ETHICAL BEHAVIOR IN THE WORKPLACE

Participant’s Manual
Comprehensive Public Training Program (CPTP)

State of Louisiana
ETHICAL BEHAVIOR IN THE WORKPLACE

Comprehensive Public Training Program (CPTP)

Sponsored by the Louisiana State Civil Service

Office of Human Resource Management
Louisiana State University
304 Thomas Boyd Hall
Baton Rouge, LA 70803
Phone: 225-578-2280
Fax: 225-578-9499
cptp@lsu.edu

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Course Description
This one day course will help participants learn how to evaluate work situations to identify potential ethical problems and conflicts of interest. Participants will learn how to comply with rules and/or laws governing potential areas of conflict, promote awareness of ethical behavior in work groups, and anticipate the implications of words and actions within work group goals. This class does not substitute or replace the state requirement for mandated ethics training.

Job Outcomes
☑ Understand what workplace ethics encompasses.
☑ Explore different ethical styles and learn how to address and resolve ethical dilemmas.
☑ Identify how ethics affect teamwork, productivity and the public image.
☑ Model and encourage high standards of honesty and integrity.

Learning Objectives
☑ Evaluate work situations, identify potential ethical problems and conflicts of interest, and recommend appropriate behavior.
☑ Promote awareness of ethical behavior in the work group.
☑ Promote ethical practices in all organizational activities.
ETHICS AND COMPLIANCE DEFINED

Small Group Activity:
What: Understanding Ethics and Compliance
How: In your small group, create a definition for “ethics” and a definition for “compliance.” Do this without reading ahead in the manual – aim for good working definitions in your group’s own words.

Be prepared to share your answers with the class.

NOTES:

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ETHICS AND COMPLIANCE

There are numerous definitions developed for the term ‘ethics,’ as well as the term “compliance.” Given that this course focuses on behavior within your agencies, the following definitions can be used to understand each term.

Ethics: the discipline of dealing with what is good and bad, and with moral duty and obligation; the principles of conduct governing an individual or a group. (Ethical Leadership p. xii)

Compliance: the practice of obeying a law, rule or request; the act of conforming or yielding.

Having clear definitions of ethics and compliance and an understanding of how each impacts an agency is the first step in making ethical decisions. Ethical behavior is crucial within organizations, especially during times of fundamental change. Focusing on ethical principles may assist agencies in moving forward quickly, and may also help public servants remain committed to achieving long-term goals for their customers and stakeholders.

What do we mean when we say public servant?

A public servant is defined as a public employee or an elected official.

A public employee is defined as anyone, whether compensated or not, who is (a) an officer or official of a government entity who is not filling an elective office; (b) appointed by an elected official to a position to serve the government or government agency, when the elected official was acting in his official capacity; (c) engaged in the performance of a governmental function; or (d) is under the supervision or authority of an elected official or another governmental employee.

ETHICS: IT’S MORE THAN COMPLIANCE

Quite often people confuse the two words ethics and compliance. While the two go hand-in-hand when discussing ethical behavior, they are different in terms of how each is understood in this discussion. As mentioned above, ethics is about “morally dealing with what is good and bad” whereas compliance is about “following the letter of the law.” Put another way, ethics is about consciously doing the right things, whereas compliance is not doing the wrong things.

What are some examples of compliance?
Ethical standards have changed within our world and within state government over the past decade. Agencies have an opportunity to take a proactive stance to make sure that they are abiding by the established ethical standards and to benefit from ethical leadership.

Ethical principles are not set forth to make state government more bureaucratic; rather, they are established to make substantial improvements in the way our state government serves the citizens of the state of Louisiana. Below are five principles that highlight the importance of ethical behavior in public service.

**Principles of Ethics in Public Service**

1. Public service in Louisiana is a trust; it should not be used for personal gain.
2. Make decisions on the merits, without partiality or prejudice.
3. Service should be conducted openly, equitably and honorably.
4. Respect democratic principles, observing the letter and spirit of laws.
5. Avoid appearances of impropriety in order to promote integrity in government.
ETHICAL BEHAVIOR IN THE WORKPLACE

Individual and Small Group Activity

What: To Hire or Not to Hire

How: Read the case study below and discuss possible solutions with your small group.
Be prepared to discuss with the class.

Stephen has applied for a transfer to Department Q, headed by Jane. As part of Jane’s fact finding, she reads through Stephen’s written evaluation, which is exceptional, then asks Stephen’s boss for information on his performance. Stephen’s boss starts complaining about Stephen because his last project was not up to par; however, Stephen’s boss fails to mention that Stephen’s wife has been seriously ill for two months. Jane then decides not to accept Stephen’s transfer.

1. Describe the ethical dilemma that this scenario highlights.

2. What are your thoughts and feeling about how this situation was handled?
ETHICAL DECISION MAKING

Ethical decision-making helps people make difficult choices when faced with an ethical dilemma, a situation in which there is no clear right or wrong answer.

Rushworth Kidder suggests that decision-making is driven by our core values and morals, and that some decisions fall into one of two categories — moral temptation and ethical dilemmas.

Values Defined: A person’s principles or standards of behavior; one’s judgment of what is important in life. (Oxford Dictionary 2013)

Our values come from many different places, including:

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While some values may change throughout our lives, the core of our values will remain fairly constant. These core values steer us when making ethical decisions.

Individual Activity

What: Understanding YOUR core values

How: The best way to understand your core values is to list them. Take a few minutes and list 3—7 core values that you think best represents you.

1. ____________________________________________________________
2. ____________________________________________________________
3. ____________________________________________________________
4. ____________________________________________________________
5. ____________________________________________________________
6. ____________________________________________________________
7. ____________________________________________________________
WHERE DO OUR VALUES COME FROM?

Factors that Influence Ethical Behavior

- Unrealistic Expectations
- Desire to further one’s career
- Desire to protect one’s livelihood
- Diminished morale working environment
**ETHICAL DECISION MAKING**

Moral temptation is a decision about right versus wrong, based on the core values that each person possesses.

Moral temptations include things like cheating on your taxes, lying under oath and inflating an expense account.

An ethical dilemma is a complex situation that often involves an apparent mental conflict between moral imperatives, also defined as “right versus right.” They are true dilemmas because each side is deeply ingrained in our core values.

An example of an ethical dilemma ponders situations like, “It is right to provide our children with the finest public schools available—and it is right to prevent an increase in state and local taxes.”

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**MORAL TEMPTATION**

Let’s look a little closer at moral temptations (right versus wrong) first. What makes something wrong? How do we know when we see it? As Kidder references in his book, *How Good People Make Tough Choices*, he mentions that we typically think of wrong in three ways:

1. Violation of law
2. Departure from truth
3. Deviation from moral rectitude

While making decisions when faced with moral temptations may seem easy to some, it can still be difficult for others. Part of what makes those decisions difficult is the fact that we don’t all think the same way. On the next page, we are to discuss several “tests” we can take that will allow us to better assess each situation and help us in our decision making when faced with moral temptations.
MORAL TEMPTATIONS

Decisions regarding moral temptations can be weighed by testing ideas according to the following:

- The Legal Test

- The Gut Test

- The Front Page Test

- The Mom Test

Group Activity:

What: Moral Temptations

How: Do each of these pass the moral temptation test?

1. Occasionally being a little late to work?
2. Surfing the web when you run out of things to do?
3. Downloading some music to your computer?
4. Forgetting to handle a couple of tasks you were given?
5. Spending time on Facebook?
6. Sharing with others an employee’s salary?
7. You see a $10 bill fall out of a woman’s purse—do you keep it?
ETHICAL DILEMMAS

UNDERSTANDING ETHICAL DILEMMAS

Ethical dilemmas (right versus right) go straight to the heart of our core values. When these core values clash, we are faced with making difficult choices. How do we make those difficult choices?

When trying to understand ethical dilemmas Kidder introduces the Four Paradigms for Understanding Ethical Dilemmas. These four paradigms help us describe the basic issues at the heart of so many ethical conflicts—when core values collide—making it hard for good people to make those tough choice.

KIDDER’S FOUR PARADIGMS FOR UNDERSTANDING ETHICAL DILEMMAS

1. Truth vs. Loyalty: ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

2. Individualism vs. Community: ______________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

3. Short-Term vs. Long-Term: _________________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

4. Justice vs. Mercy: __________________________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

How is understanding the type of dilemma helpful?
UNDERSTANDING ETHICAL DILEMMAS

Small Group Activity

What: Four Paradigms for Understanding Ethical Dilemmas

How: Each group will receive a scenario to work on. Read and discuss the scenario within your small group. Decide which of the four paradigms your scenario fits. Be prepared to share your scenario with the class and have discussion points regarding which paradigm you chose and why.

♦ Truth vs. Loyalty
♦ Individualism vs. Community
♦ Short-Term vs. Long-Term
♦ Justice vs. Mercy

NOTES:
As feature editor for a major daily newspaper, Rebecca found herself in charge of a broad array of different departments. Like most newspapers, her paper ran features on education, books, science, and the arts—as well as on cars, chess, stars, gardening, and food. She quickly learned that what makes any of these departments successful is the skill of the writing—and that even in areas where she had no discernible interest; a well-crafted story could seize and hold my attention just as well as a breaking front-page sizzler. So she always tried to hire young staff members who, whatever other talents they might have, were good writers. She had just such a young woman on the food page. She had come to her from one of the nation’s finest colleges, and had progressed rapidly to the point where, as assistant editor, she wrote regularly.

So one summer day, Rebecca noticed that she had submitted a story on Maine blueberries; she was pleased to see it in the queue, awaiting publication in several more days. The next day she looked up from her computer terminal to find the food editor herself—a woman with decades of experience, one of the best in the business—standing silently in front of her desk. In one hand she held a copy of her young assistant’s story on blueberries. In the other hand, she held a battered, tan cookbook some thirty years old. She laid each on my desk. And there, on the pages of that cookbook, was our young friend’s story, printed word for word.
Scenario #2

In the mid 1980's, Stan, an administrator of a local elderly care facility, received a letter from a nearby hospital, where his elderly residents typically went for medical attention. The letter reminded him that five of his residents had recently had surgery at the hospital. It also informed him that the medical staff suspected that some of the blood used in their transfusions may have been tainted with the HIV virus. While making it clear that the probabilities of infection were low, the letter asked him to call the hospital immediately and arrange further testing for these five.

What should he tell and to whom should he tell? Given the public and professional ignorance about AIDS—this was when the disease was little understood and legal regulations offered him no clear guidance—he felt certain that, if he told his staff, their fear would be so great that they would refuse to enter the rooms of those five, making it impossible to deliver even minimal care to them. But suppose he did not tell the staff and one of them contracted AIDS: Surely he would be culpable.
Scenario #3

Sarah found herself in a tizzy about layoffs. Every few years, it seemed, top management laid people off - only to hire again when things started looking up. So when Sarah and her co-workers noticed that senior management were again meeting behind closed doors, they suspected the worst. Sarah’s boss, however, was a good friend—and also a talker. So Sarah didn’t hesitate to ask him about the future. His boss explained that if layoffs were needed, Sarah’s team member Mike would lose his job. He also told Sarah to do what? (Keep her mouth shut). Not long after that conversation, Mike approached Sarah and asked whether he could confirm what the rumor mill was saying: that he would be the target.
Scenario #4

When he graduated from college with a degree in science, Dave had found a solid job in his profession, married, and had two sons. Twelve years later, he moved to another company that promised steady advancement within its managerial ranks. A devoted family man; he admired his wife's dedication to raising the boys. He also observed that his sons, approaching their teen years, benefited greatly from his fatherly friendship and counsel—especially as they approached what he and his wife realized could prove to be a difficult transitional period in their upbringing. So Dave made a commitment to spend plenty of time with them, playing baseball and helping with their schoolwork. But he also loved his work, and did well at it. And it quickly became apparent that, to advance rapidly up the managerial ranks, he needed an MBA. A nearby university offered the degree in an attractive evening-and-weekend program that would allow him to continue full-time employment. But it would soak up the next several years of his life and throw most of the family activities into his wife's hands.
ETHICAL DILEMMAS AND RESOLUTION PRINCIPLES

RESOLUTION PRINCIPLES

The resolution process starts when we begin gathering relevant information, and it continues as we search for possible alternatives. The three principles outlined below are helpful as we think through ethical dilemmas. Each principle allows us to test both rights of an issue:

**E E n d s - b a s e d.** This principle is known to philosophers as utilitarianism, referencing that the greatest happiness of the greatest number should be the standard of the action — explained another way as, "do whatever produces the greatest good for the greatest number."

**R u l e - b a s e d.** This principle is guided by this belief — "Stick to your principles and let the chips fall where they may." Rules exist for a reason, and they should be followed.

**C a r e - b a s e d.** This principle is most closely associated with the Golden Rule: “Do unto others as you would have them do unto you.” Simply stated—putting love for others first or putting yourself in another’s shoes.

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**Small Group Activity**

**What:** Resolution Principles

**How:** Read the case scenario on the next page and discuss the situation within your small group. Consider each of the three resolution principles above. Can your group decide on one resolution principle to solve this dilemma or are there differing views?

Be prepared to discuss with the class.
You are a librarian who is working the reference desk at the public library in your community. The phone rings. The questioner, a male, wants some information on state laws concerning rape. You ask several questions to clarify the nature of his inquiry. Then, in keeping with long-established library policy designed to keep phone lines from being tied up, you explain that you’ll call him back in a few minutes after researching his question. You take down his first name and phone number, and then hang up. You get up to do the research when a man who had been sitting in the reading area within earshot of the reference desk approaches you. Flashing a police detective’s badge, he asks for the name and number of the caller. The reason: the conversation he had overheard led him to suspect that the caller was the perpetrator of a rape that had happened the night before in the community.

What should you do? On one hand, you are a member of the community. You feel very strongly about the need to maintain law and order. As a woman, you’re particularly concerned that a rapist might be at large in the community. And as a citizen, you want to do whatever you can to reduce the possibility that he might strike again. After all, what if you refuse to tell and another rape happens the following night?

On the other hand, you feel just as strongly that your professional code as a librarian requires that you protect the confidentiality of all callers. You feel that free access to information is vital to the success of democracy, and that if people seeking information were being watched and categorized simply by the kinds of questions they asked, a police state was not far behind. The right of privacy, you feel, must extend to everyone. After all, what if this caller was simply a student writing a paper on rape for a civics class?

Questions:

1. Which of the four dilemma categories does this fall into?

2. Consider each of the three resolution principles we discussed. Can your group decide on one resolution principle to solve this dilemma or are there differing views?
THE ETHICAL DECISION MAKING PROCESS

Once it is determined that the problem an ethical dilemma you must begin to examine how you should resolve the dilemma.

Kidder lays out nine checkpoints for ethical decision making. They are as follows:

1. Recognize there is a moral issue.
2. Determine the actor (who does the problem belong to).
3. Gather the relevant facts.
4. Test for right vs. wrong issues.
5. Test for right vs. right paradigms.
6. Apply the resolution principles.
7. Investigate the “trilemma” option.
8. Make the decision.
9. Revisit and reflect on the decision.

NOTES:
Group Activity

What: Ethical Decision Making Process

How: Read the scenario on the next page. As a group, let’s walk through the nine check points for Ethical Decision Making.

1. Recognize there is a moral issue.

2. Determine the actor (who does the problem belong to).

3. Gather the relevant facts.

4. Test for right vs. wrong issues.

5. Test for right vs. right paradigms.

6. Apply the resolution principles.

7. Investigate the “trilemma” option.

8. Make the decision.

9. Revisit and reflect on the decision.
BILL AND THE PRESIDENTIAL CAMPAIGN

During the peak years of the Vietnam War, Bill found himself working for a company that, among its many products, supplied materials to the armed forces. Because it was a good job in an area of work he enjoyed very much, he did not spend much time dwelling on the military aspects of the corporation. But in the 1968 presidential campaign, he found himself attracted to Democratic candidate Eugene McCarthy, the senator from Minnesota who staked out a strong antiwar position. When a friend asked Bill if he would volunteer an evening’s time at the local campaign headquarters, he agreed. One thing led to another, however, and before long he found himself cast as the leading spokesman for the campaign in his community, quoted in the newspaper and clearly identified with McCarthy’s positions.

One day, a few months before the Democratic convention in Chicago, his boss called Bill into his office. The topic for discussion: Bill’s political activities. The corporation, with a staunchly conservative bent and a long tradition of support for the nation’s military, was uncomfortable. It was awkward, Bill’s boss said, having one of its senior people take such an outspoken role against what appeared to be the interests of the corporation and, in its view, of the nation. Might Bill want to consider scaling back the level of his political activities?

Sobered, Bill talked it over with his wife. The dilemma was clear: Should he stick with his political activities or with his job? In fairness, he realized, the corporation had not made the dilemma quite so explicit: There was no threat to fire or demote him. There was just an expression of discomfort—although, Bill felt the possible consequences could be read between the lines. In discussing the situation at home, the usual issues arose: the children’s schooling, the mortgage on the house, the difficulty in finding a comparable job. One side argued strongly for the freedom of political expression—the right, guaranteed by all that the nation stood for, to express dissent openly for corporate allegiance—the need, felt by an organization, for a sense of unity and common purpose around an agreed-upon set of objectives. Furthermore, one side argued for the unfettered individual conscience, while the other argued for the compromises that produced a salary and helped make family life pleasant and affordable.
As you watch the video be prepared to discuss the key points, including the following:

- How did Jack not know what he was doing was unethical?
- How did Jack separate his work values and home values?
- Do you believe Jack genuinely regrets his actions?

NOTES:
MORAL TEMPTATION AND ETHICAL DILEMMAS

GROUP SKILL PRACTICE

What: You Decide!

How: In your groups read the three scenarios and discuss moral temptation versus ethical dilemmas each person is faced with. Be prepared to share your answers. Other groups should challenge the decision and give appropriate feedback.

Case 1: Jeff works in the Human Resource Department at DOTD. His friend Nicole is applying for a job within the agency. Nicole has approached Jeff and asked for his advice on preparing for the interview. Jeff has access to the actual interview questions asked of all applicants and considers making a copy of the questions for Nicole so she can adequately prepare.

Ethical Issue: 

Course of Action: 

You Decide!
**Case 2:** You are with some members of your team on a Friday after work enjoying an adult beverage. On your way out, you witness a male team member act inappropriately with a female team member. She was shaken from the experience; however, after several days no complaint has been filed. What do you do?

Ethical Issue: ____________________________________________
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Course of Action: _________________________________________
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Case 3: Linda, expecting her first child, went into labor shortly after lunch one weekday afternoon. Her husband, Walt, was home at the time. The contractions seemed to be coming close together as they rushed to the car. They were flying through the suburbs on the way to the hospital when, in his rear view mirror, Walt saw blue flashing lights. Looking at his speedometer, he saw he was going eighty miles an hour. Looking around him, he saw small children playing on the street and sidewalks as they walked home from a nearby school. As he came to a halt, it suddenly hit him that, for the sake of his own family and a child he was eager to love, he was endangering the lives of other children and the happiness of other families. For him, the issue was clearly of self-versus-community. He saw that he had acted more out of selfishness than out of consideration for others. But what is the ethical dilemma for the policeman?

Ethical Issue:

Course of Action:
## PRINCIPAL CAUSES OF ETHICAL COMPROMISES

<table>
<thead>
<tr>
<th>Cause</th>
<th>Senior Mgmt.</th>
<th>Middle Mgmt.</th>
<th>Front Line Sup.</th>
<th>Prof. Non-Mgmt.</th>
<th>Admin Salaried</th>
<th>Hourly</th>
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<tr>
<td>Meeting overly aggressive financial or business objectives</td>
<td>3</td>
<td>2</td>
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<tr>
<td>Helping the company survive</td>
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<td>3</td>
<td>4</td>
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<tr>
<td>Advancing the career interests of my boss</td>
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<td>4</td>
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<td>Feeling peer pressure</td>
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<td>Resisting competitive threats</td>
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<td>Advancing my own career or financial interests</td>
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<td>9</td>
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</table>

Note: 1 is high, 9 is low


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