

## WHEN YOUR PROFESSIONAL COMMITMENT AND EMPLOYERS CONFLICT

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Today's practicing professional wildlife biologists are facing new technical challenges and increased interaction with employers (Kennedy 1983, Yoakum and Zagata 1982). The tremendous advances in technical skills are readily apparent when one compares The Wildlife Society's "Techniques Manual" originally published in 1960 (Mosby 1960), with the fourth edition published in 1980 (Schemnitz 1980). However, much less has been written about methods wildlife biologists are using to implement proper wildlife management in a society that constantly demands more environmental quality while increasing the demand for man's everyday needs and developing natural resources. The perennial question is - how can we balance resource development with the maintenance of wildlife. Past land management practices have been beneficial for some species (turkeys, pronghorns, and coyotes), but deleterious to others (grizzly bears, pupfish, and peregrine falcons). Because professional wildlife biologists are committed to high standards and ethics that focus on maintenance of environmental quality, they can run into conflicts with societies' needs and individual employers. Therefore, the objectives of this paper will be to: 1) define professional commitments and conflicts, 2) provide a rationale for having established a Code of Ethics and Standards of Work Conduct for professional wildlife biologists, and 3) present three representative cases of conflicts that have been resolved or are still pending.

### DEFINITIONS

It is paramount that a common understanding be established on this highly volatile subject. Consequently, I will define each of the terms used in the title of this paper.

Professional. Yoakum and Zagata (1982) identified a professional wildlife biologist as a person meeting the following standards:

1. Completed a prolonged period of education and/or experience in endeavors specializing in wildlife activities (not generalized environmental or biological activities other than wildlife).
2. Undergoes peer review or board of examination evaluation of education and professional experience to ensure specialized training that substantiates wildlife biological knowledge sufficient to result in professional licensing, registering, or certifying standards.
3. Commitment to a Code of Ethics and/or Standards of Work Conduct.
4. Work experience that conforms to the Code of Ethics and/or Standards of Work Conduct.
5. Completes periodic post-baccalaureate education or training to keep current on new practices and procedures of the profession.

These five standards are also applicable for other professionals such as medical doctors, lawyers, and engineers. They are standards accepted by certain State and Federal Government agencies.

Commitment. To commit means to pledge, bind, or engage. The commitment can be either oral or written. One of the best known commitments is that of medical students who take the Hippocratic Oath, the ethical code for the medical profession.

There are presently two professional commitments for wildlife biologists practicing in Europe or North America. These are the Code of Ethics and Standards for Professional Conduct in The Wildlife Society's program for certification. Those who seek certification must commit in writing to uphold both of these statements before they can be approved for certification. These standards can be measured, evaluated, and assessed. These statements were developed over several decades by wildlife biologists and were approved by a majority vote of The Wildlife Society members in 1977.

Employer. For this paper, I use the term employer and client interchangeably. The employer can be an international, federal, state, or private agency. It also refers to situations whereby the wildlife biologist may be hired by an individual or organization on a client relationship, one that is engaged to act in the client's interests.

Conflict. A conflict is a sharp disagreement or collision of interests or ideas. The conflict usually involves a friendly or hostile struggle for supremacy in the disagreement.

There undoubtedly have been employer/employee conflicts since hiring began. Examples of employer/employee conflicts are: disagreements over work procedures; differences in pay scales; conflicts of interest; personality conflicts between supervisor and employee; and sexual harassment. This paper does not address these types of conflicts. Rather it focuses on the conflict produced when employers or clients intimidate or coerce professional biologists into violating their Code of Ethics or Standards of Professional Conduct.

#### COMMITMENT AND THE PROFESSIONAL WILDLIFE BIOLOGIST

There are over 8,000 members of The Wildlife Society from around the world, and many are professional wildlife biologists. In addition, there may be three to five times as many professional wildlife biologists occupied as wildlife managers who are not members of The Wildlife Society. All may be committed to certain occupation standards or ethics. However, many of these work standards and ethics are not clearly documented, measured, or assessed, especially from a legal standpoint. It is this legal issue that has recently brought malpractice to the forefront for medical doctors. Malpractice may also exist in the wildlife management occupation, but it is often difficult to identify when defined standards of conduct are lacking.

The Wildlife Society offers one solution to this problem. The Society's certification program is a service to members and non-members throughout the world. Each person who applies for certification commits by signature that they will abide by the program's Code of Ethics and Standards for Professional Conduct. It is this commitment in writing that can be challenged by employers, the courts, or the public. The certified biologist's performance can be evaluated and assessed. Should a Board of Inquiry judge that the certified biologist has violated the Code of Ethics or Standards of Professional Conduct, the certified person can be censured, suspended of certification for a specific time, or issued permanent revocation of certification. Conversely, persons who uphold these commitments are often vindicated. Such practices are factors the public condones when it recognizes professions as medicine, law, and religion.

The practicing wildlife biologist who is not committed in writing to a Code of Ethics or Standards of Professional Conduct has little to be evaluated on regarding their adherence to such standards. This is especially true from a legal standpoint. It is hard to prove someone has performed at a low standard when that standard has not been defined and documented. It is now apparent that the ground rules for judging commitment to professional standards must be well understood, measured, and assessed. At the present time, these standards vary among practitioners. Some are high but others are low. Often there is no accepted way to differentiate quality performance. This is one reason the occupation of wildlife biologists is not recognized as professional (Monroe 1982).

The presence of a mixture of wildlife biologists practicing under various professional standards is a dilemma that I want to address once more. Since different standards do exist and since many cannot be properly assessed, I therefore will not attempt to include them. My discussion will be limited to one standard for biologists, particularly wildlife biologists (be they Certified Wildlife Biologists or Associate Wildlife Biologists) that have been certified by The Wildlife Society. Their commitment to a set code of conduct allows them to be evaluated.

#### CONFLICT BETWEEN THE CERTIFIED BIOLOGIST AND EMPLOYERS

Now let's discuss specific conflicts between employers and employees. Again, these conflicts will be limited to cases whereby the employer intimidates or coerces a certified professional wildlife biologist into violating the Code of Ethics or Standards of Professional Conduct. This situation is not merely alleged - it exists today as attested by evidence submitted to The Wildlife Society's Executive Board meeting during October, 1984. Other cases no doubt exist. The importance and frequency of these situations are not well known for most cases are not publicly exposed.

As mentioned earlier, the certified biologist who violates the Code of Ethics or Standards of Professional Conduct and is proven guilty can be severely reprimanded. The Wildlife Society's certification program devotes almost one fifth of its program to the legal formalities to process such cases. Unfortunately, this same program provides no procedures for protecting the certified biologist who upholds these same standards when a employer intimidates or initiates adverse action to the employee for upholding these standards against the policy procedures, or desires of the employer. It is immediately apparent that this entire matter can be fraught with legal points, opinions, and in the future - judicial decisions that will be precedent establishing.

For the record, we should note that there are many employer/employee conflicts going on constantly. Such conflicts may be major or minor issues. Many are resolved expeditiously with little or no problems. Other cases may become paramount, affecting long term relationships for wildlife biologists. I have several cases that I would like to present now to illustrate variations in actual situations of conflicts between employer and employees.

Case Number 1. A certified wildlife biologist is requested by his supervisor to accomplish field studies and recommendations regarding deteriorated stream bank vegetation conditions due to domestic livestock grazing. The stream had a native trout population that greatly decreased after livestock grazing began. The wildlife biologist had no formal education or practical experience with fisheries management. He informed his supervisor of the lack of these qualifications, and that the project would be best accomplished by a professional fisheries biologist. This was a surprise to the supervisor, as he was unaware that a wildlife and fishery biologist were different professions. After the wildlife biologist submitted a staff report, including verification that wildlife biologists and fishery scientists contained different certification criteria, the supervisor accepted the recommendations and hired a certified fishery scientist. In this case, the wildlife biologist upheld the certification program's Standards for Professional Conduct, Item D, which states: "Accept employment to perform professional services only in areas of their own competence. They shall seek to refer clients or employers to other natural resource professionals when the expertise of such professionals shall best serve the interests of the public, wildlife, and the client/employer." This case was simply a matter of (1) an employer innocently not knowing the difference between a professional wildlife biologist and a fishery biologist, (2) employee not educated or experienced in fisheries management, (3) employee upholding his commitment to a set of established Standards of Professional Conduct by not performing duties outside his field of expertise. The case took some time to be resolved, but no major conflict relationships occurred between employer/employee.

Case Number 2. A supervisor for an agency requested his staff wildlife biologist to review a cooperative plan to release exotic ungulates on public lands that were original habitat for an extirpated native ungulate. The supervisor stated he had reviewed the case and could see no problems as there was presently no production of wild ungulates, little if any

competition with domestic livestock, and the release would provide a new source of wildlife for a large urban hunting community nearby: all favorable factors in line with the goals of multiple-use of public lands.

The professional wildlife biologist evaluation of this social-biological land management proposition was different. He had been educated to evaluate the introduction of exotic species. A review of his professional society's policies and procedures disclosed:

1. The Code of Ethics stated in its first line, "Members of TWS have a responsibility for contributing to an understanding of mankind's proper relationship with natural resources."
2. The need for sound biological knowledge in the management of wildlife was encountered through the publication of "Position Statements". One specifically referred to "Exotic Animal Introductions" which stated: (1) the release of exotics will be preceded with thorough biological investigations, and (2) exotics will not be released in habitats occupied by native species.

The wildlife biologist researched the case further, noted that his agency had adopted no procedures or policies regarding the introduction of exotics, and submitted a staff report recommending that his employment agency hire consultants to conduct biological feasibility studies. This was accomplished, disclosing the highly controversial content of the exotic release proposal. A public hearing was held which documented testimony that the majority of the public did not favor the release proposal. Armed with a thorough biological study and public testimony not in favor of the exotic release, the employer made the decision not to approve the release plan.

The case is now closed. The originally different views expressed by the supervisor and the employee lasted over a two year span but, in the end, the supervisor thanked the wildlife biologist for providing good staff work.

The previous two cases illustrate employer/employee conflicts successfully resolved. There are many more like them that are underway constantly. Conflicts to some degree are part of daily operations. Often it is not these conflicts that create the problems but frequently it is how the persons interpret and conduct relationships that turn out to be the problems.

However, let us now look at the other side of this issue: Here is an example of a conflict that was not successfully resolved.

Case Number 3. A supervisor requested an employee to perform his duties not in accord with Part E of the employee's professional society's Standards of Professional Conduct which states, "maintain a confidential professional client/employer relationship except when specifically authorized by the client/employer or required by due process of law or the Code of Ethics and Standards to disclose pertinent information". There is good reason to believe this case was in violation of the employee's rights under the U.S. Bill of Rights as upheld by a U. S. Supreme Court decision. Through harassment and intimidation, the employee experienced stress problems with fellow employees and family. Eventually he dropped his career in wildlife management and his membership in The Wildlife Society. Needless to say, not all the facts of the case have been presented, and we therefore have incomplete factual data to pass judgement. My point now is that there are serious employer/employee conflicts that violate our professional Code of Ethics and Standards of Professional Conduct.

#### DISCUSSION

We have identified that the wildlife management occupation needs a system of professional integrity that can be measured and assessed. One solution is the certification program of The Wildlife Society which contains a Code of Ethics and Standards of Professional Conduct.

These standards parallel other publicly accepted professions such as medicine, law, and religion. Persons who are certified must commit themselves to upholding society standards; otherwise they are subject to censure, suspension, or revocation of certification.

Recent disclosures indicate there are cases whereby certified wildlife biologists are being intimidated and harassed due to upholding the certification standards contrary to an employer's desires. This is an unfortunate situation since The Wildlife Society's certification program penalizes the certified biologists for not upholding the certification program standards but provides no support or protection when employers initiate punitive action. It would be highly advisable for The Wildlife Society to instigate procedures that would address this problem. Such support would go a long way to prove to members that the Society is serious when it states that one of its major objectives is to improve professional standards.

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