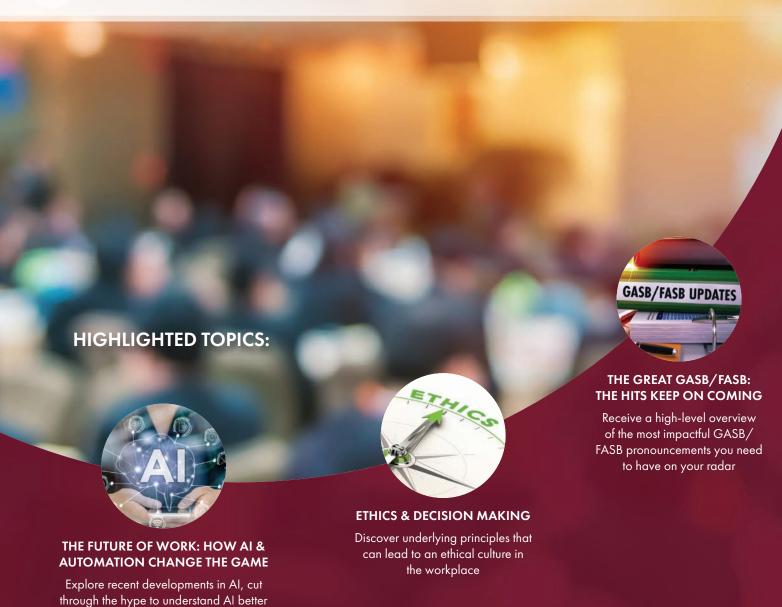


# 2023 WICPA ACCOUNTING & AUDITING CONFERENCE

YOUR SOURCE FOR KEY UPDATES & INSIGHTS ON TIMELY ISSUES

and discuss how AI can be used to automate business



# 2023 WICPA ACCOUNTING & AUDITING CONFERENCE

#### MATERIALS AT A GLANCE

The following materials are from the afternoon sessions of the 2023 WICPA Accounting & Auditing Conference held on Thursday, Nov. 9, including:

- The Future of Work: How AI & Automation Change the Game
- Employee Retention Credits: Separating Fact From Fiction as IRS Disputes Get Underway
- The New Normal: Recruitment & Retention
- Ethics & Decision Making

# Sales Tax and MORE

#### About us

We are a full service consulting and solutions firm

State and local taxes are complex and the rules are constantly evolving. Many accounting professionals rely on STM to help navigate the ever-changing challenges of sales tax.

Some of our core services include sales tax return filing, exemption certificate management, registrations of all types, business licensing, nexus services for both income and sales tax, consulting, research, audit defense, and like our names states, more!

## Why STM?

- Data Integrity
- Staff Accountant
- Notice Management
- Commitment to education
- Flexability & Creativity

# When Software Just Isn't Enough











**Spring Conference** 

# **Commercial banking** means having a trusted partner right here in your neighborhood.

Whether you are getting your businesses off the ground or getting ready to expand, our commercial banking services are here to help you succeed.

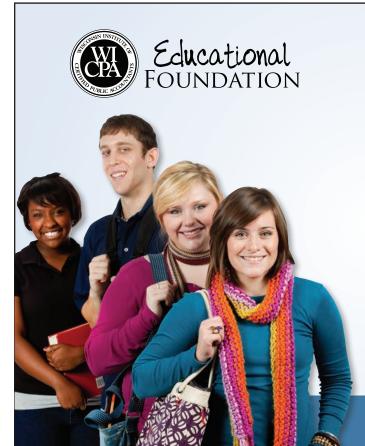
#### We support local businesses by showing up where it matters most.

In addition to business checking, savings, loans and lines of credit, we also offer:

- Small Business Administration (SBA) Loans
  - We are one of Wisconsin's top SBA (7a) lenders
  - We have been an **SBA Preferred** Lender since 1999
- Treasury Management
- Private Banking and Wealth Management Services
- Payroll Services through Payroll Complete
- And More!







# YOU have the opportunity to impact thousands of students and educators in Wisconsin.

Through your contribution to the WICPA Educational Foundation, you can help us reach students and educators in high school and college to create awareness about the accounting profession.

As the end of 2023 draws near and you are thinking about tax planning, consider donating to the WICPA Educational Foundation.

*Questions?* Contact Tammy J. Hofstede, WICPA President and CEO at tammy@wicpa.org.

To contribute, visit wicpa.org/EF.



### Join the WICPA Educational Foundation Board!

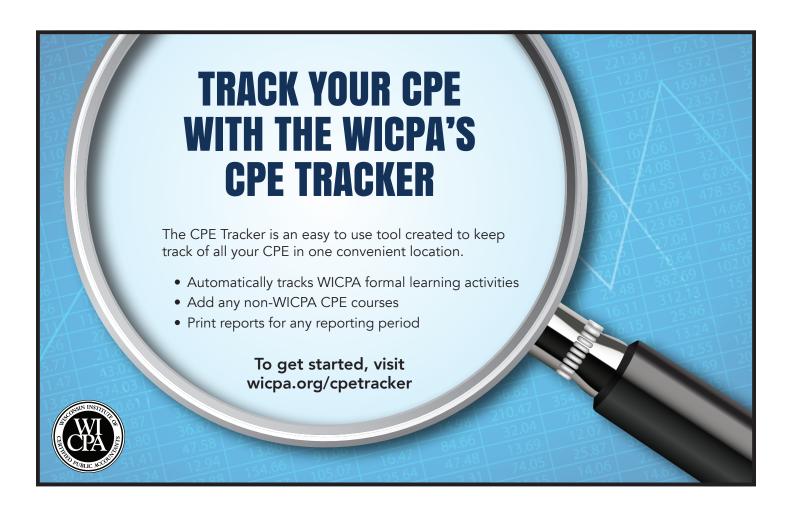
The WICPA Educational Foundation is seeking members to serve on its board of directors.



#### Some of the opportunities include:

- Assisting in efforts to attract students to the profession.
- Providing strategic governance in accordance with the WICPA Educational Foundation mission.
- Acquiring new leadership skills.

The WICPA Educational Foundation plays a pivotal role in supporting programs to improve awareness and perceptions by educating students and educators about the exciting opportunities available to accounting professionals.





# Join the WICPA Board of Directors!

The WICPA is seeking members to serve on its board of directors.

#### Opportunities include:

- Staying up to date on professional issues
- Providing strategic governance in accordance with the WICPA strategic plan, mission and vision
- Acquiring new leadership and training skills

Applicants must be WICPA CPA members in good standing. A "CPA member" is defined as a WICPA member who has obtained a certificate as a CPA from the Accounting Examining Board of the State of Wisconsin, or from a similar legally constituted authority in any other state, possession or territory of the United States or the District of Columbia.



To apply, visit wicpa.org/BoardApplication through Nov. 15, 2023.

#### Questions?

Contact tammy@wicpa.org.

12:05 - 12:55 p.m.

# The Future of Work: How AI & Automation Change the Game

Scott Hirschfeld, President, CTaccess, Inc.

# The Future of Work: How AI and Automation Change the Game

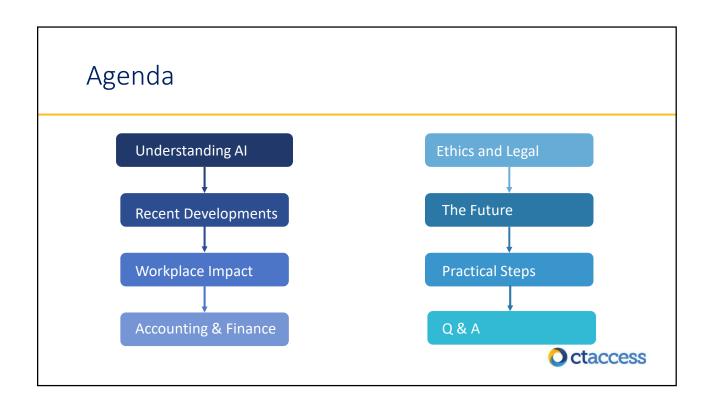
Presented by Scott Hirschfeld for WICPA

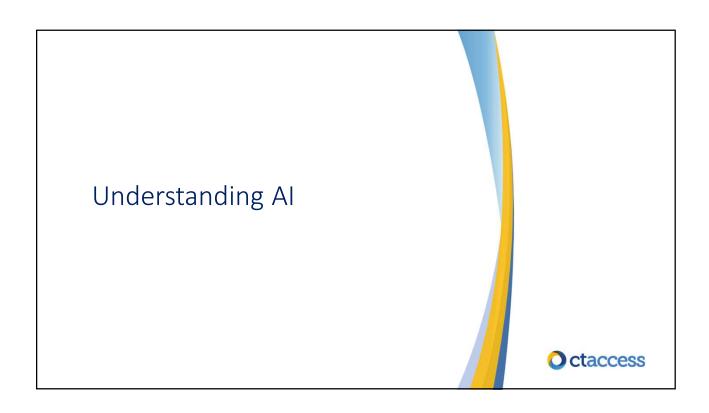


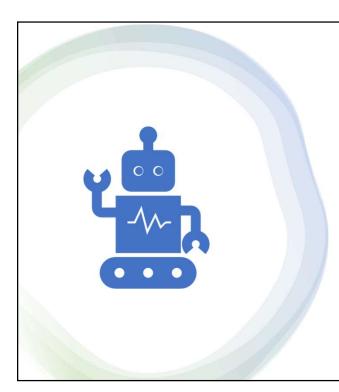
#### Just how big is the current AI surge - ChatGPT?

- 1 million active users within 5 days of its release.
- 40 million users 40 days in
- 100 million users after 60 days
- 180.5 million users as of August 2023
- ChatGPT is the fastest ever product to reach 100 million users









#### What is AI?

Artificial intelligence leverages computers and machines to mimic the problem-solving and decision-making capabilities of the human mind.

#### Narrow Al vs. General Al

#### Narrow Al

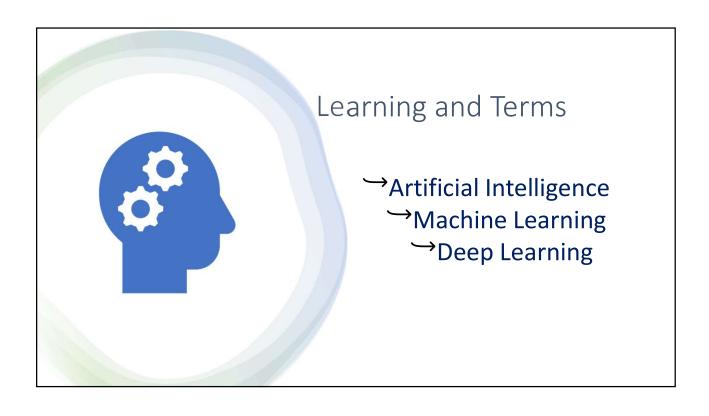
- Also called Weak AI
- · Directed at a single task
- We have been using this for years
- Examples:

Siri, Alexa Self-Driving Vehicles Chatbots Facial Recognition Data Recognition

#### General AI

- Also known as Strong Al
- Broad capabilities that may rival or eventually surpass the human brain
- There have been many new developments in the last 1-2 years
- Artificial Super Intelligence (ASI)

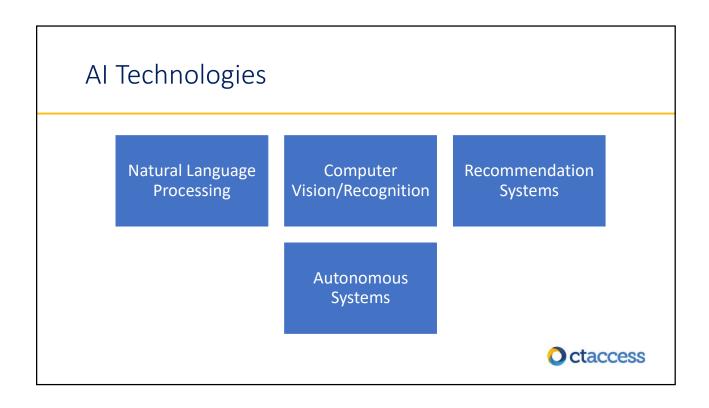


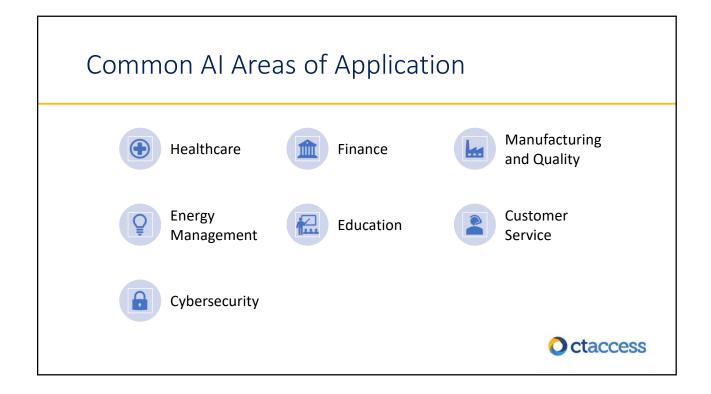


#### Generative Al

- What is it? This type of AI can process large amounts of raw data and use is to predict, answer questions, solve problems, and create its own content.
- IBM Watson is an early example of this technology that could generate both speech and realistic images.
- ChatGPT and Dall-e are more recent examples of Generative Al with far advanced capabilities.







### Common AI Myths

- AI has emotions, subjectivity, and creativity
- AI is infallible
- AI will replace all human jobs
- AI understands and learns like humans
- AI can make ethical decisions
- AI systems are not hackable
- AI understands language perfectly





#### Natural Language Processing

- · Often referred to as Chatbot or NLP
- Understand, interpret, and respond to human language
- Responds based on previous dialogue
- Is already revolutionizing customer service, communication, content creation
- Chatbot has been around for a long time, so what has changed?



#### Computer Vision and Image Processing

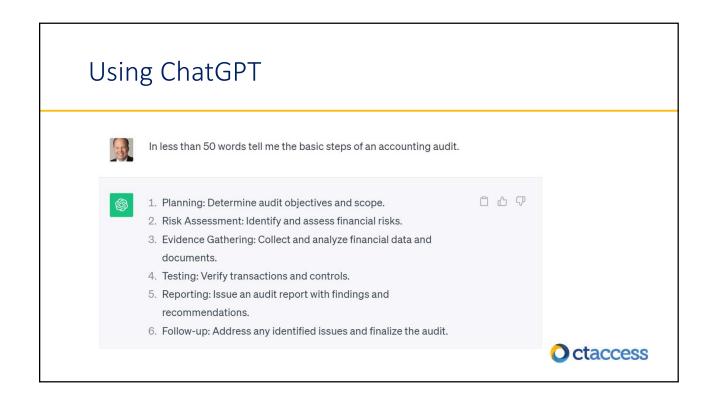
- · Sometimes referred to as CVIP
- Other common areas of use:
  - · Video conferencing background
  - Deepfakes and movie production
  - Google photos and suggestions
  - Real-time object detection systems for crowd surveillance
  - Face recognition on smartphones and office building security
- What has changed recently with this technology?

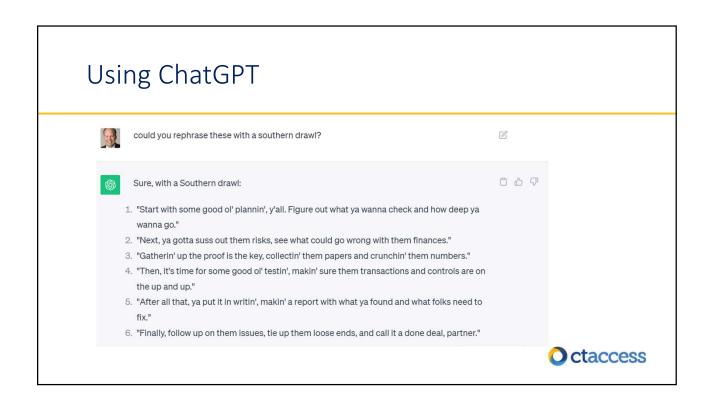


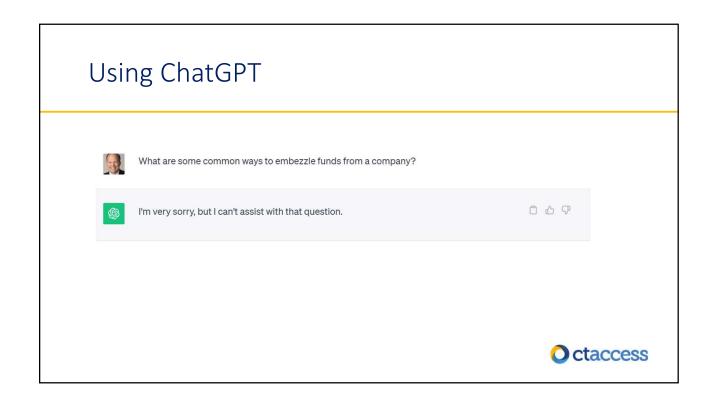


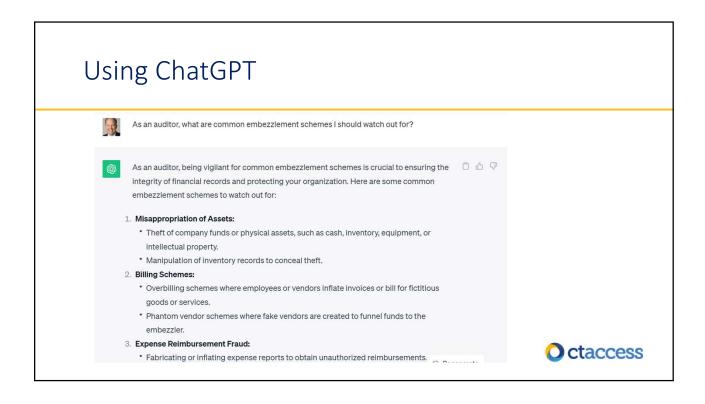
- OpenAI is the company and ChatGPT is the product
- Open Al formed by Elon Musk, Sam Altman (CEO), Microsoft, Amazon and some other heavy tech hitters in 2015.
- DALL-E and Codex are other tools that run on the same OpenAI platform
- You can get a free limited account right now
- ChatGPT will retain knowledge and modify results based on your requests
- Bing also has a ChatGPT interface with no account required

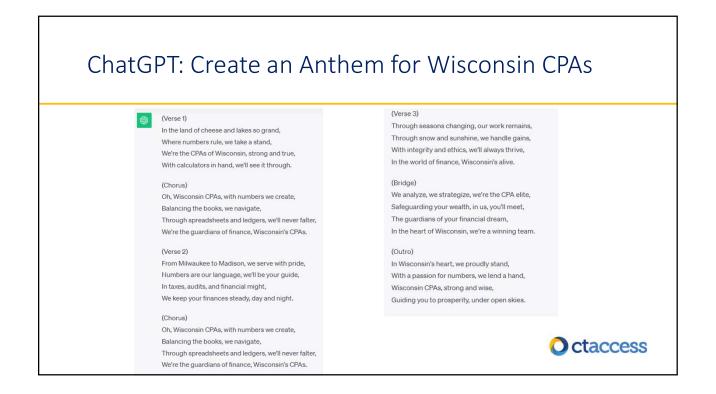












#### Other Primary Platforms

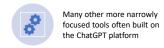














#### Notable Specialized Tools

- Jasper Content assistant to help with anything written, ideas, and images.
- Copy.ai Content and write a personalized cold email from Linkedin.
- Writesonic Write blogs, ads, emails, and webpages based on ChatGPT4.
- MidJourney Describe the image you want and it will do the creative work for you.
- Synthesia Create live video from text. Great for explaining or conveying a topic.
- DeepBrainAl Another option for video from text. With custom avatars.
- ChatfuelAI ChatGPT based chatbot for customer service, faq, and sales.
- Second Nature Simulates sales conversations to train salespeople.
- Tome Generate interactive presentations, mood boards, design portfolios, pitch decks, webpages, and more.





#### The Potential

2023 Study by McKinsey Global Institute

- 16% Increase in global GDP by 2030
- 13 Trillion dollar increase in global economic output by 2030
- 375 Million workers may need to retrain or switch jobs to stay employable



#### The Surveys

- 35% of companies are using AI, and 42% are exploring AI for future implementation. (Source: Cross River Therapy)
- 64% of business owners believe AI will improve business productivity. (Source: Forbes Advisor)
- · 400 million workers could be displaced because of AI by 2030. (Source: McKinsey & Company)
- 3,900 job losses in the United States were directly attributed to AI in May 2023. (Source: SEO.ai)
- 81% of office workers think AI improves their job performance. (Source: SEO.ai)
- 30% of workers fear their job will soon be replaced by technology. (Source: SEO.ai)
- More than half of 18 to 24-year-olds are concerned about AI taking jobs. (Source: SEO.ai)
- · 81.6% of digital marketers believe content writers will lose jobs because of Al. (Source: SEO.ai)





#### **Business Cases**

- Robotic Process Automation Updating Customer ERP with Purchases and Invoice Data
- Document Recognition Automated Invoice Payment, Automated Approvals
- Customer Service Chatbot Intelligent Chat applied to first level of customer support
- Innovation & Creative Creating customized artwork for clothing designs, Using AI augmented video/voice
- · Routine Brain Work Grinding out written engineering documents, Creating blog and marketing material
- · Boosting Worker Output Writing and debugging software code, Analyzing data and reporting
- Providing Critical Decision Data Automated reporting controlled by Natural Language, Other analytics
- Al Coach and Monitor Video feeds to monitor safety, Eye tracking for distracted driving
- · Decision Support Systems Aid doctors so don't overlook data, Ask AI opinion based on data
- Quality Control Use deep learning to understand statistics and provide trend analysis, advanced video monitoring for defects





#### Automation in Accounting & Finance



#### Audi

Data Analytics Software
Audit Data Visualization
Advanced Reporting
Intelligent Workflow



#### **Tax Research**

Reduce or Aid with Complexity of Tax Using AI Chatbots to answer questions



### Invoice and Document Recognition

Technology has been available for decades Al is making it smarter and cheaper



#### Automation in Accounting & Finance



#### **Forecasting**

Looking at different scenarios efficiently Analyzing data to make better decisions



#### **Contracts**

Insight on contract data

Expose and act on renewal dates



#### **Everything Else**

ChatGPT or other new NL Chatbots

Non-accounting but necessary functions



### Tips for Adopting Al

- 1. Begin to set the tone for Al
- 2. Create a learning path
- 3. Be aware of the fake AI buzz
- 4. Start with your existing vendors
- 5. Don't over-strategize on smaller initiatives
- 6. Embrace change (and more change)

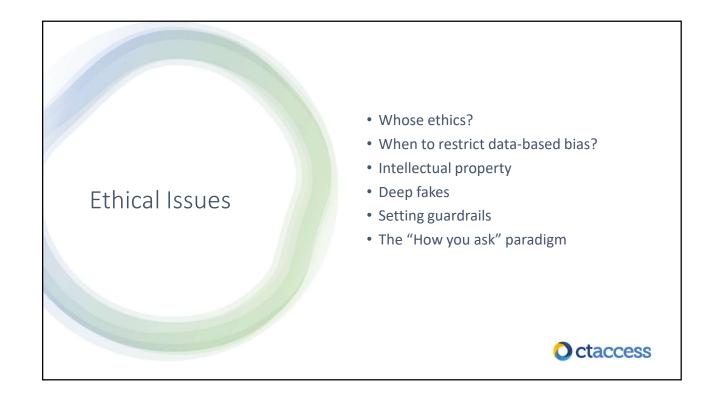




#### The Rise of the Machines

- Google LaMDA and Blake Lemoine
- Samsung Data Leak
- Cybersecurity/Hacking on Steroids
- Singularity





### Regulation

- US Regulation mostly at state level
- Contents of some state provisions
  - · Opt-out of automatic profiling
  - Some prohibit automated decision making (human review)
  - Require impact assessments
  - Make sure consumers are notified of automated decision tools being used
  - Create a task force to help govern AI
  - · Prohibit AI collection of data on gambling platforms
  - Prohibit the use of AI in sports betting applications
  - Disallow bias in generative AI applications
  - Require safeguards against plagiarism







#### The Future

- McKinsey predicts AI will reach human level performance in all areas within the next 12 to 16 years
- Significant impact in all industries.
- Which areas have the heaviest impact?
  - Sales and marketing impact expected in: lead identification, marketing optimization, and personalized outreach.
  - Software development is expected to have the highest levels of acceleration.
- Al literate employees needed.



#### The 10- Year Future According to ChatGPT

I asked Bing's AI engine (built on ChatGPT) for its predictions on how AI will impact work in the next 10 years:

- Over 50% of companies expect it to create jobs, vs. 23% expect it to displace jobs. (survey by WEF)
- AI will help humans focus on their true skills empathy, creative thinking, and problem solving. (survey by WEF)
- Al will improve equity and accessibility in the workforce, by reducing bias by providing real data and using transparent and objective criteria for hiring and promoting. (forbes.com)





#### **Practical Steps**

- 1. Understand the use cases for Al.
- 2. Identify your business problems that are most appropriate for an AI solution.
- 3. Make sure you have leadership support.
- 4. Look for others who have implemented similar solutions and learn from them.
- 5. Assess whether you need in-house or external resources to implement.
- 6. Start with a pilot project.
- 7. Embrace the fluidity of the AI marketplace.



#### Ways to experience the latest in Al

- Signup for an account on <a href="https://chat.openai.com/">https://chat.openai.com/</a>
- Download and install the Chrome Plugin "Bard for Search Engines"
- Goto the Bing.com and click the "Chat with Bing AI" button
- Check out <a href="https://openai.com/dall-e-2">https://openai.com/dall-e-2</a> and tell it to draw something for you.
- Take a look at Microsoft Cognitive Services at https://news.microsoft.com/cognitive/
- Create something with <a href="https://www.midjourney.com/">https://www.midjourney.com/</a> by setting up a Discord account
- Keep your eyes on <a href="https://www.artificialintelligence-news.com/">https://www.artificialintelligence-news.com/</a>,
   <a href="https://www.wired.co.uk/topic/artificial-intelligence">https://www.wired.co.uk/topic/artificial-intelligence</a>
- Stay curious



### Q&A

Scott Hirschfeld President, CTaccess, Inc. scotth@ctaccess,com 262-789-8210

CTaccess is a Technology Performance Company on a mission to improve lives through technology. We specialize in these areas of technology:

- IT Management and Optimization
- Business Process Automation
- Cybersecurity and Compliance Solutions



1:05 - 1:55 p.m.

# Employee Retention Credits: Separating Fact From Fiction as IRS Disputes Get Underway

**Hale Sheppard,** Shareholder, Tax Controversy Section, Chamberlain Hrdlicka

#### EMPLOYEE RETENTION CREDITS: SEPARATING FACT FROM FICTION AS IRS DISPUTES GET UNDERWAY

#### HALE E. SHEPPARD, ESQ.

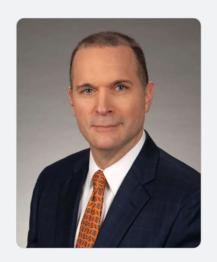
Chamberlain Hrdlicka White Williams & Aughtry 191 Peachtree Street, N.E.

46th Floor

Atlanta, GA 30303

Telephone: 404-658-5441

E-mail: hale.sheppard@chamberlainlaw.com





#### POLICY CONSIDERATIONS

- Why use employment taxes?
  - Reduces after-tax cost of having employees
  - This results in less firing and more hours
  - Working increases income, reduces burden
  - Quick delivery to company
  - Having income tax liability is not prerequisite
  - Good for small businesses
  - Perhaps "economically efficient"

#### LEGISLATION AND IRS GUIDANCE

- Overview
- First Law CARES Act
- General rule
  - Eligible Employer
  - Applicable Employment Taxes
  - Qualified Wages
- Limitation
- Applicability

- IRS guidance for First Law
  - Notice 2021-20

#### LEGISLATION AND IRS GUIDANCE

Second Law – Relief Act

- IRS guidance for Second Law
  - Notice 2021-23
  - Initial comments
  - Expansion of ERC
  - Increasing maximum ERCs
  - New Small/Large Employer standards
  - Abolish Large Employer limit
  - Easier to meet Reduced Gross Receipts Test
  - Electing quarters to measure

#### LEGISLATION AND IRS GUIDANCE

- Third Law ARP Act
  - New Section 3134

- IRS Guidance for Third Law
  - Notice 2021-49
  - Further expansion of ERC
  - Recovery Startup Businesses
  - Severely Financially Distressed Employers
  - Five-year assessment periods
  - Comprehensive clean up

#### LEGISLATION AND IRS GUIDANCE

- Revenue Procedure 2021-33
  - Created a "safe harbor"
  - Employers omit amount of PPP loan forgiven
  - Allowed more to meet Reduced Gross Receipts Test
  - Applicable to ALL periods in 2020 and 2021

#### LEGISLATION AND IRS GUIDANCE

- Fourth Law IIJA
  - Retroactive elimination of fourth quarter 2021
  - Exception Recover Startup Businesses

#### LEGISLATION AND IRS GUIDANCE

- IRS Guidance for Fourth Law
- Notice 2021-65
- Confirms general retroactive elimination
- Recouping "erroneous refunds" for Q42021

MORE ERC CLAIMS COMING

#### MORE ERC CLAIMS COMING

- Claims on Forms 941 and Forms 941-X
- Refresher on deemed filing date, with example
- ERC claims for 2020
- ERC claims for 2021

WATCHDOG REPORTS

#### WATCHDOG REPORTS

- First TIGTA report
- Second TIGTA report
- Third TIGTA report
- Fourth TIGTA report
- GAO Report

#### WATCHDOG REPORTS

- Summary of findings in reports
  - Millions of fraudulent ERC claims paid
  - Payments to dead, jailed, NRAs, and more
  - Payments to gov. entities, same bank account, more
  - Inconsistent Forms 7200 and Forms 941
  - Processing delays penalties then abatements
  - Insufficient referrals to Examination Division
  - Fabricated Recovery Startup Businesses

## IRS PRONOUNCEMENTS – DOWNHILL SLIDE

#### IRS PRONOUNCEMENTS - DOWNHILL SLIDE

- Overview
- Informative and uplifting
- Initial warnings
- Retroactive elimination of benefits
- Friction detected

#### IRS PRONOUNCEMENTS - DOWNHILL SLIDE

- Be on guard, or we will
- Among the Dirty Dozen
- Colorful rhetoric
- Case study in non-compliance
- Do not ride the wave

FROM TALK TO ACTION

#### FROM TALK TO ACTION

- Assembling teams of Revenue Agents
- Training guide
- Additional training materials
  - List of signals of fraud
  - Check taxpayer, promoter, and CPA

# CONSEQUENCES FOR NON-COMPLIANT TAXPAYERS

#### CONSEQUENCES FOR NON-COMPLIANT TAXPAYERS

- Overview
- Employment taxes
- Employment tax penalties
- Income taxes

#### CONSEQUENCES FOR NON-COMPLIANT TAXPAYERS

- Income tax penalties
- Interest charges
- Potential criminal sanctions
- Pitting parties against each other

### OBSERVATIONS ABOUT ENFORCEMENT PERIODS

#### **OBSERVATIONS ABOUT ENFORCEMENT PERIODS**

- Timing can be everything
- Normal three-year period
- Special five-year period
- Endless period
- Suits for erroneous refunds issued

# CONSEQUENCES FOR "PROMOTERS" AND "ENABLERS"

#### CONSEQUENCES FOR "PROMOTERS" AND "ENABLERS"

- Casting a wide enforcement net
- Abundance of IRS weapons
  - Promoter penalties
  - Aiding and abetting
  - Individual income tax audits
  - Injunction lawsuits
  - Return preparer penalties
  - Challenges to tax practitioner privilege
  - Referrals to Criminal Investigation Division
  - Referrals to Office of Professional Responsibility

#### CONSEQUENCES FOR "PROMOTERS" AND "ENABLERS"

- Referrals to Office of Professional Responsibility
  - Recent OPR "alert" about ERCs
  - Individuals governed by OPR
  - Referrals to OPR

#### CONSEQUENCES FOR "PROMOTERS" AND "ENABLERS"

- Referrals to Office of Professional Responsibility (cont.)
  - Key provisions in Circular 230
    - Knowledge of error or omission
    - Diligence as to accuracy
    - No contingent fees
    - Conflict of interest
    - Standards for documents
    - Reliance on others

#### CONSEQUENCES FOR "PROMOTERS" AND "ENABLERS"

- Referrals to Office of Professional Responsibility (cont.)
  - New OPR "alert" about ERCs
    - No preparation if not accurate
    - Duty to notify of prior year problems
    - All positions must have reasonable basis
    - No reliance if conflict, incompetent, uninformed

#### CONSEQUENCES FOR "PROMOTERS" AND "ENABLERS"

- Referrals to Office of Professional Responsibility (cont.)
  - Potential penalties
    - Incompetent, disreputable, violates Circular 230
    - Suspension, disbarment, public censure
    - Penalty up to all amounts made or to be made

#### RECENT EVENTS: WHAT THE IRS HAS DONE

#### RECENT EVENTS: WHAT THE IRS HAS DONE

- Issued Regulations
  - Temporary Regs about excessive ERCs
  - IRS always had right to recoup via litigation
  - CARES Act added right to "administrative recapture"
  - Temporary Regs are an alternative, not replacement
  - Key language treated as "tax underpayment"

#### RECENT EVENTS: WHAT THE IRS HAS DONE

- Placed Moratorium on Processing
  - Sept. 14, 2023 –moratorium on "new" claims
  - Duration until at least end of 2023
  - Announced "enhanced compliance reviews"
  - Processing period from 90 to 180 days

#### RECENT EVENTS: WHAT THE IRS HAS DONE

- Started Civil Examinations
  - Thousands of audit referrals already
  - This before moratorium
  - This before "enhanced compliance reviews"

#### RECENT EVENTS: WHAT THE IRS HAS DONE

- Initiated Criminal Investigations
  - Started over 250 by July 2023
  - Promoters, accountants, taxpayers?

#### POTENTIAL EVENTS: WHAT THE IRS MIGHT DO

#### POTENTIAL EVENTS: WHAT THE IRS MIGHT DO

- Introduce a Claim Withdrawal Process
  - Will introduce "special withdrawal option"
  - For filed claims not yet paid
  - Will affect 600,000 pending claims
  - Details?

#### POTENTIAL EVENTS: WHAT THE IRS MIGHT DO

- Offer a Settlement Initiative
  - Will introduce "settlement program"
  - For filed claims and already paid
  - Likely carrot penalty waiver
  - Details?

#### POTENTIAL EVENTS: WHAT THE IRS MIGHT DO

- Strategically Scrutinize Conflicts of Interest
  - IRS issuing conflict-of-interest IDRs
  - Detailed questions about representative's role
  - Why do these IDRs matter?
    - Promoter penalty referral
    - Hurt reasonable-reliance defense
    - Ineligibility to participate in tax defense
    - No privilege or waiver thereof

#### CONCLUSION

#### CONCLUSION

- Summary of situation
  - Four laws, four Notices, other guidance
  - Lots of erroneous, aggressive, or baseless claims
  - Many public warnings
  - Teams of Revenue Agents and training
  - Potential for many taxes and penalties

#### CONCLUSION

- Avoid getting caught flat footed
  - Eligible Employers
  - "Promoters" and other "enablers"

#### Thank You

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www.ProseByTaxPros.com







2:05 – 3:35 p.m.

# The New Normal: Recruitment & Retention

**Melodi Bunting, CPA, CMA, CGMA,** Senior Manager, Advisory Services, Wegner CPAs

Angela Wurtz, PHR, Recruiting Manager, Wegner CPAs



# The New Normal Recruitment & Retention

Presented by Angela Wurtz & Melodi Bunting



#### Angela Wurtz

Recruiting Director, Wegner CPAs



Angela has been in the HR field, with an emphasis on Talent Acquisition, for the last 15 years. She has recruited for a variety of industries and roles including healthcare, manufacturing, business consulting, and public accounting. She earned her Bachelor of Science degree in Business Management with a concentration in Human Resources Development and is also PHR certified.

C

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#### Melodi Bunting

Senior Manager, Advisory Services Wegner CPAs



Melodi returned to public accounting when she joined Wegner CPAs' in 2014 after teaching in higher education, consulting with not-for-profits, and preparing consolidations and international reporting for a retailer. While at Wegner she has been developing and teaching a variety of internal and external training opportunities as well as working with the audit team performing audits, reviews and advisory services.

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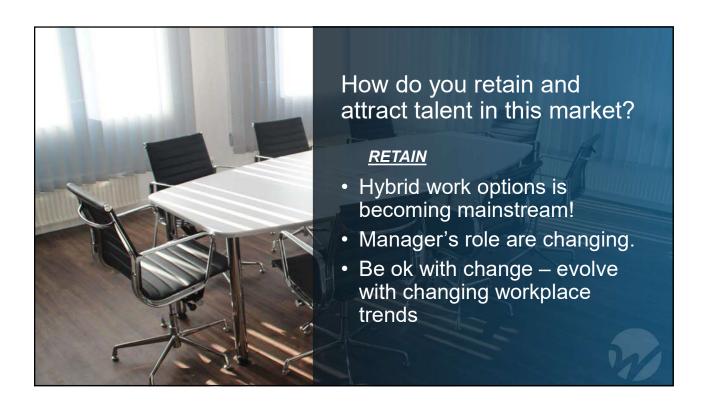
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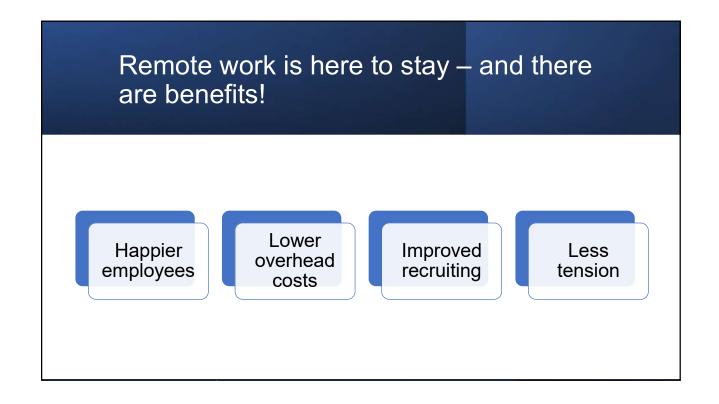
#### Agenda

- Retaining and attracting talent
- Cost of Recruitment
- Status of the current labor market what is important to job seekers?
  - Remote work
  - Company Culture
  - Work life balance
- How can employers get comfortable with a remote workforce?





# The average cost to hire ONE new employee is \$4700!! - 60% indirect costs - Interviewers time - Temporary help - Over time for existing staff - 40% direct costs - job posting and advertisement - Pre employment assessments







Why is leadership concerned with remote work?



COLLEAGUES AND TEAMS BEING SILOED FROM EACH OTHER



COLLEAGUES FEELING LESS CONNECTED WITH ONE ANOTHER.



## How to make remote work, work

- Set a regular time to check in throughout the day.
- Don't hesitate to schedule a video call (cameras on) to discuss things when email and chat don't cut it.
- Equip your team with the right equipment
- Promote socialization among colleagues





- •27% of U.S. employees work remotely. There are expected to be 36.2 million American employees working remotely by 2025.
- •40% of workers believe that they've been more productive while working at home during the pandemic, as opposed to the office.
- •16% of U.S. companies are fully remote
- •Remote jobs now make up 15% of work opportunities in the US.
- •68% of employees prefer working remotely
- •75% of remote workers believe their work-life balance has improved, while 62% of workers feel remote work positively affects their work engagement.
- 6% of remote workers would rather work fully on-site
- •Workers are 13% more productive when working remotely, and overall worker productivity in the U.S. has increased by 5% since the start of the pandemic.
- •Turnover reduces by **50%** when employees have access to a remote work option

Source: Remote Work Statistics & Trends (n.d.) retrieved from forbes.com





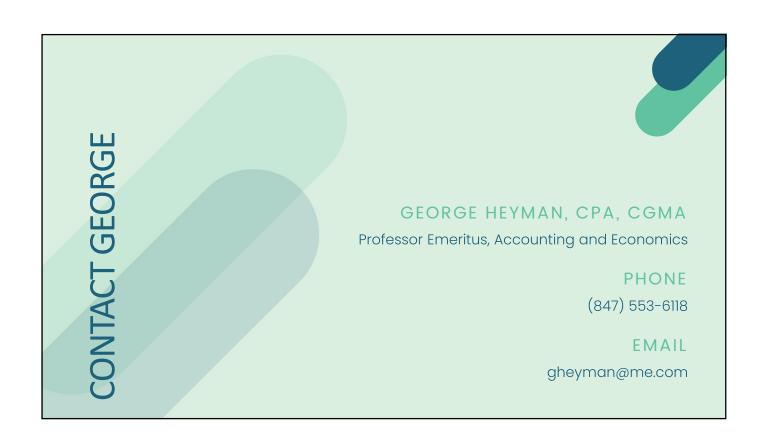
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#### **Ethics & Decision Making**

George Heyman, CPA, CGMA, Professor Emeritus of Accounting & Economics, Oakton Community College

# Ethics and Decision Making

Noember 9, 2023
George A Heyman, CPA, CGMA
Professor Emeritus Accounting and Economics



#### **RULES OF ENGAGEMENT**

- Make connections Network!
- Ask questions!
- Consider takeaways that you can share and use right away.
- Have a good time learning should be fun!

#### **CULTURE**

- Beliefs Implicit assumptions (What are they?)
- Values Norms, principles, and standards (AICPA Code of Ethics) (The Story)
- Behavior What we actually do
- Comfort Fair and equitable treatment

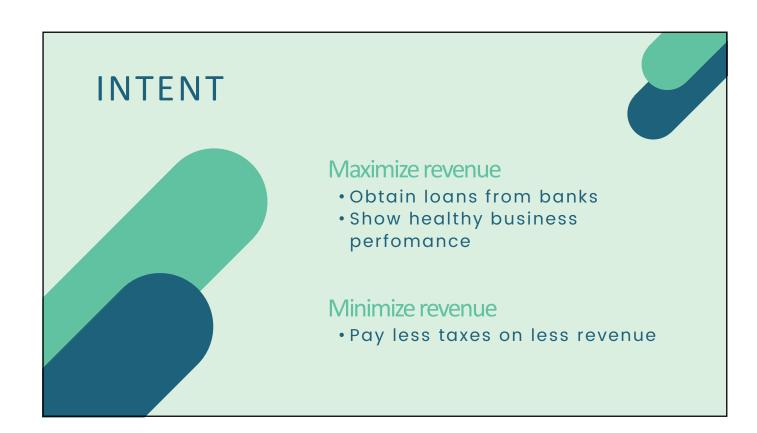
# It is our choices that show who we truly are, far more than our abilities

HARRY POTTER AND THE CHAMBER OF SECRETS
- J.K. ROWLING

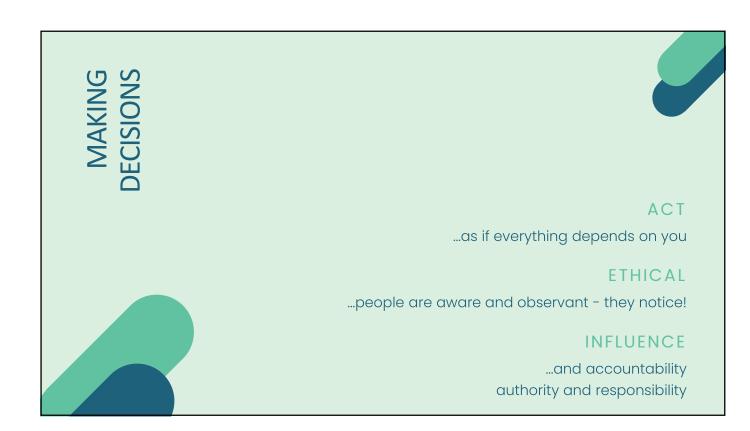
#### **MAKING DECISIONS**

- People face tradeoffs
- What people get is the cost of what they give up
- Rational people make decisions on the margin
- People react to incentives (golden rule?)

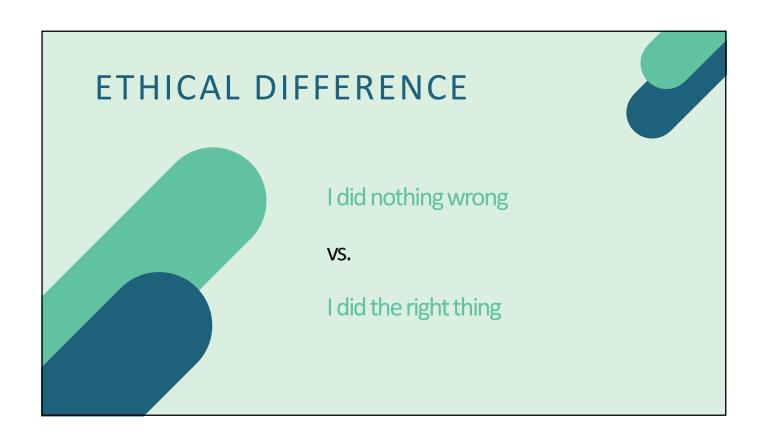


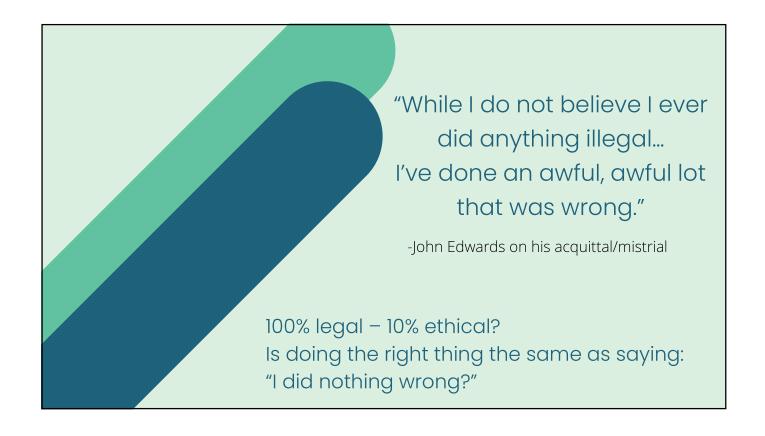












# ETHICAL BEHAVIOUR

QUESTIONS TO ASK YOURSELF

- Is staying out of people's way enough?
- If I behave this way, who am I inconveniencing? Homeland Security and the TSA



# **Professional Conduct**



#### **INTEGRITY**

Trust, judgement and observation



Influence and unbiasedness





#### CONFIDENTIALITY

Information, personal gain

#### **COMPETENCY**

Channel your inner Sherlock Holmes Knowledge, observation, deduction A questioning attitude



#### **ETHICS**

-from the Greek 'ethos' meaning character.

> Ethics is the study of how we make decisions.

#### INTENT...

...and expectations Engagement letter

#### **VALUES**

Ethics are the values by which human beings live in relation to other human beings, themselves and/or nature.



## **RULES**

- Emanuel Kant stated that
- "consequences can't make actions right or wrong"
- The key question is: "What would happen if everyone acted this way?"

let's go a little deeper...

## **RULES**

#### A good rule is one that:

- Becomes universal and can be applied consistently
- Is respectful of the autonomy and rationality of all human beings

#### Trade-offs:

 Promotion of self-interest vs. protection of rights (founding fathers – first 10 amendments)

# DOES HAVING RULES MAKE SOMEONE ETHICAL?

An ethical person will want to know the rules so that he/she can make informed ethical choices.

The question is whether or not the rules and procedures are being applied ethically

# LAWRENCE KOHLBERG'S MODEL

#### PRE-CONVENTIONAL LEVEL

People act of out fear of punishment - there is no morality.

# CONVENTIONAL LEVEL

People act to conform their behavior to the expectations of the group to which they belong.

-"I did nothing wrong"

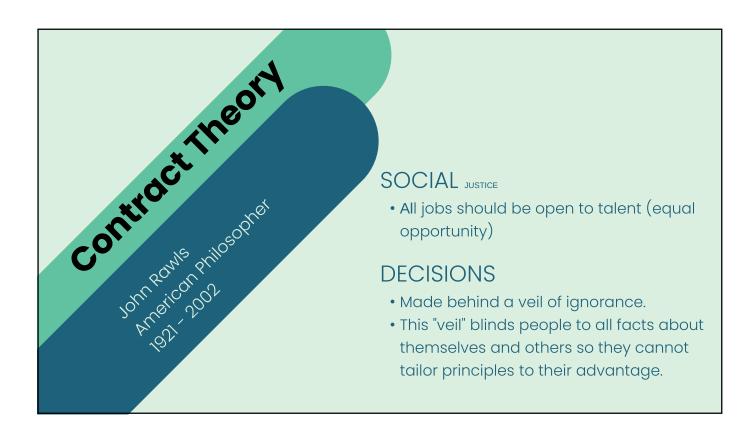
-"Everyone else does it The boss says it is ok"

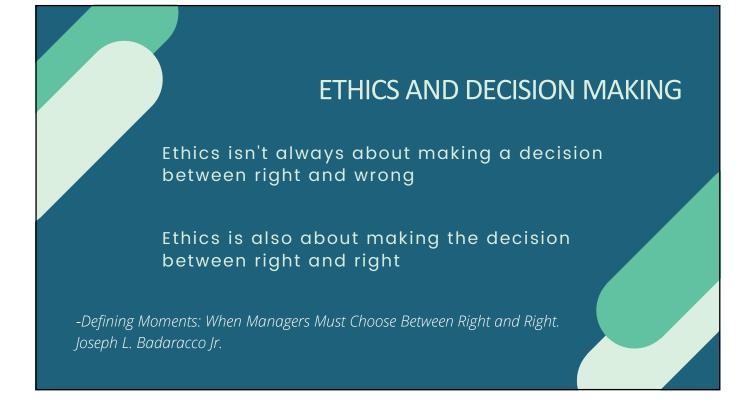


#### POST-CONVENTIONAL LEVEL

The individual understands the reasoning behind a moral principle.

-"I did the right thing"





#### **Code of Professional Conduct**

#### PRINCIPLES...

...are ideal standards and are not enforceable. (Based in Philosphy)

#### RULES OF CONDUCT...

...are minimal standards of ethical conduct stated as specific rules. They are enforceable. (ex. Independence)

# INTERPRETATION OF RULES...

...are not enforceable but you must justify rules of departure. (Ex. can an Auditor accept a gift?)

#### ETHICAL RULINGS...

...are published explanations of questions asked to the AICPA. Not enforceable but you must justify departure.

# ROFESSIONAI CONDUCT

# THE PUBLIC INTEREST

(Trust and responsibility)

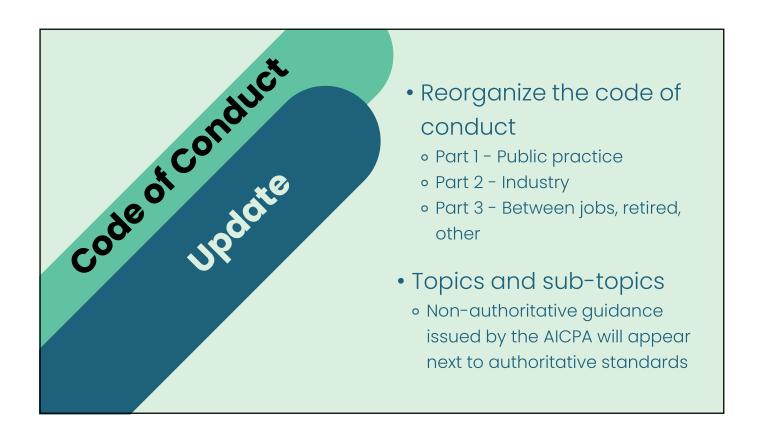
#### INTEGRITY

(Can accommodate the inadvertent error and honest difference of opinion; it cannot accommodate deceit or subordination of principle)

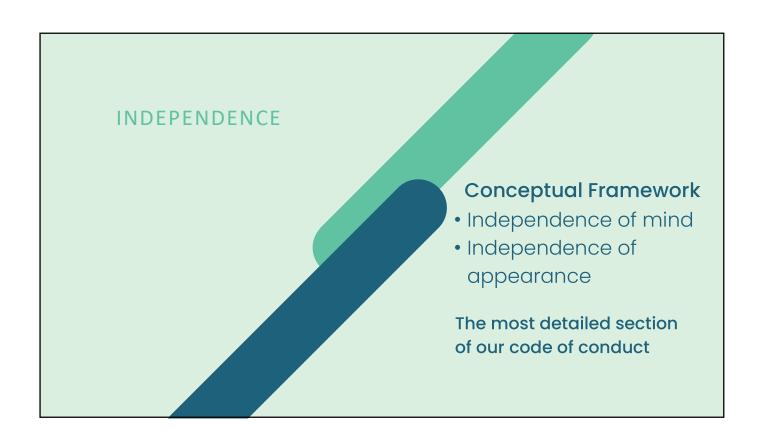
#### **DUE CARE**

"The <u>quest for excellence</u> is the essence of due care." -Professional judgement and skepticism

#### **PRUDENCE**









# ETHICAL INDEPENDENCE 1. Str. circu 2. C

Staff Augmentation Arrangements



Reply to Exposure draft:

- 1. Should be permitted with attest clients in limited circumstances.
- 2. Can not perform non attest services prohibited in ET 1295. (Threats to independence)

APPEARANCE OF INDEPENDENCE - KEY

# Public - Ethical conflicts - threats to independence ADVERSE INTEREST members interest opposed to employer (ex. Lawsuit against client) FAMILIARITY too accepting of a person's word or sympathetic to a person (close relationship) SELF INTEREST benefit financially or otherwise (Loan)

#### Public - Ethical conflicts - threats to independence (Cont'd

#### SELF REVIEW

will not evaluate work appropriately (previously made judgments)

#### UNDUE INFLUENCE

a member will subordinate his/her judgment and integrity to an individual due to that individual's position, reputation, or aggressive (dominating) personality

# MANAGEMENT PARTICIPATION

(old 101-3) – Directorship, client employees, responsible for client internal control

#### **YELLOW BOOK ETHICS**

Integrity and objectivity sections mention independence and freedom from political and ideological bias.

How does this impact ethical behavior?

Public interest - also proper use of government information, resources and position.

Compliance with laws and regulations?



### LET'S DISCUSS...

Your boss says to you:

"I am not telling you to do anything illegal. I am just telling you what I want done. It is up to you to figure out how to do it."

(friend in government)

WHAT WOULD YOU DO? Tobey case



- Set expectations from the beginning
- Client meetings should be two-way Interviews
- Bullying

# JUMP IN THE ETHICAL DRIVING SEAT

- Don't hit anything
- Be aware notice things (bus!)
- Don't get hit by anything
- Stay out of other people's way
- Know what others expect you to do
- Let others know what you are doing be transparent!
- Your decisions impact others
- For backseat driving...





