

# A Code of Ethics for Occupational Medicine

adopted in February 2009 by the Board of the German Society for Occupational Medicine and Environmental Medicine e.V. (DGAUM) and the Bureau of the Association of German Company and Factory Doctors e.V. (VDBW)

## **Preamble**

The Code of Ethics applies to all occupational medicine activities entrusted to doctors, scientists and their staff. Occupational medicine is a specialist discipline concerned with the medical and sickness-preventive welfare of people at work, their health, diseases and employability by means of investigation, evaluation, assessment, to influence the interactions between the various demands, conditions and organization of working life.

The goals of occupational medicine are to promote and maintain health and, in particular, to participate in the early detection of health impairments because of work and in the restoration of the healthiness and employability of people in the workplace. This is facilitated, for example, through targeted medical and occupational toxicology, epidemiology and psycho-social research and, in practice, through comprehensive "occupational health management" as is demanded of all participants and stakeholders in the promotion of health in the workplace.

Occupational medicine is based on an individualized and holistic view of a working person and takes into consideration somatic, psychological and social processes as well as the stress and strain involved in a specific workplace or activity. Occupational medicine is evidence-based medical science that also uses knowledge and methods from other scientific disciplines.

Occupational physicians at all levels and functions are particularly subjected to conflicting loyalties when working in industry, in organizations and associations, but especially as a company doctor, where conflicts of interest between employers and workers can arise. It is impossible to offer training or to cover for all eventualities in an ethical code or guideline. The Code of Ethics is intended as a guideline for an individual in their orientation with the ethical demands and responsibilities necessary for an effective cooperation between all partners concerned in the area of health at the workplace. The Code of Ethics clarifies the responsibilities of the occupational medicine societies and representative bodies in the appropriate support of relevant individuals.

## **Article 1. The Obligations of Occupational Medicine**

Occupational health professionals are actively involved in the health-orientated philosophy and behavior of employees at work. They participate with employers and workers, government supervisory bodies, the statutory accident and health insurance institutions and political bodies in order to prevent diseases in the context of the workplace and to prevent, cure and offer relief, as well as to determine the causes and their effects for a better understanding of the role of working conditions and to

promote those that improve the state of health. They may also work with other corporate and external participants that may have relevance to occupational health and safety at work, including (although not exhaustively): family doctors or other specialists, managers, design engineers, process engineers, safety engineers, scientists and others involved in health promotion at all levels, from the primary (damage prevention) and secondary (mitigation / screening) to the tertiary (rehabilitation), as well as promoting safety in the workplace with the individual worker placed at the centre of focus for all of their efforts. The total welfare of the worker is paramount and each is viewed holistically by also incorporating their mental and psychosocial health concerns.

### **Article 2. Medical Ethical Competence**

Those doctors, scientists and medical ancillary staff entrusted with occupational medicine responsibilities agree to conform to internationally accepted ethical principles, as defined in the Universal Declaration of Human Rights and in German constitutional law, as well as to follow the specific ethical principles applicable to medicine in their professional behavior. The principle of each being treated equally always applies.

### **Article 3. Expertise**

Occupational health professionals must acquire and continuously develop their level of competence as professionals by maintaining their scientific and technological knowledge of the discipline.

They are required to take into account the current medical and ethical guidelines and results of evidence-based medicine. It is the duty of a company doctor to monitor the working arrangements of the people in their care regularly. Decisions in respect of the occupational health care of workers and companies must be dictated by the relevant risk of danger or of the particular situation and cannot be proscribed or overruled by others. The legal basis for these powers is enshrined in the Occupational Safety Act (ASIG, Arbeitssicherheitsgesetz).

### **Article 4. Rights of disclosure and confidentiality**

Both the employers and the patients have a right to information from medical examinations performed by the responsible occupational health professional. The occupational health professionals and their employees are also constrained by confidentiality and must respect the confidentiality of information entrusted to them and observe data protection measures, especially concerning the personal data of employees.

### **Article 5. Communicative Competence**

Occupational health professionals have to be aware of the rights and interests of the various individuals and institutions. They are required to apply this understanding in practice as well as to cooperate and participate in interdisciplinary occupational safety and health (OSH) expert panels. They are obliged to provide medical context and to act in a way that ameliorates conflicts of interest. They are obliged to provide information about their findings as well as the manner in which the safety and security of the workers and the workplace can best be achieved.

### **Article 6. Legal Competence**

Occupational medicine professionals are required to know their duties and responsibilities in relation to the relevant legal regulations, to observe them in their professional activities and also to be involved in their establishment and improvement. Rules or instructions that compromise your ability to perform your primary role of health and welfare must be disregarded. Decisions of a medical nature may not be overruled by non-medical individuals or authorities.

### **Article 7. Social Responsibility**

Occupational health professionals must be aware of the likely consequences of their professional actions both for the individual and for society at large. Of utmost priority is the health of the people who have been entrusted to you. Economic considerations do not take precedence over safety and health. Whenever involvement in decision-making on health-related issues occurs then the occupational health professional must also assume partial responsibility for these decisions.

### **Article 8. Participation in Organizational Frameworks**

Occupational health staff must become actively involved in the organizational frameworks and opportunities for discussion which promote the acquisition of individual and collective responsibilities for health and safety. In supervised establishments, the occupational health staff must encourage the participation of the workers and their elected representatives in the development of occupational health promotion and prevention. They must promote effective cooperation between the employers, security specialists and workers' councils to enhance the implementation of occupational safety and health measures and use direct access to senior management as required. A responsibility for the evaluation of working procedures according to ethical guidelines is also a part of this remit.

### **Article 9. Basic and Advanced Education and Training**

Occupational health physicians involved in basic and advanced education and training are required to impart their knowledge and skills relating to occupational health, to prepare the learners for their individual and community responsibilities in occupational medicine, and to act as a role model. All professionals involved in the occupational medicine field are expected to improve their expertise through training, to acquire new scientific knowledge and to be aware of the relevant laws and regulations.

### **Article 10. Research**

It is the duty of occupational medicine professionals to adhere to the general rules of good scientific practice and to bring their scientific knowledge and ways of prevention to the attention of their entrusted workers. In particular, preventive and therapeutic data of medical use that has been obtained, either from medical practice or from medical research institutions, must be communicated to the general public and to policy advisors. This requires a broad cooperation with other disciplines. The efficient utilization of such findings is highly desirable and is encouraged.

### **Article 11. Employment relations and conflicts of interest**

An occupational medicine professional can only consider employment commitments according to their professional and ethical principles. An ethics clause should recognize this state of affairs and be a part of any employment contract, preferably referring to the common Code of Ethics drawn up by DGAUM and VDBW. Conflicts of interest in the performance of independent responsibilities (e.g. consultancy contracts) must be communicated to the relevant parties (e.g. the employers, workers, safety committees, research sponsors or their representatives).

### **Article 12. Civil Courage**

Occupational health professionals are expected to act in situations where their medical and ethical principles are in danger of being compromised by applying the full power of their expertise with civil courageousness.