

STRATEGIC HR MANAGEMENT
INSTRUCTOR'S MANUAL

SHRM[®]

SOCIETY FOR HUMAN
RESOURCE MANAGEMENT

Ethics in Human Resource Management

By Myrna L. Gusdorf, MBA, SPHR

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Note to HR faculty and instructors: SHRM cases and modules are intended for use in HR classrooms at universities. Teaching notes are included with each. *While our current intent is to make the materials available without charge, we reserve the right to impose charges should we deem it necessary to support the program.* However, currently, these resources are available free of charge to all. Please duplicate *only* the number of copies needed, one for each student in the class.

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Introduction

This learning module is designed to be presented in four class sessions of approximately 50-90 minutes each. The material is appropriate for undergraduate or graduate students studying human resource or business management. Five integrated cases allow students to practice resolving HR problems using the ethical principles introduced in the module. The first two sessions provide instructional material on ethical theories and moral development. Session 3 is for presentation and discussion of the cases, and the last class session addresses the HR professional's responsibility for the organization's culture of ethics. The module includes an instructor's manual with cases and teaching notes and a PowerPoint presentation for classroom use.

MODULE LEARNING OBJECTIVES

By the end of this module, students will:

- Compare and contrast various ethical theories.
- Use ethical theories and principles in the decision-making process.
- Apply ethical principles to analysis of HR case problems.
- Identify various solutions to ethical case questions.
- Defend their recommended solutions using the ethical theories discussed in the module.

REQUIRED READINGS

Texts

Deckop, J. R. (2006). *Human resource management ethics*. Greenwich, CT: Information Age Publishing, Inc. Chapters 3, 4, 6 and 14.

Johnson, C. E. (2007). *Ethics in the workplace*. Thousand Oaks, CA: Sage Publications, Inc. Chapters 1, 2, 3 and 9.

Articles

Crain, W.C. (1985). Kohlberg's stages of moral development. In W.C. Crain, *Theories of development* (chapter 7, pp. 118-136). Boston, MA: Prentice Hall. Retrieved January 11, 2010, from: <http://faculty.plts.edu/gpence/html/kohlberg.htm>.

Schumann, P. L. (2001). A moral principles framework for human resource management ethics. *Human Resource Management Review*, 11, 93-111.

White, R. D. (2002, Winter). Do employees act like they think? Exploring the dichotomy between moral judgment and ethical behavior. *Public Administration Quarterly*, 391-412.

CLASS STRUCTURE

Class 1: Ethical Theories	PowerPoint Slides	Required Readings
<ul style="list-style-type: none"> ■ Learning objectives. ■ Ethics and morals. ■ Ethical theories. ■ Ethical relativism. ■ Utilitarian theory. ■ Categorical imperative. ■ Distributive justice. ■ Ethics of care. ■ Aristotle's virtue ethics. 	<p>Slides 1–11.</p> <p>Instructor notes are found in the "Notes" view on the slides.</p>	<p>Schumann.</p> <p>Deckop, Chapter 3.</p> <p>Johnson, Chapter 1.</p>
Class 2: Moral Development	PowerPoint Slides	Required Readings
<ul style="list-style-type: none"> ■ Kohlberg's stages of moral development. ■ Moral judgment and moral conduct. ■ Do moral people behave unethically? ■ Ethical decision-making. 	<p>Slides 12–23.</p> <p>Instructor notes are found in the "Notes" view on the slides.</p>	<p>Crain.</p> <p>White.</p> <p>Deckop, Chapters 6 and 14.</p> <p>Johnson, Chapters 2 and 3.</p>
Class 3: Discussion of Cases	PowerPoint Slides	Required Readings
<ul style="list-style-type: none"> ■ When the Boss Doesn't Like Her. ■ Now You See It, Now You Don't. ■ Real Sales or Wishful Thinking? ■ The Best Person for the Job. ■ What Ever Happened to Lana? 	<p>None.</p>	<p>Students should read the cases before this class session.</p>

Class 4: HR Management and Ethical Organizations	PowerPoint Slides	Required Readings
<ul style="list-style-type: none"> ■ Human resource practices. ■ Building a culture of ethics. ■ Long-term results. 	<p>Slides 24–35.</p> <p>Instructor notes are found in the “Notes” view of the slides.</p>	<p>Deckop, Chapter 4.</p> <p>Johnson, Chapter 9.</p>

Using the Cases

The cases present HR dilemmas that frequently occur between staff and first-level managers. They are intended to provide students opportunities to practice resolving real HR challenges and to apply the principles identified with various ethical theories presented in this module. It is recommended that students analyze each case from the perspective of several different ethical theories. In this way, students will realize that there is often no “one best” resolution to management problems. By using a variety of approaches, students can generate multiple resolutions that may result in different outcomes, yet still reflect valid, ethical reasoning. Accompanying the cases is a worksheet, “Assessing Alternatives Ethically” (pages 18-19). The worksheet includes questions that help students think through the case issues using the ethical theories presented in this module. The instructor may find the questions useful to stimulate ideas and classroom discussion.

GROUP ACTIVITY BY CASE

Team Presentations

Divide students into teams and assign one case per team. Teams of four or five students generally work best, but the size of your teams will vary depending on class size. Ask students to resolve the issues presented in their assigned cases, applying the various ethical perspectives discussed in class. Teams will present their recommended solutions to the class. Teams should be prepared to defend their recommendations ethically. Assign the teams and the cases during the first class and schedule the team presentations for the third class. Students should read all the cases before the third class so they can ask informed questions.

Group Activity

This activity can be completed in one class session and is a less formal alternative to the team presentation. Ask students to read all the cases before the third class. For the class activity, divide students into groups and assign each group one case. Ask the group to generate solutions for the issues in their case and report their recommendations back to the class. Ask them to identify their primary recommended solution and defend it according to ethical theories.

GROUP ACTIVITY BY ETHICAL THEORY

Activity 1

Divide students into teams of four or five, depending on class size. Assign each team one case. Ask them to analyze the case and generate solutions. Ask teams to then assess their solutions based on each of the five ethical theories presented in class and generate one recommendation for each principle. Teams may come up with different recommendations based on the principles of different ethical theories. Ask them to defend each recommendation ethically, even if their recommendations differ.

Activity 2

Divide the class into groups based on ethical theories, with each group representing a different theory. Have each group analyze all five cases using only the ethical theory and principles they were assigned and then report back to the class. Discuss the group results by case and not by group. For example, have all the ethical groups report back on the first case before moving to the next case. Ensure each team defends its recommendation according to the ethical theory assigned to the group and discuss the differences.

WRITTEN ACTIVITY

If in-class time is limited or you prefer a written assignment, have students provide a written analysis of the cases using the questions in “Assessing Alternatives Ethically.” Their papers should be due during the fourth class. Move the discussion of HR’s role in organizational ethics to the third class and reserve the fourth class for discussion of student papers.

STUDENT MATERIALS

Instructors should copy pages 6-19 of this manual and distribute them to the students. These pages include learning objectives, required readings, the five cases and the questions to help analyze the cases. Include any other instructional information specific to your class that students will need to complete the assignments.

Ethics in Human Resource Management

LEARNING OBJECTIVES

By the end of this module and accompanying cases, students will:

- Compare and contrast various ethical theories.
- Use ethical theories and principles in the decision-making process.
- Apply ethical principles to analysis of HR case problems.
- Identify various solutions to ethical case questions.
- Defend their recommended solutions using the ethical theories discussed in the module.

REQUIRED READINGS

Texts

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White, R. D. Jr. (2002, Winter). Do employees act like they think? Exploring the dichotomy between moral judgment and ethical behavior. *Public Administration Quarterly*, 391-412.

STUDENT ASSIGNMENT: USING THE CASES

Your instructor will assign the cases. At your instructor's discretion, you may be working alone or in groups to analyze the ethical issues and recommend solutions to the problems presented in the cases. The worksheet, "Assessing Alternatives Ethically," is included in this handout along with the case studies. The worksheet

includes questions to consider as you work through the cases. It may be helpful to read through the questions on the worksheet before reading the cases.

Alone or in teams, the project requires that you:

- Carefully read your assigned case(s).
- Identify the stakeholders involved in the case.
- Suggest possible solutions to the issues described in the case.
- Identify challenges that various stakeholders may encounter with your suggested alternatives.
- Assess your suggested alternatives using the ethical theories and principles discussed in the class.
- Use the questions on the “Assessing Alternatives Ethically” worksheet to determine which of your alternatives will result in ethical solutions.
- Present your recommended solutions to the class, either orally or in written form, as directed by your instructor.

Case 1: When the Boss Doesn't Like Her

Anna is the office manager for a Grocery Distribution warehouse in Ft. Myers, Fla. Anna's facility is part of a large Atlanta-based conglomerate that wholesales and distributes gourmet specialty food products throughout the southeastern United States. Anna's been at Grocery Distribution for four years, starting as an administrative assistant in the sales department. She was promoted to office manager 18 months ago and reports directly to the district manager, Justin. Anna likes her job. She enjoys her co-workers and hopes to make a long-term career at Grocery Distribution. As a single parent of two young daughters, she was delighted with the salary increase that came with her promotion. Justin is a new district manager for the Ft. Myers facility. He has made some changes in the structure of the organization, which, for the most part, have been well received by the staff.

Janet is the receptionist. She works at the front desk, greeting visitors, scheduling appointments and taking care of the mail. Anna is Janet's supervisor. Janet recently went through a difficult divorce, and now that she lives alone, Anna knows that Janet struggles to make ends meet on her receptionist's salary. Outside of work, Janet is active in community theatre. At Janet's most recent opening night, Anna and several other Grocery Distribution employees were in the front row of the theatre cheering on Janet's starring performance. Janet had some rough patches during the divorce, when she was understandably distracted, but overall, Anna is pleased with Janet's work. Janet has received positive performance appraisals.

Justin does not like Janet. He claims that she is careless and makes far too many mistakes, and with her casual attire, she doesn't "look good" at the front desk. "Besides," he says, "she's not really that interested in her job. That community theatre thing takes way too much of her time." When Janet asked to take the morning off the day after her opening night, Justin commented that now she's undependable and insisted that Anna talk to Janet about it, even though Janet seldom misses work and her absence that morning was easily covered by other staff.

Friday morning, Anna is called into Justin's office. It has been a busy week because Justin is getting ready to leave for a two-week vacation. Several projects must be completed or offloaded to other staff before he leaves. It was decided that Anna would take care of some of Justin's projects while he is gone, and she is confident things will go well in his absence.

While Anna is gathering up her papers at the end of the meeting, Justin says, "There's just one more thing, Anna. While I'm gone, I want you to document Janet's poor performance and write up an appraisal on her. Have the paperwork on my desk and ready for me to sign when I get back, and then you can terminate her. I want her out of here within the next 30 days."

Anna is stunned. She knows Justin dislikes Janet, but she is not sure how she can document Janet's "poor" performance because she believes Janet is a good employee. Any time she has talked to Janet about Justin's concerns, Janet has tried to improve. Janet knows Justin does not like her, and she has made it clear to Anna that if Justin has any problems with her work, she wants to know immediately so she can correct the problem. "I don't want to lose my job," she's told Anna.

Anna wonders what to do. Grocery Distribution has a published Code of Ethics, and there is an HR department at headquarters in Atlanta, but there is no HR representative at Anna's facility in Ft. Myers.

What would you recommend to Anna? What consequences may occur as the result of her actions?

Case 2: Now You See It, Now You Don't

John is the facility manager for Harrell Construction, a privately owned construction company. The company employs 35 people and is owned by Alan Harrell and his wife, Mary. John has been at Harrell Construction for four years. It has been a good spot for John after a series of short-term construction jobs that either went nowhere or ended when the small companies he worked for were out-manuevered by larger organizations and closed.

As the facility manager, John runs the shop and manages all of Harrell's equipment. He inventories equipment and supplies, schedules equipment for various jobs, checks equipment back in, and makes sure it is repaired and ready for use for the next job. John runs a tight ship. The facility is organized and clean, and his attention to detail has cut time loss from malfunctioning or unavailable equipment to nearly zero.

Alan has been pleased with John's work, and over the course of John's employment, Alan and John have become good friends. They do not socialize outside of work, but they often eat lunch together and on occasional afternoons, you'll find them out on the golf course. "John's a good man," Alan says, "The shop has never been in better shape, and his records are meticulous. I finally know what I own and where it is."

"The Harrells are great people to work for," John says. "Mary doesn't come around the office much, but we see her at the company picnic in the summer and at the annual holiday party. They put on quite a bash for employees. It's always a family event. Their two teenage boys always come to the events, and everyone's family is welcome. My wife and kids love it. We always have a good time."

"Besides that, the compensation is fair. The Harrells are right in line with what everybody else pays," John adds. "The benefits are good, too. Don't know what I would have done without the health insurance when my wife went through chemo two years ago. I plan to stay with Harrell Construction long term if I can. I've got two kids headed for college and retirement to think about, and this is a good place with a future."

Things aren't always as perfect as they seem, though. Yesterday at lunch Alan confided to John that he and Mary were getting a divorce. "She's never had any interest in this business," Alan said. "She has never helped out in the shop, even in the early years, when we were really struggling. But she's got a sharp lawyer, and I know she's going to claim half the company."

"I need you to help me out, John," said Alan. "The company's biggest asset is our equipment. Mary doesn't know what we've got, and with the equipment out on different job sites, nobody ever sees all of it except you. I want you to get out those inventory sheets and make some of those high-priced lifts disappear. I'm worried

there won't be anything left after her lawyers get done with me. I'd hate to think we'd have to close down and leave everybody out of a job."

As is common with many small, privately owned organizations, there is no formal HR department at Harrell Construction, and Alan Harrell has always made the decisions. What is John going to do?

Case 3: Real Sales or Wishful Thinking?

Robert sells shipping supplies for a warehouse supply wholesaler in Denver. He has been with Warehouse Supply for almost a year, hired fresh out of Collegiate U with a degree in marketing. Robert says it is his dream job. He always wanted to be in sales, and he loves the organized chaos of a warehouse as trucks and freight move in and out. He has a real understanding of warehousing, learned while he was working summers and part time as an order picker in a club store warehouse. He worked there until his junior year at Collegiate, when he had the accident on Highway 17 that left him a paraplegic. After the accident, he spent months in rehabilitation and had to take some time off from school. Then, because he was in a wheelchair, he could not go back to his job as order picker in the warehouse. He still got his marketing degree, though. It just took him a little longer.

“I really like sales,” Robert says, “It gets me out and about, and I enjoy working with the customers. I was afraid my wheelchair would put people off, and I’d be stuck behind a desk for the rest of my life. I’d hate that. I’m thankful that I have the accessible van and can drive my own route. I know I’m a little slower than some of the guys, but I think I’ve earned their respect, and I like the challenge. I don’t always make the numbers, but people need to know that there is a lot more that a paraplegic *can* do than what he *can’t* do.”

Unfortunately, sales have been down for Warehouse Supply for the last two quarters. When consumers buy less merchandise like toys, clothes, gadgets, etc., there are fewer shipments in and out of warehouses and less demand for warehouse supplies. Like most other sales organizations, Warehouse Supply compensates its sales staff with commission and bonuses in addition to base salary. Besides the sales staff, management-level employees also receive bonuses based on sales numbers. When sales shrink, everybody feels the pinch.

Marty is the sales manager for Robert’s district. When Marty interviewed Robert for the job, he was impressed with Robert’s knowledge of warehousing, his enthusiasm for sales and his outgoing personality. He’d never hired anyone in a wheelchair before, but he thought, “What the heck, I think this guy can do the job, and we should give him a try.” Robert learned fast, and once the customers got used to the idea of a guy in a wheelchair in the warehouse, things seemed to be fine, although Marty had to admit that Robert’s sales numbers were never outstanding. Most months, Robert’s sales are at or near the bottom of the pack. “He’s just a little slower,” Marty said. “By the time he gets that van parked and gets his chair in and out, he just can’t get around to as many customers in a day as the other guys. But he does all right, and he makes a lot of calls from the office. Can’t say he’s not on top of his customers needs. He takes good care of them.”

With sales down, Marty is getting pressure from Frank Bishoff, Warehouse Supply's vice president of sales at the home office in Phoenix, Ariz. Frank is always a little edgy when bonuses are due, but this time he is really on Marty. He called again this morning. "Hey Marty, what's going on out there? All I see is inventory stacking up and your sales numbers going down! I know everybody's sliding a little in this economy, but your second quarter numbers are terrible. You've got to move some product, and move it now! I'm getting pressure from the guys upstairs. You know that everybody's bonus is riding on this, and we're nearly at the end of the quarter. I'll be in Denver at the end of the month. We're taking a closer look at your numbers and your people. You'd better tell anybody who's not up to speed that it has got to change—or they're going to be gone. Whatever it takes, Marty, get those numbers in now!"

Marty has three weeks before Frank comes to Denver. "Heck, if they'll just take it easy until the next quarter, we'd be fine," thinks Marty. "I know our numbers are a little flat right now, but we'll have big orders next quarter, when Quality Retail buys for their anniversary sale. I just wish we had those numbers now; then Frank and his cronies would leave us alone. I think I'll give Robert a call. Quality Retail is his account. If he'd just write up their anniversary sale orders today and get them in the system, we'd all be off the hook. Why not? Frank said whatever it takes. We can always back the numbers out at the end of the quarter if need be, and Robert can square up the account with Quality later. Besides, he might just save his own job. Why should I take the heat alone? It's time he knew Frank has always thought it was a lousy idea to hire a guy in a wheelchair. Maybe Robert does belong in a desk job."

Warehouse Supply's HR department is located at the home office in Phoenix, and Marty has never had anything to do with HR. A representative from Phoenix comes to Denver occasionally to do some training—usually sexual harassment—and Marty knows there is an employee handbook, but he's never read it beyond the statement he signed concerning employment-at-will. Considering the pressure he is under from Frank, he believes the focus for sales at Warehouse Supply is on making the numbers and not much else.

"There's no harm in getting the orders in early," Marty muses. "Besides, we can always back the numbers out later if we need to. And this way everyone gets their bonuses. Isn't that what they really want anyway?"

Is there an ethical issue here? If so, what is the issue and how should it be addressed?

Case 4: The Best Person for the Job

After 25 years, Art is finally ready to retire and take it easy. Art teaches accounting and general business courses at Youngstown Community College. The business department at Youngstown offers business administration classes transferable to State University as well as professional and technical programs that culminate in a certificate after one year of study or an associate's degree after two years of study. Youngstown has a dual enrollment agreement with State, and as a result, many business students at Youngstown are also enrolled at State.

Art teaches several of the business transfer classes at Youngstown, but his real love is the non-transfer professional accounting program. He was part of the faculty that created the program, and over the years he has taught hundreds of accounting students and helped them obtain internships and find employment in the community. Art's golfing buddy sometimes jokes that every bookkeeper in town has been through Art's accounting classes.

Besides the regular accounting classes and internships, Youngstown maintains an accounting lab where students can get tutoring help if needed. The current lab tutor is David, who was hired two years ago when Dianne retired after nearly 10 years as the accounting tutor. David is a former student of Art's and holds an associate's degree from Youngstown and a bachelor's from State. The lab job is part-time, which works out perfectly for David, leaving him plenty of time to pursue his MBA in accounting at State. David wants to teach accounting at Youngstown when he completes his MBA.

As a tutor, David has brought the accounting lab to life. He relates well with students, is an excellent tutor, and the faculty sees him as a valuable member of the department. In the two years he has worked in the lab, David has become good friends with Evan, the business department dean. They frequently have lunch together and even socialize with their wives outside of work. Last summer the families went camping together over the 4th of July, and this year they expect to do the same.

Evan is chair of the committee to find Art's replacement. The committee consists of Evan, two additional faculty members, an administrator from another department and Mary, the department chair for business and accounting. On Monday morning, Mary met with Evan to plan out the recruitment process.

"I know HR requires us to do a job search," said Evan, "but even so, there's no reason why we can't move David into Art's position. He relates well with our students, knows all the ins and outs of the college, and is well liked by the faculty."

Mary is surprised at Evan's suggestion. "David is a nice guy, and we all like him," she said, "but he's not qualified. This position requires a master's degree, and he's only got a bachelor's."

"He doesn't need a master's degree to teach in the professional/technical program," said Evan. "He's perfectly qualified for that, and we have plenty of other faculty that can teach the transfer program. David is in school anyway. He'll get his MBA next year, and until then, we'll just schedule him for the professional/technical program, and we'll fit the other classes into other faculty members' schedules."

"This is not how we normally replace faculty," said Mary. She was particularly disturbed that Evan's attitude indicated it was a done deal.

"It's no problem," said Evan. "Recruitment is just an HR exercise anyway. I'll have the paperwork ready for your signature by tomorrow."

The paperwork, marked "confidential," was in Mary's mailbox the following morning. It contained all the documents necessary for HR to launch a full-scale recruiting plan, including a new job description written by Evan. Instead of the customary broad-based job description for a faculty member qualified to teach university-transferable and non-transfer classes, Mary found a job description that described David exactly.

"This is a set-up," Mary mumbled to herself. She knows that even with five members on the hiring committee and the required selection process, the actual hiring decision is left to the dean. "It looks like David's got the job no matter what. What good is Youngstown's ethics committee when the deans have the power to do as they please anyway?"

What should Mary do?

Case 5: What Ever Happened to Lana?

Once the rumor mill in the business department at Youngstown Community College got wind that the dean, Evan Comstock, wanted to move David into the faculty position vacated by Art's retirement, it was all anyone could talk about. No one was surprised at Evan's intention because he had taken David under his wing two years ago when David was hired as the tutor in the accounting lab. Evan and David had become good friends since, and there had been previous instances of favoritism that left everyone feeling uneasy, but this was really too much.

The problem was that Art's position required an MBA in accounting, and David had only a bachelor's degree. Although David was enrolled in an MBA program at State University, he wouldn't be finished for at least another year. Until then, he would only be qualified to teach professional and technical accounting courses and none of the classes that transfer to State. The rest of the accounting faculty would have to pick up the slack until David finished his MBA. It would increase everyone's workload and create a scheduling nightmare. While everyone liked David and agreed he was a great tutor, there was a lot of grumbling.

They didn't have to grumble for long. Evan had rewritten Art's job description to ensure that David would qualify. When the new, watered-down job description landed on vice president Schilling's desk, he called Evan immediately. Schilling was never one to mince words. "Evan, what are you thinking over there?" he shouted, and that was the end of Evan's plan for David.

The position still had to be filled, so HR conducted the recruitment process, and a selection committee was formed consisting of Evan, the department chair, two additional faculty members and an administrator from another department. The recruitment process generated a number of good applicants, and the committee finally narrowed down the pool to five well-qualified candidates to interview. Everyone on the committee thought the interviews went well, but, of course, Evan didn't like any of the candidates. There was much discussion and second interviews with two candidates until Evan reluctantly agreed to hire Lana.

Lana had several years of part-time teaching experience and had been a practicing CPA for a number of years. She had the required MBA and was eager to transition out of accounting and into full-time teaching. She was scheduled to start in the fall because she was currently living in a small town 200 miles south of Youngstown. She immediately started shopping for a house in the Youngstown community and planned to move her family during the summer break.

Fall term enrollment was up in the accounting program and classes were full. It seemed Lana was off to a good start. She fit in well with faculty members and had

positive student evaluations. Everyone seemed pleased, except Evan. He claimed Lana's high student appraisals were because students knew she was "an easy A" and not from good teaching. He changed her winter term class schedule, giving her night classes followed by early morning classes the next day. He seldom visited other instructors' classes, but monitored Lana's lectures constantly. Lana told Mary, the department chair, that his frequent visits to her classes made her nervous and were disruptive. He would come into her class in the middle of a lecture, ask inappropriate questions and then walk out before class was over. It happened so often that even students were getting annoyed. After class, Evan would send Lana an e-mail criticizing her teaching, but when she asked to talk to him about it, he would never schedule an appointment. Some days he would stop by her office just to ask her what she was doing, or he would stop by when she wasn't scheduled to be there and the next day he would ask her where she had been.

During tax season, Lana worked part-time for a CPA firm, as did most of the other accounting instructors. This raised even more ire from Evan. He told her she was off campus too much and asked her to give him a weekly schedule every Monday morning so he would know where she was. No other faculty was required to turn in a schedule. At the end of winter term, Evan set up appointments to meet with students who had not done well in Lana's classes. He asked them to critique her teaching.

"Why doesn't he talk to my 'A' students?" Lana asked Mary. "I think he's trying to drum me out of here," she said tearfully. "I feel so guilty for my family. They changed their lives so we could move to Youngstown and I could have this career. Some days, he has me so on edge I just want to quit. You know I can't win. Even if I tough it out, I'm on trial service for two more years. He can decide to dump me at any time, and there's nothing I can do about it. Some faculty say he's just waiting for David to finish his MBA. I don't know what to do. If he lets me go, what do I say to my family?"

Is there an ethical issue here? If so, what is the issue and how should it be addressed? What is the responsibility of HR in this issue? What should Mary do?

Assessing Alternatives Ethically

SUGGESTED QUESTIONS

Utilitarian Theory

1. Which action will do the most good and the least harm for everyone who is affected?
2. How did you determine what is “the most good” and “the least harm”? Did all team members agree?
3. Explain your choice.

Rights Theory

1. Which action protects and furthers the rights of the stakeholders?
2. When stakeholder rights are in conflict, how do you decide whose rights take precedence?
3. Which action would you want done to you if the roles were reversed?
4. Would you want to live in a world where everyone engaged in the action in question?
5. Explain your answers.

Distributive Justice Theory

1. Which action produces a fair distribution of benefits and costs for all stakeholders?
2. How do you determine what is fair? Who decides?
3. What action provides stakeholders with equal liberty and equal opportunity?
4. Explain your choices.

Caring Theory

1. What action cares for those individuals with whom you have a special relationship?
2. Which action helps those who are vulnerable and dependent on you?
3. Explain your choices.

Virtue Theory

- 1.** What action(s) displays virtuous character traits (e.g., integrity, honesty, fairness, loyalty, etc.)? What virtues are displayed?
- 2.** What action(s) displays vices (e.g., dishonesty, deceit, selfishness, etc.)? What vices are displayed?
- 3.** Explain your answers.

For additional questions useful for discussing ethical theories, see Schumann, P. L. (2001), 106.

Suggested Case Answers and Analysis Based on Ethical Theories

CASE 1: WHEN THE BOSS DOESN'T LIKE HER

What Is the Ethical Issue?

Anna is being pressured by her boss to write a negative performance appraisal about Janet as documentation to justify Janet's termination. Anna believes Janet is a good employee, who has always been willing to correct problems that may occur with her work. To date, Janet has never received a negative performance appraisal.

Who Are the Stakeholders?

- Anna, office manager and Janet's supervisor
- Janet, receptionist
- Justin, facility manager of Grocery Warehouse
- Grocery Warehouse, the organization

What Are the Possible Courses of Action?

- Anna could write the negative appraisal and prepare the necessary paperwork for termination as requested by Justin.
- Anna could attempt to talk Justin out of terminating Janet.
- Anna could try to mediate between Justin and Janet.
- Anna could go over Justin's head and talk to his supervisor.
- Anna could contact HR at headquarters for intervention.
- Anna could refuse to complete the appraisal.
- Anna could complete the appraisal but find no instances of poor performance.
- Anna could do nothing, hoping that when Justin gets back from vacation, he will change his mind and back down from terminating Janet.
- Janet could be moved to another area where she doesn't come in contact with Justin.

Identify the Problems With Each Alternative

Anna could write the negative appraisal and prepare the necessary paperwork for termination as requested by Justin.

If Anna goes along with Justin, she will probably never be comfortable with this solution. She knows Janet is a good employee who should not be terminated. Terminating an employee simply because “the boss doesn’t like her” could bring allegations of wrongful discharge. At the very least, it creates a negative work environment where all employees are insecure about their jobs and there is no respect for management.

Anna could attempt to talk Justin out of terminating Janet.

Anna should focus the discussion on Janet’s behavior in an attempt to sway Justin from his perception. She has probably already tried to talk to Justin, however, and he may have already made up his mind.

Anna could try to mediate between Justin and Janet.

Anna could suggest this, but as with talking Justin out of the termination, if his mind is already made up, he may not be open to mediation.

Anna could go over Justin’s head and talk to his supervisor.

It sounds like Justin is a poor manager and may have issues that his supervisor and the organization should be concerned with. However, going over the boss’ head always carries risk, and it may be more risk than Anna is willing to take.

Anna could contact HR at headquarters for intervention.

This is probably the best alternative. However, as with contacting Justin’s supervisor, there is risk for Anna. Bringing headquarters into the problem exposes Justin as a poor manager, and even when this situation is resolved, Anna may never be able to work well with him again.

Anna could refuse to complete the appraisal.

This is unlikely to resolve the issue and will only generate hostility from Justin. This could have repercussions for Anna because she may be accused of insubordination for refusing to follow Justin’s instructions.

Anna could complete the appraisal but find no instances of poor performance.

If there truly is no poor performance on the part of Janet, this may be the only honest thing Anna can do. However, if Justin is determined to find “poor” performance from Janet, he will not be pleased by Anna’s positive assessment.

Anna could do nothing, hoping that when Justin gets back from vacation, he will change his mind and back down from terminating Janet.

This alternative also carries significant risk for Anna. This problem will probably not go away when Justin returns from vacation. If Anna has done nothing while he is gone, Justin may be angry and Anna’s job may be at risk. If Justin has no problem writing a fictitious performance appraisal to fire Janet, he could certainly do the same with Anna.

Janet could be moved to another area where she doesn't come in contact with Justin

This might be a solution, but there may be no other area where Janet could work. Also, if Janet likes her present position, she may not want to move and may feel that she is being punished when she has done nothing wrong. That may open the door for legal problems down the road. If Justin is truly determined to get rid of Janet, he will not be satisfied with this alternative.

Utilitarian Theory

Applying utilitarian theory, the most good and the least harm may be accomplished if mediation occurs between Justin and Janet so they can work successfully together. Unfortunately, this may not occur because it seems that Justin has his mind set on terminating Janet. He may not be receptive to mediation.

Anna might believe the easiest thing to do is to go along with what Justin wants. In the long term, however, this would probably do the most harm. Janet would be out of a job. Justin would feel empowered to run over staff members at his discretion, and Anna would never be comfortable knowing she took part in unfairly ending Janet's career at Grocery Distribution.

Rights Theory

Janet and Justin are the stakeholders in conflict, but Anna is caught in the middle. According to the principles of rights theory, it seems only fair that Janet have a right to be informed of any problems with her performance and given an opportunity to improve. However, we haven't been given any indication that there are problems with Janet's performance. It seems that Justin simply wants her gone. Although Justin has formal authority and the right to manage the department, trampling Janet's rights is clearly unethical.

Distributive Justice Theory

Distributive justice attempts to produce an action that is fair to all concerned. It would seem the only fair action for Janet is that her performance appraisal be an accurate reflection of her work. When appraisals are skewed by the wishes of a manager, it sends a strong message to all employees that management is unethical and that there is no equity or fairness in the organization. This has negative repercussions far beyond the issue of just one person's performance appraisal.

Caring Theory

Since many of the staff at Grocery Distribution attended Janet's performance in the theater, we can presume the staff does care about her and would not want her to lose her job. Whether there is a special friendship between Anna and Janet is not indicated in the case, therefore, we can assume Anna's interest in protecting Janet from job loss is more from a sense of fairness and equity than it is from a special relationship.

Virtue Theory

Writing an unjustified negative appraisal about Janet is dishonest and violates all principles of virtue ethics. The most honest alternative for Anna is to write an accurate appraisal on Janet and seek intervention from HR or another individual in the organization who is trusted by both Justin and Janet. Justin's behavior seems the most unethical of all stakeholders, since there are no virtuous character traits demonstrated in his behavior toward either Janet or Anna. His bullying behavior is unacceptable.

CASE 2: NOW YOU SEE IT, NOW YOU DON'T

What Is the Ethical Issue?

To protect the owner from claims made by his wife in their pending divorce settlement, John is asked to falsify equipment records by decreasing the value of the organization's inventory to make the company look like it is worth less than it really is.

Who Are the Stakeholders?

- Alan Harrell, co-owner of Harrell Construction
- Mary Harrell, Alan's wife and co-owner of the company
- John, facility manager
- Employees of Harrell Construction

What Are the Possible Courses of Action?

- John can go along with Alan's request and eliminate expensive items from the inventory records.
- John could refuse to change the inventory and tell Alan that falsifying inventory information is fraud.
- John could procrastinate and just never get to it. Maybe Alan will forget it or the divorce may be finalized without the inventory becoming an issue.
- John could suggest that they work with the company's accountant to carefully audit their inventory records, ensuring that all old or unusable equipment is fully depreciated and written off.
- John could call Mary and tell her what Alan is up to.

Identify the Problems With Each Alternative

John can go along with Alan's request and eliminate expensive items from the inventory records.

It may seem to John that going along is the easiest thing to do, and he can rationalize his actions by saying, "After all, Alan owns the company, and it's not my business how he settles things with his wife." John needs to realize, though, that by going along, he is behaving unethically and helping Alan commit fraud.

John could refuse to change the inventory and tell Alan that falsifying inventory information is fraud.

John faces some risk if he decides to refuse Alan's directive. He could come across as self-righteous if he tells Alan that he is committing fraud, and this may damage their relationship and make it difficult to work for Alan in the future. If Alan is angry at John's refusal, John's job could be at risk.

John could procrastinate and just never get to it. Maybe Alan will forget it or the divorce may be finalized without the inventory becoming an issue.

Alan probably will not forget, and eventually the divorce will be settled whether John does anything or not. Procrastination may work in John's favor, but it could also backfire and create hostility from Alan and further problems for John. Procrastination is probably not the best choice; ignoring the problem is not ethical, and problems ignored seldom go away.

John could suggest that they work with the company's accountant to carefully audit their inventory records, ensuring that all old or unusable equipment is fully depreciated and written off.

This would get the accounting records in order and up to date. Regardless of the pending divorce, this is good business practice. Hopefully, John can present this diplomatically so that Alan will see the value of this alternative and not think John is just stalling.

John could call Mary and tell her what Alan is up to.

This would make Alan very angry, and John's job could be at risk. John may believe Mary has a right to know what Alan is up to, but calling her would be ethically questionable.

Utilitarian Theory

John is in a very difficult situation. While working at Harrell Construction, he has become good friends with his boss, Alan Harrell, but now Alan is asking him to commit fraud by falsifying equipment records. Additional stress is placed on John by Alan's implication that falsifying records is the only way to ensure the company's well-being and to protect employees' jobs.

Applying utilitarian theory, John must decide which alternative generates the most good and the least harm for the people involved. He is concerned about the possible job losses that could occur if the company suffers as a result of Alan's pending divorce. Job losses could harm a great number of people, and John may believe

the greatest good would come from going along with Alan's request to falsify the records to protect the company and employees' jobs. There are other ethical issues involved in this choice, though, and in the long term, this may be more harmful than expected because John is ignoring the potential risk that could result from falsifying records. With no HR department available for guidance, John has to figure this one out on his own.

Rights Theory

As half owner of the company, Mary's rights would be violated if John agrees to Alan's suggestion to falsify equipment records. John also has a right to expect fair dealing on the part of his employer, and Alan has placed John in an untenable position with his request. Falsifying records is clearly unethical and creates a workplace of dishonesty and subterfuge. To protect the rights of those involved, the most ethical solution is that John and Alan work with the company's accountant to ensure the records are accurate and that all equipment is properly accounted for and fully depreciated.

Distributive Justice

It is always difficult to confront one's boss, and many people would be inclined to ignore Alan's request and hope that it would be forgotten. Unfortunately, most problems don't just disappear. Ignoring the situation is not ethical, and certainly calling Mary to tell her what Alan is planning is neither ethical nor appropriate. The best solution is still to work with the accountant to ensure accuracy of the inventory records. This suggestion protects the rights of all stakeholders and creates the most honest and best distribution of the benefits and costs for those involved. Hopefully, John can persuade Alan to agree.

Caring Theory

John and Alan are good friends. We can assume, then, that John cares about Alan, Alan's company and the welfare of those involved at Harrell Construction. It is probable that John's friendship with Alan puts extra pressure on John—pressure that would not be there if he and Alan were not friends. Most people are inclined to try to protect the welfare of their friends whenever possible. Under principles of caring, John might agree to Alan's plan, using his friendship with Alan as justification for his actions.

Virtue Theory

Alan has put John in a very difficult position. There is no virtue in Alan's suggestion that they falsify equipment records. It is dishonest and unethical. It also demonstrates Alan's disdain for Mary's rights as half owner of the company. John needs to maintain his own honesty by refusing to lie to protect Alan's interest in the company. John's best choice is to suggest they work with the company's accountant to ensure all records are up to date. This alternative may be a challenge for John because he is working with an unethical business owner.

CASE 3: SALES NUMBERS OR WISHFUL THINKING?

What Is the Ethical Issue?

In response to pressure from headquarters to make the quarterly sales numbers, Marty is going to ask Robert to submit fictitious sales orders. Working from a wheelchair, Robert takes longer to call on customers and his sales are generally the lowest in the department. Some in the company believe a person in a wheelchair should not be in warehouse sales, and they may use Robert's lower sales numbers to justify moving him out.

Who Are the Stakeholders?

- Robert, salesperson for Warehouse Supply
- Marty, sales manager for Warehouse Supply and Robert's boss
- Frank, vice president of sales for Warehouse Supply and Marty's boss
- Warehouse Supply, the organization, particularly the owners or stockholders who are responsible for paying sales bonuses
- Other sales staff and employees who may be eligible for bonuses

What Are the Possible Courses of Action?

- Responding to pressure from Frank, Marty could insist that Robert write up false sales orders, reminding Robert that he is a low man in the pecking order and that he probably wants to keep his job.
- Robert could comply by submitting orders for Quality Retail, even though he has not yet received a purchase order or confirmed sales from Quality.
- Robert could refuse to write false orders.
- Robert could make a discrimination claim based on Marty's threats to his job and his protected status under the ADA.
- Marty could stick with the actual sales numbers and take the heat from Frank.
- Marty could shift around Warehouse Supply's customers, giving Robert the lousy accounts and squeezing him out when his sales slip even further.
- Marty, Robert or both could contact HR or their organization's ethics officer regarding pressure to falsify sales numbers.

Identify the Problems With Each Alternative

Marty could put pressure on Robert to write up false sales, reminding Robert that he is a low man in the pecking order and that he probably wants to keep his job.

Entering false sales for purposes of keeping the numbers up to make bonus is dishonest, fraudulent and grounds for termination. Readjusting the numbers next

month does not alter the fact that the organization (stockholders in particular) has been tricked into paying bonuses that were not earned. Later manipulation of sales numbers just intensifies the problem and perpetuates the dishonesty. Threatening employees with termination if they do not go along is unethical and never appropriate.

Robert could submit orders for Quality Retail even though he has not yet received a purchase order or confirmed sales from Quality.

If Robert agrees to do what Marty has asked him to do, he will probably justify his actions as simply doing “what the boss wants.” There is a lot of pressure on him to go along. His job is on the line, and if he turns in higher sales numbers, however false they may be, he, too, earns a bonus.

Robert could refuse to write false orders.

Robert could refuse, but refusal puts him in a vulnerable position with his job at risk. Even if he keeps his job, his relationship with Marty is forever altered.

Robert could make a discrimination claim based on Marty's threats to his job and his protected status under the ADA.

Robert has a right to expect accommodations because of his disability, but whether he really has a claim of discrimination is up to the courts to decide. If there are reasonable minimum sales requirements that all sales staff must meet, then Robert, too, must meet the minimum requirements. As with all employees, if he is unable to meet the minimum, even with accommodation, his job is at risk based on performance. If either Marty or Frank threatens Robert's job because of his wheelchair, he may very well have a valid claim for discrimination.

Marty could stick with the actual sales numbers and take the heat from Frank.

This is the ethical thing to do. However, there is enormous pressure on Marty to make the numbers. Remember, even Frank is getting pressure from upstairs. In many organizations, sales numbers affect bonuses all the way to the top. To many, Marty's refusal may indicate that he is not a team player, and usually, when you're off the team, you're also out of a job.

Marty could shift around Warehouse Supply's customers, giving Robert the lousy accounts and squeezing him out when his sales slip even further.

Marty should be honest with Robert about his low sales numbers. Perhaps Robert needs training or some further accommodation to help him get his sales numbers up. It could be that customer distribution is already inequitable across the sales staff and Robert has most of the smaller accounts that generate low sales. If so, Marty should readjust customers to ensure that accounts are equitable across the board. Attempting to squeeze out a poorly performing employee sends a strong negative message to other employees, and when the employee in question finally quits, the organization had better prepare for a lawsuit based on constructive discharge.

Marty, Robert or both could contact HR or their organization's ethics officer regarding pressure to falsify sales numbers.

YES! There should be some avenue in the organization where employees can report ethics violations. There may be an ethics officer or ombudsperson in the HR department who helps employees deal with difficult issues and ensures that ethics policies are carried out properly and appropriate discipline is applied. This is a tough one because Frank's comments indicate that unethical pressure is coming from the top.

Utilitarian Theory

Utilitarian theory looks to create the greatest good for the most and to do the least harm. If we were to determine the greatest benefit by a simple head count alone, pressuring Robert to submit false sales numbers benefits many by ensuring bonuses are paid to all and only one person is harmed—Robert. Unfortunately, this doesn't provide an ethical solution to this issue, but what it does is demonstrate the major criticism of utilitarianism. Depending on numbers alone does not always lead to an ethical outcome.

Rights Theory

In this case, Robert and Marty are having their rights violated. Marty is being pressured by his boss, Frank, to engage in unethical behavior, and Marty has a right to a workplace free from pressure to be dishonest. Marty should confront Frank about the inappropriate pressure, but instead he is tempted to pass the pressure on to Robert.

Robert is being pressured to turn in false sales numbers, and because of his dependence on a wheelchair, he may have rights under the American's with Disabilities Act. Robert has a right to reasonable accommodation that enables him to perform the essential functions of his job. If Robert's job is in jeopardy because "it was a lousy idea to hire a guy in a wheelchair," there may be a legal problem at Warehouse Supply in addition to its ethical problems.

Distributive Justice

Distributive justice looks at fairness and equity in the distribution of benefits. If individuals receive bonuses at Warehouse Supply based on false sales numbers, they are being rewarded for cheating. This is an inequity to all the other employees who play by the rules and may or may not receive bonuses. If Warehouse Supply is owned by stockholders, they, too, are being cheated by the deception. Stakeholder rights would only be protected in this situation if both Marty and Robert stand up to upper management and refuse to participate in the deception.

Caring Theory

The case gives us no indication that there is any special relationship among the individuals involved. However, it is clear that Robert is the most vulnerable stakeholder in the situation for two reasons. First, he is at the lowest position in the organizational hierarchy, and, second, his position is vulnerable because of prejudice at Warehouse Supply against a disabled employee. Ethics of care would indicate the most vulnerable deserves the most consideration. Marty should bring in HR for intervention instead of simply passing the pressure on to Robert.

Virtue Ethics

Falsifying sales numbers to achieve bonuses is dishonest. Most organizations would see this as theft and grounds for termination. The pressure from the top to ensure that everyone gets bonuses—even when not legitimately earned—indicates ethical problems systemic to the organization.

The only ethical solution to this situation is to contact HR and get the organization's ethics officer involved. The organization's culture needs to change. This is a long-term solution, but it is the only virtuous solution and the solution that will provide the most good for the most stakeholders. At the very least, HR at Warehouse Supply needs to conduct ethics training for all employees and reformulate the compensation system to de-emphasize making the numbers and include ethical behavior in the company's performance management system.

CASE 4: THE BEST PERSON FOR THE JOB

What Is the Ethical Issue?

A faculty member is retiring, and a committee has been established to select a replacement. HR conducts candidate recruitment, and the selection committee proceeds through the interview process. However, the dean has already made the decision to move his friend, David, into the open position. Since David is not fully qualified for the position, the dean rewrites the job description to fit David's qualifications.

Who Are the Stakeholders?

- David, the accounting tutor
- Evan, the dean
- Mary, the department chair
- Other qualified candidates for the faculty position
- The hiring committee
- Faculty and staff at Youngstown Community College
- The students at Youngstown Community College

What Are the Possible Courses of Action?

- Mary could keep quiet and go along with Evan in hiring David for the open faculty position.
- Mary could refuse to sign the papers or serve on the hiring committee.
- Mary could contact the vice president of instruction (Evan's boss) and let him in on the plot.
- Mary could discuss Evan's plan with other faculty members, particularly those on the hiring committee, and try to gain support against Evan.
- Mary could contact HR for intervention.

Identify the Problems With Each Alternative

Mary could keep quiet and go along with Evan in hiring David for the open faculty position.

Mary may think that it may be easier not to make waves. After all, Evan is Mary's boss and Mary's own performance review may be due soon. She could easily rationalize her decision to do nothing. After all, David is well liked by faculty and students and is an excellent accounting tutor. She knows trying to schedule David to teach only non-credit classes would be difficult, but he is in school working on his degree. In about a year, when he has his MBA, he will be fully qualified for the position, and the problem would then be a moot point. In the meantime, it is still a problem, and Mary may not be comfortable going through a sham recruitment and selection process.

Mary could refuse to sign the papers or serve on the hiring committee.

Department chairs customarily serve on faculty hiring committees, so Mary's refusal would send up a red flag that something is wrong. Her lack of cooperation would probably not sit well with Evan, and Mary could experience retaliation as a result. In all cases, going against the boss carries risk.

Mary could contact the vice president of instruction (Evan's boss) and let him in on the plot.

The vice president of instruction would probably not approve of Evan's manipulation of the job qualifications because it is his job to protect the integrity of the faculty, the college's reputation and accreditation. Mary may find support here, but she is taking a chance. She may win this issue if she gets the VP on board, but she may never have a smooth sailing with Evan again.

Mary could discuss Evan's plan with other faculty members, particularly those on the hiring committee, and try to gain support against Evan.

Mary may find support from members of the hiring committee; they will probably be unhappy at the prospect of a recruitment and selection process that is just for show. This could sound like back-stabbing and nasty politics. It would be more appropriate if Mary could resolve this matter with Evan directly instead of asking faculty members to choose sides. Mary might be surprised at how much support

there is for David to be hired for the position because David is an excellent tutor and is well regarded by faculty members.

Mary could contact HR for intervention.

HR would not approve of a recruitment and selection process that is rigged with a candidate already selected. They should work with Evan to ensure the process is fair to all those involved and is carried out without discrimination or favoritism. A commitment to equal opportunity must be more than words on paper. HR should closely monitor this process.

Utilitarian Theory

Utilitarian theory addresses the greatest benefit and the least harm for the most people involved. Youngstown Community College has a responsibility to its students and staff. When an individual who is not fully qualified moves into a faculty position, it undermines the education of all students. As the dean, Evan seems complacent about the process, and one would wonder if this has been the pattern in other departments and with other deans as well. If so, there is a problem at Youngstown that goes far beyond this promotion. The only solution that creates the greatest good is for Mary to contact the ethics committee and to bring in HR for intervention.

Rights Theory

The integrity of the college is at stake here. Students have a right to the best education possible, and manipulation of faculty positions undermines that right. Besides trampling the rights of students, favoritism in selection violates the rights of all other candidates for the position. They certainly have a right to fair consideration in the job selection process.

Distributive Justice Theory

Distributive justice addresses what is fair to those involved. It is difficult to see anything fair in Evan's actions. He is harming students and the department and putting Mary in a difficult position. He may think he is helping David, but if David is awarded the faculty position through manipulation, he is likely to suffer repercussions down the road from those who do not think he should be in that position at all.

Caring Theory

It is clear that Evan and David are friends, and under caring theory, one might argue that Evan could be expected to favor his friend. However, arguing Evan's actions as justification based on caring seems a subversion of all ethical principles because it violates the interests of the other stakeholders. Evan has no consideration for the harm done by his favoritism of David.

Virtue Theory

It is never appropriate or ethical to pre-select someone for a job opening, no matter how qualified the individual may be. The virtues of fairness, loyalty and honesty dictate a job selection process that is equitable to all candidates. The ethics committee needs to be involved. HR at Youngstown would not approve Evan's plan to move David into the job. Mary should not keep quiet and go along with Evan's plan. Doing so implies acceptance and agreement with an inappropriate and unethical hiring plan. Going around Evan to his boss or gossiping with other faculty members will not solve the problem ethically.

The ethical solution is to contact HR for intervention. This protects the majority of the stakeholders and produces the greatest benefit with a fair resolution for the college and the other job applicants. Ultimately, when David is fully qualified, he may become an excellent faculty member. But moving him inappropriately into the open faculty position violates the ethical integrity of the college, the department, the faculty and all involved.

CASE 5: WHAT EVER HAPPENED TO LANA?

What Is the Ethical Issue?

Evan obviously wanted David for the faculty position. Since he did not get his way and Lana was hired instead, it appears he is trying to get rid of Lana by making her so miserable she will quit. His bullying behavior is unethical, and Lana is not getting a fair shake.

Who Are the Stakeholders?

- Lana, new accounting instructor
- Evan, dean of accounting
- Schilling, vice president of instruction and Evan's boss
- Mary, the department chair
- David, accounting tutor
- Other accounting faculty
- Youngstown Community College
- The students at Youngstown Community College

What Are the Possible Courses of Action?

- Lana could quit.
- Lana could hang in there and hope for the best.
- Lana could go to vice president Schilling to discuss her situation.

- Lana could ask HR for intervention.
- Mary could go to vice president Schilling to discuss the situation.
- Mary could mediate between Lana and Evan.
- Mary could ask HR for intervention.
- Mary could do nothing; after all, it is between Evan and Lana.

Identify the Problems With Each Alternative

Lana could quit.

When work conditions get uncomfortable, it may seem like quitting is the best answer, but this would pose a hardship on Lana and her family because they have made a major life change in moving to Youngstown.

Lana could hang in there and hope for the best.

It is obvious that Lana wants to keep her job, but she may need to do more than just hope for the best, because it will not solve her problem.

Lana could go to vice president Schilling to discuss her situation.

It is reasonable to expect that vice president Schilling should intervene because Evan's behavior is out of line. But Evan is Lana's boss, and it is risky going over the boss's head. Evan may have a strong supportive relationship with Schilling that Lana, as a new employee, may not be aware of. She has no way of knowing in advance if she would find support from Schilling.

Lana could ask HR for intervention.

This is a better alternative than going directly to vice president Schilling. HR should intervene and mediate the situation. HR should be a safe place for Lana to seek help with her problem, but as a trial-service employee, Lana may be taking a risk no matter what she does.

Mary could go to vice president Schilling to discuss the situation.

Vice president Schilling should be aware of and concerned with Evan's unethical and inappropriate behavior, but Evan is Mary's boss, and this is a situation where the employee is going over the boss's head. Mary may be hesitant to go to Schilling because it could damage her ability to work with Evan in the future.

Mary could mediate between Lana and Evan.

This is certainly a possibility, and Mary may have already suggested it. Evan is Mary's boss, however, and Lana may not see her as an impartial mediator. It would be better if someone outside the department could mediate between Evan and Lana. Mediation is successful only when both parties are willing to make it happen, and it seems unlikely that Evan will agree to mediation.

Mary could ask HR for intervention.

Mary could ask HR to intervene. HR should always be a safe resource for employees seeking help with difficult situations.

Mary could do nothing; after all, it is between Evan and Lana.

Doing nothing is always a possibility; however, Mary is the department chair, and she is aware of what is going on. In light of her knowledge of the situation and the fact that her position gives her some authority, she has an ethical responsibility to take action.

Utilitarian Theory

Evan's persecution of Lana is making it difficult for her to do her job properly. We can assume her performance in the classroom has suffered as a result. This is harmful to students, and at the very least, it must make other faculty uncomfortable if they are aware of what is going on. The message heard is, "Don't cross Evan, or he will drum you out of your job." There is no benefit to be derived from Evan's actions, but the harm done may have far-reaching consequences.

Rights Theory

Evan and Lana are in conflict. As dean, Evan has formal authority and may believe this gives him the right to run the department as he chooses. Lana has a right to expect support from management and a work atmosphere free from hostility. Her rights could be protected by intervention from HR and neutral mediation. Unfortunately, Evan seems dead set against her, and even mediation may not resolve the difficulty.

Distributive Justice Theory

Evan's treatment of Lana is unfair. Nothing in the case indicates that other faculty members are treated as harshly. Evan needs to understand the responsibilities of authority and managing employees. HR and vice president Schilling, Evan's boss, must be brought into the situation.

Caring Theory

There seems to be no caring in this situation. Evan is running roughshod over Lana, and his behavior probably has a chilling effect on all employees in the department. Since Lana has confided in Mary, Mary has an obligation to recognize Lana's vulnerability. Mary needs to contact HR or the ethics committee at Youngstown. Intervention is needed, and it needs to happen soon to save Lana's job.

Virtue Theory

It would be unfortunate if Lana were to quit. She may think quitting would save her some personal pain; and it might, but it would allow Evan's unethical behavior to continue harming the college, the students and all stakeholders involved. There is no virtue in Evan's behavior. His behavior is deceitful and manipulative.

The ethical solution with the greatest benefit for the most stakeholders is intervention from HR. Either Lana or Mary must report Evan's inappropriate

behavior to HR. Youngstown has an ethics committee, so there is probably a process in HR where employees can report wrongdoing without fear of retaliation. Intervention should include discipline for Evan as appropriate, mediation between Evan and Lana, and continued monitoring of behavior. This would generate the best long-term ethical resolution of the issues involved.

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