowed?

A: Any worker who has been granted access to matter containing Controlled Unclassified Information, which would include OUO, must determine another worker's need-to-know before granting access to the matter. If you are unsure if they have a need-to-know, discuss with your manager.

Q: How will I know what information is privileged?

A: If it is not clear whether certain information is privileged, the best approach is to ask the originator of the information.

Q: What if someone tries to release information that may or may not be authorized?

A: Employees must not accept privileged information unrelated to their job. If someone tries to release privileged information or if there is reason to believe that the information's release is unauthorized, notify your manager.

Further Guidance

P204-1, *Controlled Unclassified Information*, provides additional information on protecting specific types of controlled unclassified information.



Export Control

Summary of Policy

Many countries, including the United States, impose restriction on exports and other dealings with certain countries, entities, and individuals, including foreign nationals. LANL and all of its employees must comply with all applicable U.S. export control laws and regulations, such as the Export Administration Regulations (EAR) and the International Traffic in Arms Regulations (ITAR).

What Behavior is Expected?

- You must complete required annual training on Laboratory requirements and procedures regarding export control.
- You must comply with all Laboratory requirements and procedures regarding export control.

Common Questions

Q: I'm going on travel for work and need to bring my cryptocard. Do I need your office's approval?

A: Export approval is NOT required to take a cryptocard on foreign travel. It is required to take a Laboratory cell phone.

Q: What is considered "Exporting"?

A: To "export" means to transfer equipment, material, software, or technology from the United States to a foreign country via any of the following: mail, email, fax, shipment, drop shipment, or hand-carry.

Q: Who do I contact to make an exporting request?

A: Export Control has the expertise to make exporting as easy as possible for Laboratory requesters. Please contact the Export Control team at 665-2194 or export@lanl.gov for technology exports or customs@lanl.gov for all your exporting needs.



Common Questions

Q: Which countries are subject to embargoes and sanctions?

A: As of the date of this document, Cuba, Iran, and Syria are under a general embargo and are subject to comprehensive restrictions. Countries subject to arms embargoes are the following: Cote d'Ivoire (Ivory Coast), Democratic Republic of the Congo, Eritrea, Iran, Iraq, Lebanon, Liberia, Libya, North Korea, Somalia, and Sudan. U.S. economic sanctions laws place substantial restrictions on transactions with the governments of, and persons and entities associated with certain countries. These change frequently, so you must consult the Export/Import Guide on the Export Control homepage for current information:

http://int.lanl.gov/security/export_control/index.shtml

Q: I'm planning to have lunch with a potential client who is a national of a foreign country but lives and works in the United States. Do I need to worry about export controls yet?

A: Yes, according to the U.S. export control law an oral discussion with any foreign person, even someone inside the United States, who discloses technical information is considered an export. You should consult with the Export Control team before having the meeting.

Q: Who is a foreign national for the purposes of the U.S. export control laws?

A: Any person who is not a lawful, permanent resident of the United States, including a LANS employee, any employee of a foreign corporation that is not incorporated or organized to do business in the United States, and any foreign government or foreign government employee.

Q: What are some examples of how "deemed exports" can occur under the U.S. export control laws?

A: Giving foreign nationals controlled information in the United States is deemed to be an export to their home country. Deemed exports can occur during group meetings or plan-of-the-day meetings, over lunch in the cafeteria, or around the water cooler. Any verbal or visual disclosure of controlled information to a foreign national person has the risk of being a "deemed export."



Contact the Export Control Team:

customs@lanl.gov

export@lanl.gov (for technology exports)

Phone: 665-2194

Fax: 667-3195

7 a.m. to 5 p.m., Monday to Friday

Arrangements can be made outside of these business hours.

Trainings:

Laboratory employees or designated Laboratory workers must complete Course 21208, *Export Control Fundamentals*

Course 52144, *Export Control Refresher Training*, is required every year thereafter.

Further Guidance

Export control responsibilities, procedures, and trainings are covered in P805, *Export Control*.

Workplace Security and Government Personal Property

Summary of Policy

Laboratory systems used for email, network, Internet, and telephone communications are not private, and employees who use these systems have no expectation of privacy with respect to their use. LANL reserves the right to monitor all email messages and network, Internet, and telephone connections. LANL also reserves the right to disclose inappropriate use of these systems to federal or state law-enforcement agencies. Inappropriate use of these systems could result in disciplinary action, up to and including termination of employment.

What Behavior is Expected?

- Adhere to all security procedures and protect government property entrusted to you.
- Promptly report any unusual or suspicious situation to your manager or to security personnel.
- Ensure that work is authorized and performed in accordance with the Integrated Safeguards and Security Management (ISSM) five-step process.
- Conduct daily work within security requirements and contribute to the protection of security interests around you.
- Report security anomalies or violations of security requirements to the Responsible Line Manager and Security Incident Team immediately.
- Promote security awareness, including sharing and using lessons learned from control failures, near misses, or security incidents to pursue system improvements.
- Seek help from deployed or core security representatives, or the Security Help Desk regarding security requirements, methods for accomplishing a security task, or other questions, concerns, and suggestions.
- Stop or pause work when there is a security concern and, if a worker observes a concern in another person's work, inform that person or his or her supervisor immediately.



Common Questions

Q: What should I do if I accidentally browse to a prohibited site such as pornography or gambling website?

A: Exit the site post-haste and report the incident to your group leader via email. He or she will log the incident as accidental in case anyone questions you about it later.

Q: I work on a project that has several vehicles available for business use during the day. My brother-in-law is moving to a new apartment and my truck is in the shop. May I borrow a government truck from the project overnight to transport his furniture?

A: No. Government vehicles are provided solely for use on official business and may not be used for personal activities. In addition, special approvals are required prior to removing government vehicles from the site for more than one business day.

Q: Can I have a computer to take home?

A: Yes with proper approvals. Prior to transporting any government property on or off site, you must complete a property transfer request (PTR), which requires a justification from your group leader or higher level manager. Subcontractors must also obtain your Contract Specialist approval. In addition, computers must be Full Disk Encrypted or an exception must be granted by the Office of the Chief Information Officer (OCIO.)

Q: Who tracks property in the group?

A: Every Laboratory employee/subcontractor is responsible for ensuring that government personal property is properly used, stored, protected, and dispositioned. Additionally, if you have property assigned to you that meets LANL's controlled property threshold (Sensitive Property or Acquisition value of \$10K or greater) you are responsible for working with your organization's Property Specialist to ensure:

- 1) that the property is barcoded;
- 2) that the property is listed on your Property Accountability Statement;
- 3) timely review and signing of your online Accountability Statement;
- 4) timely reporting of property that is no longer needed; and
- 5) timely reporting of lost, damaged, destroyed or stolen property.

Q: May I identify myself as a LANS employee on Facebook, MySpace, or other social and career networking websites and blogs?

A: Yes – but you must adhere to Laboratory policies, including:

P225, *Identifying and Protecting Electronic Controlled Unclassified Information (CUI)*

P204-1, *Controlled Unclassified Information*

P204-2, *Classified Matter Protection and Control Handbook*

P805, *Export Control*

P715, *Public Communications*, which states, in part: *Pronouncements . . . that might be considered official statements about the Laboratory's work and interests must be reviewed and released by Communications and Government Affairs - Communications Office (CGA-CO).*

For more information, see the Laboratory's social media guidelines.

Further Guidance

Requirements for the proper use, protection, and disposal of government assets are found in **SD200**, *Integrated Safeguards and Security Management*; **P821**, *Government Personal Property*; and **P214**, *Information Security Incident Management*.



Protection of Intellectual Property

Summary of Policy

The Laboratory's ability to apply the results of its own scientific research and to effectively meet its congressionally-mandated technology transfer mission is dependent upon appropriate protections of intellectual property. This intellectual property includes inventions, discoveries, software, drawings, and technical know-how of Laboratory staff. Employees have an obligation to report to Laboratory Counsel any inventions developed during their employment at LANL. Requirements for protecting and managing Intellectual Property are found in P831, *Intellectual Property Management*.

What Behavior is Expected?

Employees must report all inventions, whether created at the Laboratory or otherwise, through the online Invention Disclosure Electronic Application System (IDEAS; <http://ideas.lanl.gov>) and all copyrightable works (e.g., computer software), whether created at the Laboratory or otherwise, through the online Copyright Disclosure Electronic System (CODES; <http://codes.lanl.gov>.) *Crypto card required for access.*



Common Questions

Q: Do I need permission to distribute my code outside of LANL?

A: Yes. You are required to disclose your software through CODES prior to releasing your software outside of LANL. If you intend to release your software to non-U.S. citizens, a customs review may also be required [depending on the intended recipient(s)].

Q: How is a patent different from a copyright?

A: Both are forms of intellectual property protected under U.S. and international statutes. According to the U.S. Library of Congress, copyright protects original works of authorship, while a patent protects inventions or discoveries. Ideas and discoveries are not protected by the copyright law, although the way in which they are expressed may be.

Q: Who do I contact for questions about distributing my software?

A: Points-of-contact within the Richard P. Feynman Center for Innovation for copyright questions:
Christine Ramos (665-6846, ctramos@lanl.gov) or
Kathleen H. McDonald (667-5844, kathleen_m@lanl.gov).

Q: Do I have to disclose Intellectual Property developed as part of my approved outside activity?

A: Yes. P723, *Conflicts of Interest*, covers employee's responsibilities for Intellectual Property from an outside activity perspective.

Further Guidance

P831, *Intellectual Property Management*, provides additional information describing the Laboratory's processes for managing and protecting intellectual property generated by Laboratory workers including patents, data rights and copyrights, trademarks, and other forms of intellectual property.

For more information, visit:

www.lanl.gov/feynmancenter.



Accurate Reporting

Summary of Policy:

All information cited in records and reports (financial, business, employment, etc.) must be as accurate and complete as possible. Dishonest reporting includes conveying or organizing information in a way that is intended to mislead or misinform those who receive it.

Types of reporting include:

- Entering time records;
- Completing expense reports;
- Listing educational qualifications and work history on employment applications;
- Making material and equipment test reports;
- Completing technical data sheets;
- Recording of revenues and costs;
- Completing as-built documentation at the job site; and
- Responding to audits and inquiries.

Factual accuracy in these and all reporting is essential. All exceptions should be documented in case questions arise later.

What Behavior is Expected?

- Accurately and honestly provide information in business reports and records.
- Pay attention to detail to ensure that records are accurate.
- Do not mislead or misinform others by supplying inaccurate information in business records.

Common Questions

Q: What are some examples of inaccurate or dishonest reporting on a business record?

A: Some examples of dishonest reporting are as follows:

- Approving a time record indicating time worked when you know the person did not work that day.
- Charging personal expenses on the corporate travel card or submitting an expense report for meals that were provided or miles not driven.
- Signing off on test results (e.g., performance or material certification tests) when the test was not actually conducted.

Q: What should I do if I become aware that a fellow employee has put inaccurate information on his or her expense report?

A: Talk to your manager about the situation. If you are not comfortable talking to your manager, you may contact the Employee Concerns Helpline (665-9999), Human Resources-Employee & Labor Relations, or other applicable office listed on the employee resource page.

Q: What consequences can flow from dishonest reporting on Laboratory records?

A: Providing false information on a report can lead to discipline, up to and including termination. It can also lead to civil or criminal liability to you and LANS.



Further Guidance

For information on how to accurately report your time and labor, review guidance provided on the CFO payroll page.



Conducting Business with External Parties

This section deals with ethics and business conduct issues you may encounter when dealing with people outside of LANL.



Subcontracting

Summary of Policy

P850, *Subcontract Technical Representative Procedure*, establishes the requirements for oversight of all work performed by subcontractors at LANL. Once a subcontract has been negotiated, employees who oversee the subcontracted work must understand the detailed requirements for the performance of the work as delineated in the subcontract and its related plans and specifications. Employees must not initiate, nor allow subcontractors to initiate, substitutions or deviations from the specifications contained in the subcontract without the direct involvement of authorized Acquisition Services Management (ASM) personnel.

Additionally, when LANL contracts for goods and services, every employee involved in any part of the process must avoid any appearance of favoritism in the allocation of Laboratory business. Employees cannot solicit or accept money or benefits from any supplier or potential supplier. Any such offers must be reported immediately to an employee's manager and EA-Ethics.

Additionally, the Laboratory will not acquire goods or services from (1) any LANS employee, (2) from a spouse of an employee, or (3) from an organization in which an employee or spouse of an employee has a controlling ownership interest without prior approval of EA-Ethics.

What Behavior is Expected?

- Refuse any form of compensation or benefit from a supplier.
- Inform EA-Ethics about the potential for, or appearance of, favoritism in LANS business agreements.
- Treat all suppliers and subcontractors fairly and equally. For example, specifications should be developed that reflect intended use or performance and should not be biased in favor of a particular supplier's product.
- Only LANS employees who have received a written delegation of authority are authorized to commit Laboratory funds in any way, including but not limited to the execution of purchase orders or subcontracts on behalf of LANS. Unauthorized employees may not make any commitments or changes that affect price, quality, delivery, or other terms or conditions of the subcontract or purchase order.



Common Questions

Q: My wife works for a subcontractor that provides support to my group. Can I approve invoices for the subcontractor?

A: No. Per P723, *Conflicts of Interest*, an employee may not provide subcontract administration (which includes approving invoices) of any organization when the employee has a near relative with a business agreement (employment) with the company.

Q: How do I find who the buyer is on a subcontract?

A: Log into Oracle. Click on **LANL non-Catalog iProcurement**.

Under "My Requisitions," click the Description text of the Requisition for which you are searching.

See the Assigned Buyer name listed (to the far right). If the buyer name does not appear, click on the requisition number and the buyer name should be displayed on the screen that follows.

Q: I am overseeing work completed by a subcontractor. They need to work overtime hours to complete the project, which will result in additional time billed. Can I authorize?

A: No. Changes to a subcontract can only be authorized by the appropriate ASM procurement specialist.

Further Guidance

Are you a requester who needs support on completing the requisition process?

Try the Procurement Requester Toolbox or the Procurement Help Desk at phdhelp@lanl.gov or 606-0368.



Workplace Expectations

This section contains expectations of LANS employees while at their workplace.



Responsible Conduct in Research

Summary of Policy

Employees are responsible for ensuring the integrity of the research process, including the conduct and reporting of research, in order to sustain the highest degree of intellectual honesty and integrity.

Institutional requirements on scientific, research, and professional misconduct are found in SD601, *Conduct of Research and Development*; P634, *Integrity in Research*; and P633, *Intellectual Freedom*.

What Behavior is Expected?

- When you are conducting Research and Development (R&D) activities at or for the Laboratory and have knowledge of or information about an apparent instance of scientific misconduct, you need to report the issue to your division-level manager or the Employee Concerns Program (ECP) Helpline at 665-9999.
- Recognize the responsibility common to engineers, scientists, and other professionals of maintaining public confidence and peer credibility by seeking and stating the truth as you understand it.
- Exercise intellectual honesty, discipline, adherence to professional ethics, and good judgment in extending the boundaries of knowledge and in transmitting and applying new information.
- Clearly separate your opinions as a private citizen from the Laboratory's official positions.



Common Questions

Q: Are there guidelines for how to maintain results?

A: The results of research should be recorded and maintained in a form that allows analysis and review. Research data should be immediately available to scientific collaborators. Following publication, the data should be retained for a reasonable period in order to be available promptly and completely to responsible scientists. Exceptions may be appropriate in certain circumstances in order to preserve privacy, to assure patent protection, or for similar reasons.

Fabrication of data or selective reporting of data with the intent to mislead or deceive is prohibited, as is the theft of data or research results from others.

Q: What should I do if I think there is scientific misconduct occurring?

A: Employees should raise, in good faith and without malicious intent, issues of alleged scientific misconduct to their division-level manager or the Employee Concerns Program (ECP) Helpline. Neither honest errors nor professional differences of opinion are considered misconduct.

Q: How do I determine if I am required to share information or credit others for my work?

A: Consider the following:

- a. If you are using/reusing data that you collected from other sources, make sure the data doesn't have a license agreement that prevents you from sharing the data.
- b. You may need to restrict some data based on restrictions you agreed to when receiving data from a third party.
- c. The federal government receives a non-exclusive royalty-free license for government purposes to copyrighted works and data created under federal awards (2 CFR 15).



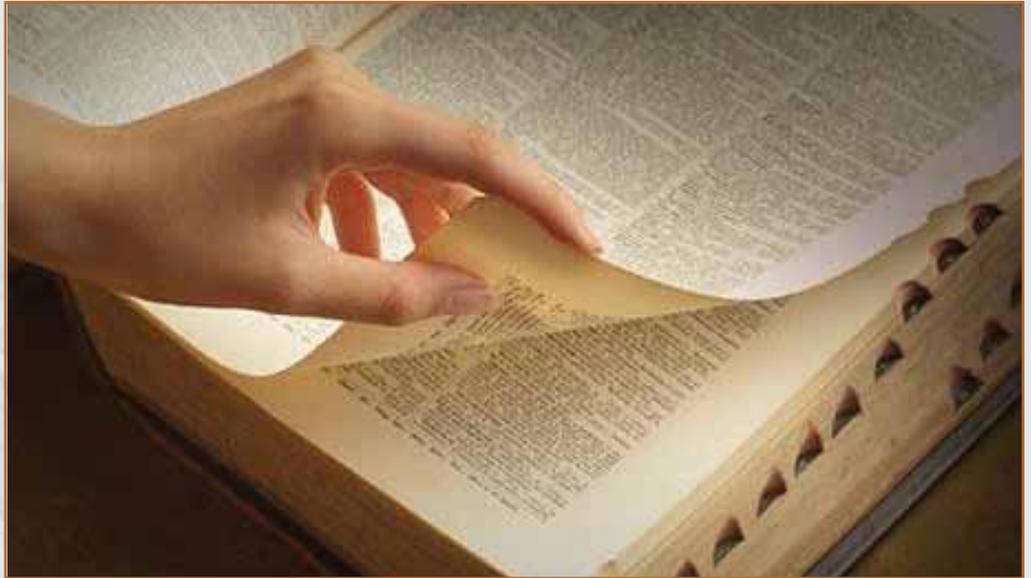
Key Definitions

1. Fabrication

Making up data or results and recording or reporting them.

2. Falsification

Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.



3. Findings of Scientific Misconduct

A determination, based on a preponderance of the evidence that scientific misconduct has occurred. Such a finding requires a conclusion that there has been a significant departure from accepted practices of the relevant research community and that it has been knowingly, intentionally, or recklessly committed.

4. Misconduct

Any attempt by any Laboratory worker to limit or interfere with another employee's privileges or responsibilities as defined P633, *Intellectual Freedom*.

5. Misconduct-Scientific

Employees who engage in research with fabricated data or results to misrepresent results in the research record or misappropriate the ideas, writings, research, or findings of others.

6. Plagiarism

The use of another person's ideas, processes, results, or works without giving appropriate credit.

7. Professional Misconduct

Includes but is not limited to exploiting research associates, inappropriately conferring or denying authorship, duplicating publication, misstating research credentials, failing to retain significant data, using data without authorization, or failing to publish significant data in a timely manner without reasonable cause.

8. Research Misconduct

Includes fabrication, falsification, and plagiarism in proposing, performing, or reviewing research, or in reporting research results, or other practices that seriously and adversely deviate from those that are commonly accepted in the relevant scientific community for proposing, conducting, or reporting research. It does not include honest error or differences of opinion in interpretations or judgments of data.



Business Gifts and Gratuities

Summary of Policy

P722, *Business Gifts and Gratuities*, provides guidance on the acceptance of gifts and gratuities and establishes safeguards against the acceptance or offering of kickbacks. The Laboratory is committed to conducting business transactions that are free from even the perception that favorable treatment was sought or received as the result of a gift, gratuity, entertainment, business courtesy, or similar transaction.

What Behavior is Expected?

- Contact EA-Ethics or Responsible Line Manager (RLM) for clarifications or questions about acceptable gifts and gratuities.
- Do not solicit, accept, or attempt to accept a bribe or kickback.
- Cooperate with investigations into possible kickback violations or the improper acceptance of gifts and gratuities.
- Return an unsolicited gift of more than nominal value to the sender with an explanation that the gift is prohibited by Laboratory policy, pay the donor its market value, or share consumables within the office.



Definition:

Kickback - Money, fee, commission, credit, gift, gratuity, thing of value, offer of employment, or compensation of any kind provided, directly or indirectly, for the purpose of improperly obtaining or rewarding favorable treatment in connection with the Laboratory's contract with DOE or in connection with a Laboratory subcontract.



Common Questions

Q: What are items that I may accept?

A: LANL policy on business gifts and gratuities does allow employees to accept certain items, including:

- **Ordinary business courtesies**, such as payment for a modest lunch or dinner on infrequent occasions in the course of a business meeting or inspection tour where an employee may properly be in attendance;
- **Unsolicited advertising novelties or promotional material of nominal value (a gift with a market value less than \$20 per occasion and not aggregating to more than \$50 per calendar year to or from any one source)**, such as pens, coffee mugs, or calendars; or informational material, such as books, reports, pamphlets, or periodicals;
- **Modest entertainment**, such as soft drinks, coffee, and doughnuts, in connection with attendance at widely attended gatherings sponsored by commercial firms, professional societies, or persons with whom LANL does business;
- **Transportation** in customary form while on official business; and
- **Perishable food items** such as tins of popcorn, boxes of candy, or cookies should be graciously discouraged, but need not be returned if they are of nominal value and can be shared by a group, division, or directorate.

Q: I am a project manager at the Laboratory and work very closely with a vendor to obtain appropriate software and supplies. The vendor recently gave me a Montblanc pen with a market value of \$125. Can I keep it?

A: No. If you receive a gift of more than nominal value you are required to return the gift with an explanation that accepting the gift is prohibited by Laboratory policy.

In this instance, since the market value of the Montblanc pen is greater than \$20, you may not simply accept the gift. Instead, you must either return the pen with a written note to the vendor that acceptance is prohibited by Laboratory policy or you may choose to keep the pen and pay the vendor the fair market value of the pen (along with a note explaining that the gift would be prohibited by Laboratory policy).

Q: I attended a conference with a large number of attendees and vendors were present. Some vendors were raffling off door prizes, including a Nook. I entered the raffle by placing my business card in the glass bowl with a lot of other business cards, and I won the Nook. Is this allowed?

A: Yes. Participation in door prizes at a widely attended event, such as the conference, with a trade fair or similar event where the organizations are unrelated would be appropriate for Laboratory employees. **However, employees should not participate in door prizes of more than nominal value at trade fairs and similar events held on site or locally where the targeted audience is LANL employees and contractors.**



Before accepting any business courtesy or gift, ask yourself the following questions:

- Is the gift or entertainment modest or infrequent or could it make you feel obligated to the donor?
- Are you trying to justify accepting the gift or entertainment because you really want it?
- Are you reluctant to ask your manager if it is okay to accept the gift?
- Would you be willing to write a "thank you" note for this gift and send a copy to the Laboratory director?



Political Activities

Summary of Policy:

LANL neither encourages nor discourages employee discussion of political beliefs or participation in political activities.

What Behavior is Expected?

- Avoid giving the appearance that you are speaking or acting on LANL's behalf if you have not been authorized to be an official LANL spokesperson.
- When speaking out on public issues, make sure to do so as an individual—not as a LANS employee.

Common Questions

Q: As a Laboratory worker, can I interact with elected officials?

A: Laboratory workers may not represent the Laboratory on any matters before elected or government officials and may not use Laboratory time or resources to contact such officials without the advance approval from both your Principal Associate Director (PAD) and the Communications and Government Affairs-Government Affairs Office (CGA-GAO). Unless specific authorization is obtained in advance from the appropriate PAD and CGA-GAO, you may not initiate or seek to promote, through members of Congress, the State Legislature, or Local or Tribal elected officials, any policies or legislation by giving the appearance of acting in the name of the Laboratory.

Q: What should I do if I feel pressured to contribute to or participate in a political campaign?

A: Our policy prohibits any campaigning or solicitations of political contributions on Laboratory-operated property or in any Laboratory-occupied building. If you find yourself in a situation where someone is soliciting your support at work, you should make sure they are aware of the political policy and/or speak with your manager or contact Human Resources or the Ethics & Compliance Group.

Q: When election season approaches, can I discuss my opinions with co-workers?

A: While it is okay to discuss your opinions, realize your co-workers may not agree with you; be brief and avoid criticizing their opinions. Campaigning or distributing political materials on Laboratory property or through Laboratory resources is prohibited.



Further Guidance

P725, *Political Activities and Interactions with Elected Officials*, describes political activities that are allowed and prohibited for LANS employees.

For questions related to political activities, contact **Communications and Government Affairs** at **665-5001**.



Alcohol and Substance Abuse

Summary of Policy

The Laboratory does not tolerate illegal activity and takes steps to ensure the work environment is free from unauthorized or illegal use, possession, or distribution of alcohol or controlled substances. P732, *Substance Abuse*, outlines the requirements for compliance in this area.

What Behavior is Expected?

- Be fit for duty and avoid behavior that could compromise the health or safety of you or others or the security of the Laboratory.
- Meet with personnel from Safeguards-Personnel Security (SAFE-2) and/or Occupational Medicine-Medical Services (OM-MS) at times specified when asked to perform a drug and/or alcohol test and fully cooperate with their instructions.
- Provide true and accurate records and information relating to your use of drugs and alcohol.
- Report someone that appears to be under the influence to your supervisor or the Employee Concerns Helpline at 665-9999.



Further Guidance

Read the Security Smart on Detecting Unusual Behavior and Your Responsibilities for guidance on reporting unusual behavior.

Common Questions

Q: What if I suspect that a colleague is under the influence?

A: If you observe unusual behavior, contact the employee's supervisor or manager (or your own supervisor or manager) and/or SAFE-2.

Statistics show that 70% of all drug users are employed and that 50% of worker compensation claims are suspected to be related to alcohol or drug abuse. Working with colleagues who might be under the influence raises safety and security concerns for everyone because illicit drugs, alcohol problems, and abuses of over-the-counter or prescription medications can cause general poor health and vision; compromised reflexes, concentration, and judgment; increased impatience, irritability, or even violence; lower productivity and absenteeism; and workplace and highway injuries and deaths. The impact of substance abuse goes far beyond the abuser.

Q: What if I have taken a prescription drug that may cause a positive test result?

A: If you are called for a random drug test and you have taken a prescription drug that may cause a positive test result, a medical review officer (MRO) will call you if the test comes back positive. The MRO will schedule a confidential interview with you and also will need to physically see the prescription medication in question, regardless of whether the medication was issued to you or someone else. If the MRO concludes that there is an acceptable medical explanation, the drug result is reported as negative and you will be returned to work.

Q: What if I am selected for random drug testing?

A: Random drug testing (a simple urine test) is a central feature in LANL's attempt to reduce the risk of drugs in the workplace. You are required to cooperate fully with the instructions given.

Q: What if I am called in for testing and decided that I don't feel well enough that day and go home instead?

A: If you are scheduled to be at work and are called in for a drug test, illness will not exempt you from taking the test at the scheduled time. If you have not arrived at the arranged testing site within two hours of being notified, your no-show status will be considered a refusal to test and will be treated as a confirmed-positive test result.

LANL understands that random drug testing may involve some inconvenience to employees, but this element of unpredictability is required to protect the integrity of the testing process.

Work Environment

Summary of Policy:

LANL is committed to a work environment that is safe and supportive and promotes a healthy and diverse workforce. PD712, *Equal Employment Opportunity, Affirmative Action, and Diversity*; P721, *Harassment, Including Sexual Harassment*; and P724, *Workplace Violence*, offer additional information on meeting these commitments.

What Behavior is Expected?

- Foster a mutually respectful working environment that is free from discrimination, intimidation, and harassment (including sexual harassment).
- Read and understand equal opportunity and diversity-related compliance requirements, expectations, and procedures.
- Participate in training programs and events designed to enhance understanding and awareness of equal opportunity initiatives and diversity-related issues.
- Know the Laboratory's requirements related to harassment.
- Report any instance of harassment you may observe to the appropriate authority.
- Refrain from violent behavior and/or threats of violence.
- Call 9-1-1 if immediate action is required to respond to a threat to life or to a situation that could result in serious bodily harm.
- Notify the group- or higher-level manager when you are a target of workplace violence or threats of violence or when you know of violent behavior or threats directed at others.

Common Questions

Q: I believe that I am being harassed, what do I do now?

A: This needs to be immediately reported to management, your Human Resource (HR) Generalist and Human Resources-Employee & Labor Relations (HR-ELR). Your complaint will be investigated and corrective action will be taken as deemed appropriate.

Q: What if I believe I am being discriminated against?

A: Report it to your manager, HR Generalist, or the Equal Employment Office of the Laboratory as soon as possible. There are also outside agencies, such as the New Mexico Human Rights Bureau or the Equal Employment Opportunity Commission that can assist you.

Q: Who has the final decision regarding actions that will be taken in response to a complaint or concern?

A: Laboratory management. Some actions are determined by policy. Past precedent or legal requirements may determine other actions. HR and other appropriate resources provide management input and guidance.

Q: What if I am confronted with an actual violent incident in the workplace?

A: You should remain calm and call 9-1-1 and confront a hostile, violent person only as a last resort and if you believe your life is in imminent danger.

Awareness is Key

Being aware of the issues surrounding workplace violence and knowing what to do is vital.

- Contact HR-ELR for assistance when confronted with the threat of potential workplace violence, regardless of the situation.
- Seek assistance from deployed security officers, who also are available to assist employees who feel threatened in the workplace.

Q: If I report a suspected violation against my manager, am I protected from retaliation?

A: Yes. The Laboratory prohibits retaliation by managers against workers who file a complaint of discrimination, participate in the investigation of alleged discrimination, or oppose an unlawful discriminatory practice.

Further Guidance

- Every person is unique and possesses individual attributes, distinct experiences, and diverse perspectives.
- Diversity can promote innovation, enhance problem-solving, cause positive change, and lead to a more successful and productive organization.
- Equal opportunity and a mutually respectful working environment are critical to the Laboratory's current and future success.
- Community partnerships are an essential and integral part of the Laboratory's commitment to diversity.

Safety and Health

Summary of Policy

- We conduct our work safely and responsibly to achieve our mission.
- We ensure a safe and healthful work environment for workers, contractors, visitors, and other on-site personnel.
- We protect the health, safety, and welfare of the general public.
- We do not compromise safety for personal, programmatic, or operational reasons.

What Behavior is Expected?

- Maintain a safe work environment and conduct work safely to protect and preserve the well-being of yourself, Laboratory staff, the public, and the environment.
- Be consistent and disciplined in adhering to work procedures and guidelines when performing tasks and operations.
- Understand and apply safety standards to job function and perform duties in a safe manner.
- Keep abreast of proposed safety regulations and requirements.
- Demonstrates care for health and safety of others.
- Report hazards, unsafe acts, and unsafe work conditions immediately.

Further Guidance

- SD100, *Integrated Safety Management System Description Document*, with embedded 10 CFR 851 Worker Safety and Health program
- P300, *Integrated Work Management*
- PD100, *Occupational Safety and Health*
- P315, *Conduct of Operations Manual*.

Common Questions

Q: What is Integrated Work Management (IWM)?

A: IWM:

- Is LANL's process for doing all work.
- Integrates LANL's safety, security, and environmental efforts.
- Provides sound basis for mitigating risk.
- Increases accountability by identifying single person in charge (PIC).
- Involves workers directly.
- Promotes critical thinking.

Q: How does the Laboratory help ensure work is safe for me and that LANL's procedures are compliant with regulations?

A: The Associate Directorate for Environment, Safety, and Health provides expertise, services, support, and oversight to help ensure LANL's health and safety programs provide for worker safety, emergency response (on site and off site), regulatory compliance and oversight, facility operability, and programmatic support through:

- Core, centralized, and deployed capabilities;
- Facility-specific health and safety requirements; and
- Line and facility organization implementation of requirements.

Q: What is a Worker Safety and Security Team (WSST)?

A: WSSTs at LANL:

- Provide a process for worker involvement in resolving issues and improving safety and security.
- Represent all workers.
- Facilitate communication between workers and managers.

For information on WSST teams, go to the WSST website.

Environmental Stewardship

Summary of Policy

LANL is committed to environmental excellence. Achieving excellence demands that employees conduct work in a way that minimizes waste and environmental impacts and is compliant with federal, state, and local laws and regulations. Environmental requirements, compliance, and practices are covered in SD400, *Environmental Management System*; PD400, *Environmental Protection*; and P401, *Implementing Environmental Requirements*.

Environmental laws are aggressively enforced. Employees who violate these laws may face serious consequences, including criminal prosecution, and may subject the Laboratory to fines and other penalties. Prosecutions are not limited to willful violations. Under certain circumstances, personnel may be held individually liable for the conduct of those under their direction and control, regardless of whether they personally participated in an act of noncompliance.

What Behavior is Expected?

- Conduct work in a way that minimizes waste and environmental impacts and is compliant with federal, state, and local laws and regulations.
- Complete annual Environmental Management System (EMS) Awareness Training.
- Complete Environment Action Plan (EAP) actions as assigned.
- Understand the Laboratory's Governing Policy on the environment and the Directorate's EAP.
- Understand how assigned work can affect the environment.
- Prevent or mitigate negative environmental impacts and enhance positive impacts when working.

Common Questions

Q: How can I reduce the impact of what I use by what I buy?

A: Many products now have an environmentally preferable alternative available at competitive prices. These "greener" products reduce environmental impacts and cost less during their life cycle because they are less regulated once they become waste. Think about your products' life cycle before you buy and work with your Designated Procurement Representative to buy environmentally preferable products whenever possible.

Q: What can I do at work to reduce greenhouse gas emissions?

A: Suggestions:

- Turn off lights and equipment when not in use. Electricity purchases contribute the largest percentage towards greenhouse gas emissions at LANL.
- Carpool, ride a bike, or use the regional bus service. Greenhouse gas emissions from business air travel can be decreased through the use of videoconference calls and webinars in place of out-of-town meetings.
- Share your ride! When several employees need to travel to the same meeting, always consider sharing rental cars or carpooling in government vehicles.
- Print on or use both sides of each sheet of paper. Convert as many files as possible to electronic-only so that less printing needs to occur.



Further Guidance

If you are unsure of the proper environmental, safety, and/or health requirements or procedures, regardless of whether they are external or internal requirements, ask for clarification and/or help. First, consult with your supervisor or manager, then with the Environmental Protection Division (ENV-DO) at 667-2211.



Avoiding Conflicts of Interest

This section focuses on activities in your private life that, because of your LANS employment, might lead to a conflict of interest or other problem.





Personal Conflicts of Interest

Summary of Policy

Employees are required to complete Form 1990, “Conflict of Interest (COI) Certificate,” to disclose any situation that may lead to a conflict of interest. After initial completion of this form, employees are also required to re-submit the form to report changes in previously disclosed information. If employees find themselves in a personal conflict of interest situation, they are required to notify their manager or the Ethics & Compliance Group (EA-Ethics) and refrain from making or attempting to influence any Laboratory decisions that may materially affect their financial interests until either the conflict is resolved or they are disqualified from participation in the matter.

What Behavior is Expected?

- Avoid situations where personal, social, financial, or political activities interfere with or have the potential to interfere with your objectivity and/or duty to LANS.
- Disclose and resolve any existing situations that potentially create a conflict of interest or the appearance of a conflict.
- Don’t allow your personal relationships with contractors and suppliers to inappropriately influence business decisions.
- Never use your position at LANS, or confidential information you have gained through your work, for personal gain.

Common Questions

Q: What is a personal COI?

A: A personal COI arises when your outside financial, business, or personal relationships are inconsistent with the interests of LANS or the government, and as a result, your independent judgment related to the Laboratory matters might be compromised.

Q: What kinds of situations are most likely to create potential conflicts of interest?

A: A conflict of interest can arise because of circumstances alone, without any deliberate action on your part. Each situation is different, so you need to consider many factors including how substantial and how realistic the risk is to LANS’ interests.

Some of the most common conflict of interest situations involve LANS employees participating in outside employment or other professional or business ventures; hiring or supervising family members or relatives; having a substantial financial interest in a competitor, supplier, or contractor; or accepting gifts, discounts, favors, or services from a current or potential customer, competitor, or supplier when that benefit is not equally available to all LANS employees.

Q: Who should I contact to find out if I have a personal COI?

A: You should consult with your manager or EA-Ethics to obtain assistance in determining whether a particular circumstance constitutes a conflict of interest or creates the perception of a conflict of interest.

Further Guidance

Note: An improper financial interest cannot be evaded by acting through someone else, including family members. See LANL’s Conflict of Interest website for more information.



Business Agreements

Summary of Policy

The Laboratory will not acquire goods or services from (1) any Laboratory employee, (2) from a spouse/domestic partner of an employee, or (3) from an organization in which an employee or spouse of an employee has a controlling ownership interest without prior approval of the Ethics & Compliance Group (EA-Ethics). There are additional restrictions on subcontract administration, evaluation, and selection for employees and their near relatives. See P723, *Conflicts of Interest*, for specific requirements.

What Behavior is Expected?

- Inform EA-Ethics about the potential for, or appearance of, favoritism in Laboratory business agreements.
- Do not participate in the evaluation or selection of any organization being considered for a subcontract or other business agreement, at any tier, if you have a business agreement with or significant financial interest in the organization or you have a near relative who has a business agreement or significant financial interest in the organization being considered.
- Do not participate as a Subcontractor Technical Representative (STR) or provide subcontract administration (including approving invoices, authorizing payment, approving, assigning or directing work, etc.) for any organization with an existing business agreement with the Laboratory when you have a business agreement with or significant financial interest in the organization being considered or you have a near relative who has a business agreement with or significant financial interest in the organization being considered.

Common Questions

Q: *I need to purchase some equipment for my project, and my brother owns a company that can provide the equipment at a reasonable price. Can I purchase the equipment from his company?*

A: No, not without prior approval from EA-Ethics. Before you make any arrangements for a purchase, you need to provide the details to EA-Ethics, so they can determine if a conflict of interest exists.

Q: *My supervisor's friend is an engineering design consultant. Whenever we need some design work, my supervisor calls her friend, and he always gets the job. The friend does good work, but I've always wondered if this is appropriate?*

A: Your supervisor's approach is creating an appearance of a conflict of interest. However, you may not have all the facts. It could be that your supervisor's friend is an approved vendor and has gone through all the necessary selection and approval processes. You should discuss this matter with your supervisor, but if you are uncomfortable doing this, contact EA-Ethics at 667-7506.

Further Guidance

Definitions:

Business Agreement—Any business agreement between two parties, including, but not limited to, contracts, subcontracts, employment, leases, Memorandum of Understanding (MOUs), and Cooperative Research and Development Agreement (CRADAs.)

Conflict of Interest (COI)—Any situation in which a LANS employee is in a position to exploit a professional or official capacity in some way for either personal or corporate benefit.

Contact:

EA-Ethics
Telephone: 667-7506
Fax: 665-3664
Email: coi@lanl.gov



Organizational Conflicts of Interest

Summary of Policy

An organizational conflict of interest (OCI) exists when an offeror or a subcontractor has past, present, or planned interests that, directly or indirectly, through a contractual, financial, organizational, or other relationship, relate to the work to be performed under a Laboratory subcontract and that may:

- diminish their ability to render impartial assistance or advice;
- impair their objectivity in performing the work; or
- result in an unfair competitive advantage.

When assessing whether a specific situation creates an organizational conflict of interest common sense, good judgment, and sound discretion are required in both the decision about whether a significant potential conflict exists and, if it does, whether an appropriate means for avoiding it can be developed. Employees should contact Laboratory Counsel (LC) or the Ethics & Compliance Group (EA-Ethics) for assistance with organizational conflict of interest questions.

What Behavior is Expected?

- Notify EA-Ethics if you are aware of any situation that may pose an OCI or could appear to be one. If there is an OCI concern related to a proposed or existing purchases requisition, also notify the applicable Acquisition Services Management (ASM) Division procurement specialist.
- When in doubt, disclose.

Common Questions

Q: What types of circumstances should I be aware of in regards to a potential OCI?

A: Some questions to ask yourself include the following:

- Will the subcontractor have conflicting roles that might bias the subcontractor's judgment in its work for the Laboratory?
- Did something take place in the past that will give the potential subcontractor an unfair competitive advantage in the current subcontract?
- Will performance of the current subcontract result in the offeror having an unfair competitive advantage in a future subcontract?

Q: As part of an existing subcontract, the subcontractor assisted our group with drafting specifications for new equipment to be built as part of a new subcontract. Can this subcontractor still bid on the new subcontract?

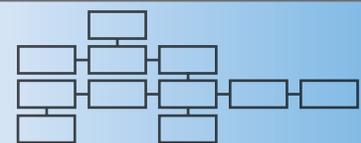
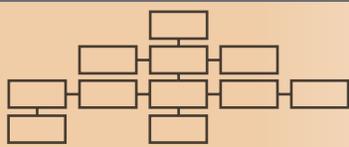
A: Drafting specifications may give the subcontractor an unfair competitive advantage. The subcontractor may be precluded from the bidding process for the new subcontract. You should contact LC or EA-Ethics for additional guidance.

Q: A spouse of a LANS employee in my group works for a company that is bidding on a LANS subcontract. Can that company still bid on the project?

A: It depends on the involvement of the LANS employee and the spouse in the procurement process. A mitigation plan may be needed to "partition" the spouse from the bidding activity. Again, you should contact LC or EA-Ethics for additional guidance.

Further Guidance

There are also OCI requirements in regards to interactions with parent company representatives. See P723, *Conflicts of Interest*, for more information.



Outside Activities

Summary of Policy:

An outside activity is a professional or business activity conducted outside the normal course and scope of an employee's Laboratory job that may or may not involve compensation. While not all outside activities require the filing of a Form 701, "Outside Activity Permission Request," each employee must inform his or her manager in writing of outside activities. P723, *Conflicts of Interest*, gives guidance, by category, regarding when an outside activity requires the employee to file Form 701 and other related requirements, including having EA-Ethics' approval before beginning the outside activity.

What Behavior is Expected?

- Inform your manager of all outside activities, in writing.
- Be aware of potential conflict of interest (COI) situations and contact your manager or the Ethics & Compliance Group (EA-Ethics) with any concerns or questions.
- Avoid any outside activity that interferes with the proper and effective performance of the duties of your Laboratory position.
- Ensure all outside activities are conducted on your own time and away from Laboratory property.



Common Questions

Q: How do I know if I need to complete a Form 701 for my outside activity?

A: Generally, if the outside activity meets any of the following criteria (with a few exceptions), a Form 701 is required:

- Activity is related to Laboratory mission;
- The outside organization has a business agreement with LANS;
- Your role is as an owner, executive, officer, manager, or similar position; or
- Your role in the outside activity relates to your Laboratory position and/or duties.

See P723, *Conflicts of Interest*, for specific requirements.

Q: I belong to the YMCA and coach a city basketball league. Do I need to complete a Form 701?

A: No. Volunteer activities that involve hobbies, sports, civic, or religious non-profit organizations and do not relate in any way to LANL or its mission are not considered outside activities for the purpose of the Form 701 requirement.

Q: I am a Laboratory manager and one of my employees is an excellent computer programmer. I would like to hire him to help with my personal business. Is this ok?

A: No. Managers may not hire or otherwise engage their employees in outside business or solicit business from their employees.

Q: I am a Laboratory researcher and have been asked to perform similar research for a university, either using leave or during my free time. Do I need to complete a Form 701?

A: Yes. This type of outside activity requires review and approval by your managers and by the Committee on Conflicts of Interest Related to Outside Activities.

Further Guidance

[Conflicts of Interest Presentation \(PDF\)](#)

Contact: EA-Ethics
Telephone: 667-7506
Fax: 665-3664
coi@lanl.gov



Reporting Unethical or Unlawful Conduct and Addressing Noncompliance

Summary of Policy

Employees must inform management of any unlawful or unethical conduct, conflict of interest, unsafe condition, lack of proper security for information or property, or other violations (or potential violations) of LANL policy that come to their attention. No LANS employee will be reprimanded, disciplined, or otherwise retaliated against as a result of such reporting or participating in good faith in any procedures under the Employee Concerns Program (ECP).

What Behavior is Expected?

- Report concerns of improper activity or concerns regarding a situation that constitutes a threat to security, health, safety, the environment, or quality.
- File complaints of retaliation in accordance with P791, Complaint Resolution, or under the Employee Concerns Program (ECP). [See P793, Employee Concerns].



Common Questions

Q: My group sets various goals that we are asked to achieve. Sometimes I feel pressured to violate a policy to achieve these goals. Is this acceptable?

A: No. While groups set high goals and employees strive to achieve them, you should never violate LANL policy to achieve your goals.

Q: Our supervisor typically does nothing when concerns about potential misconduct are brought to his attention, and I believe he has made things difficult for coworkers who have raised issues. Now I have a problem. I believe a coworker is doing something ethically wrong, and I am afraid to report the problem. What should I do?

A: You should report the misconduct and you can do so without fear of retaliation for something you believe is true. While you are encouraged to report the information to your supervisor first, if you do not believe that it is appropriate or do not feel comfortable doing so, you should talk to another member of management, the ECP, or the other avenues documented in this booklet.

Q: I am a manager and have observed misconduct in an area not under my jurisdiction. Am I still required to report the issue?

A: All LANS employees must report misconduct they observe, and you as a leader are especially obligated to act as a steward of LANL's ethical culture.



When reporting a concern, employees are encouraged, but not required, to address workplace concerns directly with their supervisors or managers before using the Employee Concerns Program (ECP.) Employees can initiate concerns to the ECP through the following avenues:

- Call the ECP 24-hour Helpline: 665-9999 (No Caller ID)
- Call the Ethics & Compliance Group: 667-7506
- Fax: 665-3664
- Send email to ecp@lanl.gov
- Send a written concern to Mailstop D449, Attention: Helpline
- Meet in person with Ethics and Compliance Specialist at TA-00, Bldg. 787, Room 1001B (125 Central Park Square, 1st floor)

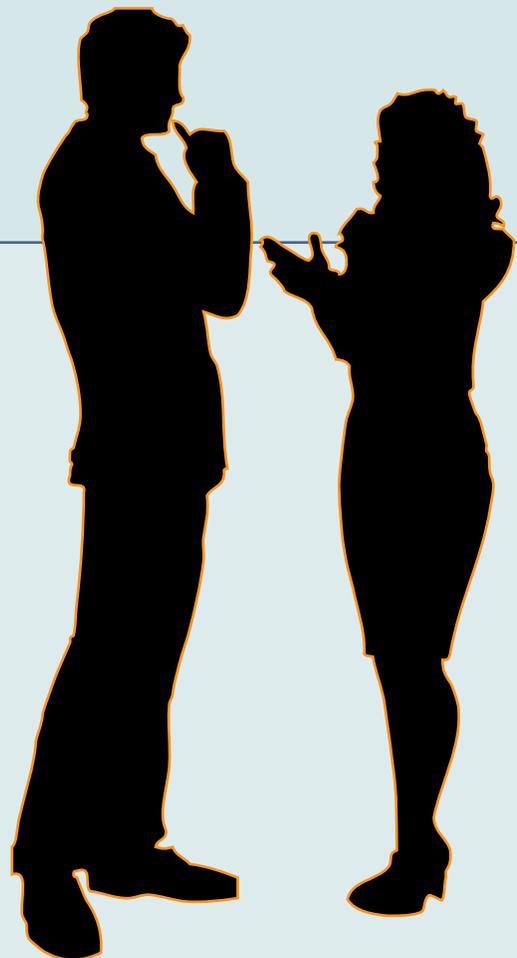
Please note: You will need to inform the Ethics & Compliance Group if you are a foreign national to ensure logistical arrangements can be made.

- Fill out the Concern Form and submit it electronically. Please include your contact information and the nature of your concern, with as many details as possible. You can also submit it anonymously.

In addition to the internal resources listed above, employees have the option of turning directly to the Department of Energy (DOE) as follows:

- ECP Manager for Los Alamos Field Office Hotline: 665-6369, or the 24-Hour Hotline: (800) 688-5713;
- DOE Fraud, Waste, and Abuse Hotline: (800) 541-1625;
- DOE Office of the Inspector General Hotline: (202) 586-4073; or
- DOE Albuquerque Employee Concerns Hotline: (800) 688-5713.

Employees who wish their identities to remain confidential must make this known during the initial written or verbal submission of the concern. The Ethics & Compliance Group will protect an employee's confidentiality, when requested, to the extent practicable, as permitted by law.



What to expect when you contact the ECP Helpline:

- You will be treated with respect.
- Your concern will be treated seriously.
- You will not be required to identify yourself.
- Your report will be kept confidential to the extent permitted by law and the need to fully investigate the matter. If it is discovered that criminal or otherwise improper activity has occurred, we may be required to report the activity to appropriate authorities.
- Only those with a need to know will be involved in or know of the investigation.
- Threats or acts of retaliation against you for reporting unethical or illegal conduct will not be tolerated.



Employee Resources

| Organization | Phone | Email |
|--|----------------------|-------------------------------------|
| Chief Financial Officer | 667-3848 | |
| Communications & Government Affairs | 665-5001 | |
| Community Programs | 665-4400 | |
| Criticality Safety | 667-4789 | |
| Emergency | 9-1-1 or 667-6211 | |
| Employee Concerns (No Caller ID) | 665-9999 | ecp@lanl.gov |
| Environmental Protection Division | 667-2211 | |
| Ethics & Compliance Group | 667-7506 | ethics@lanl.gov |
| Export Control Team/Technology Exports | 665-2194 | export@lanl.gov or customs@lanl.gov |
| Human Resources | 667-1887 | |
| Human Resources-Employee & Labor Relations | 667-8730 | employee_relations@lanl.gov |
| Human Resources-Office of Diversity & Strategic Staffing | 667-2602 | odss@lanl.gov |
| Information Security | 665-1795 | cybersecurity@lanl.gov |
| Laboratory Counsel | 667-3970 | |
| Occupational Medicine | 667-0660 | |
| Ombuds | 667-9370 | ombuds@lanl.gov |
| Procurement Help Desk | 606-0368 | phdhelp@lanl.gov |
| ES&H (Safety) Hotline | 665-7233 | safety@lanl.gov |
| Security Help Desk | 665-2002 | security@lanl.gov |
| Richard P. Feynman Center for Innovation | 665-6846 or 667-5844 | |
| Training @ LANL | 667-1111 | utrain@lanl.gov |

(All phone numbers in this document are area code 505 unless otherwise noted.)

The following avenues are available to provide feedback or send ideas on how the Code of Conduct could be improved:

- Email to: ethics@lanl.gov
- Call EA-Ethics: 667-7506
- Fax to: 665-3664
- Send to Mailstop: D449

