

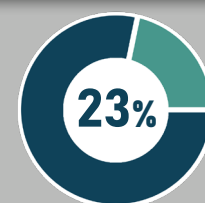
BTAC BULLETIN

BEHAVIORAL SCIENCE | LAW ENFORCEMENT & COUNTERINTELLIGENCE | CYBERSECURITY | EMPLOYEE MANAGEMENT RELATIONS | THREAT ASSESSMENT & MANAGEMENT

MANAGING MISCONDUCT

FAIR APPLICATION OF WORKPLACE STANDARDS

All malicious insider threat actions are conduct violations, and most conduct violations are risk indicators of potential insider threats. Management and mitigation of these potential threats frequently result in administrative, investigative, or disciplinary action. Accountability for conduct violations should be carefully evaluated by a multi-disciplinary team to help reduce the risk of insider threat actions. Disciplinary actions may lead to humiliation or job- and income-related stress that introduces risk for retaliation, whether by sabotage, espionage, self-harm, or harm to others. Lack of consistency in application of accountability actions across the organization can also lead to perceptions of unfair practices and development of grievances. Ensuring fair, firm, and consistent accountability toward misconduct is essential to reducing the risk of insider threat actions and upholding workplace standards and codes of conduct.



US employees who are aware of misconduct at work ²

67%

43%

67% of US employees are willing to speak up, but 43% fear retaliation/job loss for speaking up ²

Misconduct is "...an action by an employee that impedes the efficiency of the agency's service or mission...[and] can affect...employee morale and performance." ¹

MAINTAINING FAIRNESS WHEN ADDRESSING MISCONDUCT

FOUNDATIONS OF FAIRNESS



PROCEDURES: Processes are clearly communicated with established criteria, neutral in nature, and consistently applied without perceived favoritism



OUTCOMES: Decisions are fair and punishments are similar for similar types of misconduct



INFORMATION: Employees receive sufficient information to establish fairness (e.g., codes of conduct) and understand how misconduct causes harm



RELATIONSHIPS: Employees are treated with respect, professionalism, and dignity

HOW IT REDUCES INSIDER RISK

• Employees believe processes result in fair outcomes and that discipline is appropriate and consistent between employees

• Employees understand consequences for conduct violations

• Employees feel they are sufficiently informed of processes and see they are applied consistently

• Employees have psychological safety, are treated with dignity and are not humiliated in the face of discipline

PRACTICAL TIPS TO FAIRLY MANAGE MISCONDUCT

- Model and train employees on organizational code of conduct
- Address misconduct privately, quickly, fairly, and consistently; don't play favorites
- Treat each incident with care—each person and situation is different
- Give employees a chance to speak; listen to them
- Get to know employees and establish trust to best address misconduct if it occurs
- Attend to employees who have faced discipline; be alert for signs of grievance or distress

PRIVATE CONDUCT, PROFESSIONAL IMPACT

DoW insiders should remain mindful of how conduct in their personal life reflects on their professional life; personal, non-work behavior can be misconduct. One example is social media. While specific organizational policies vary, online conduct that violates policy may be considered misconduct.



The BTAC Podcast "**Beyond the Bulletin**" featured on DVIDS is now streaming on Apple and Spotify

1. Government Accountability Office (2018). Federal employee misconduct: actions needed to ensure agencies have tools to effectively address misconduct (Report No. GAO-18-48). <https://www.gao.gov/assets/700/693658.pdf>

2. Institute of Business Ethics (2024). Ethics at work: 2024 international survey of employees. <https://www.ibe.org.uk/ethicsatwork2024.html>



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