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Christians *in the* Workplace

A Practical Guide to Ethics in the Workplace

by

B. J. Wakelin

There is an imperative which commands a certain conduct immediately, without having as its condition any other purpose to be attained by it. This imperative is categorical.....This imperative may be called that of Morality.

*'Fundamental Principles of the Metaphysics of Ethics'
Immanuel Kant 1785*

1. Introduction

Is ethics a difficult subject? It might be presumed to be so since many occupational groups such as medicine, accountancy and engineering feel it is so difficult that they must provide their members with a code by which to rule their professional lives. Universities and professional training institutions run courses on the subject and it is debated by intellectuals. On the other hand each of us is faced with ethical decisions everyday of our lives in the ordinary course of

our work and in relating to one another, so it is necessary to have at least a working framework and some practical guidelines to enable us to make these decisions in harmony with God and other people.

To do this we must start off by defining what it is we mean by ethics and examining how that relates to morality and legality – or does it matter?

Ethics has been defined as “the science of morals in human conduct”¹ but as we are primarily interested in ethical behaviour it might be more fruitful to define that. Ethical behaviour can be described as that which is “morally correct”² or as behaviour which is in harmony with our spiritual values, our relationship with one another and the physical world around us.

Notice that the definitions are not dependent on time, place or situation. Sometimes decisions which may have to be made now and quickly may have long term consequences for individuals or indeed for the human race. An ethical framework should not be dependent on the situation in which we find ourselves but should be governed by higher level frame of reference. So called situation ethics, where the decisions are made entirely in accordance with the situation of the moment are liable to give give variable and uncertain results.

How does all this relate to morality and legality? The boundary between morality and ethics is clearly blurred and perhaps in the ultimate analysis does not matter much. Legality on the other hand can be difficult from a practical point of view. Actions may be legal but regarded by many as immoral or unethical. Prostitution is legal but often regarded as immoral. The boundaries between legal tax avoidance and illegal tax evasion are drawn in different places by different people. Thus the law summarises a basic minimum standard of behaviour required on important issues but is totally inadequate to describe the core behaviour between one another which governs our everyday existence. This widespread general recognition that simply to be legal is not a sufficient standard by which to live our lives has, for example, given rise to the supplementary codes of ethics introduced by the professions.

Already then it is clear that the large scale issues of legality and indeed gross breaches of ethical norms are probably not in most cases those which trouble us most. It is rather the question of where we draw the line; where does some action tip from being right to wrong? If it was a simple matter we would not need to debate it.

Example

You become aware in your workplace that one of your colleagues goes outside to smoke as smoking is prohibited in your building. You are aware that not only does this person disappear at morning and afternoon teas and at lunch but also does so on other occasions during the day. The same person arrives just before the due starting time and leaves promptly on finishing time.

When does the time taken by this person out of the working day become excessive and what do you do about it?

¹ The Concise Oxford Dictionary
² The Concise Oxford Dictionary

Clearly there is no definite answer to this question if considered strictly on the matter of time alone as other factors come into the equation. The person concerned may be highly productive during their working hours perhaps more so than average or on the other hand may be a person of poor output. On the other hand is it ethical to allow them to take any unauthorised time away from their employment?

Should we even be considering such minor breaches of ethical behaviour? Should we be concerned about marginal cases ie those case at the boundaries? In my view the answer to both questions is clearly yes. It is a well known characteristic of human behaviour, particularly of children, that the boundaries of what is considered right are continually being pushed. Many ethical transgressions start off as relatively minor in the first place until we wake up one morning to find that the situation has suddenly arrived at a point where we are personally uncomfortable or at least we arrive at a point where we recognise that we are uncomfortable³. Most repressive regimes do not start out being aggressively repressive but become so by degrees. This is the reason why we must be vigilant for any slippage in our ethical framework.

Each of us must construct an ethical framework for ourselves. It is not sufficient for us to adopt the ethics and morals dictated by society at large, the ruling party or even the professional societies to which we may belong. The excesses of the Nazi party and the horrible consequences for the German nation and all those with whom they came in contact at that time are clear demonstrations of that. As a child I once observed to my father that I was very puzzled about why the Germans could allow themselves to be so mesmerised by Hitler as to perpetrate the acts of aggression and the holocaust. He replied that we should give thanks, for there but for the grace of God go we – my first lesson in the universal nature of and capacity for sin.

But all this is not of much use to us in establishing our framework so let us examine the sort of ethical problems that we might encounter in the workplace, their source and their type so that we can arrive at a series of principles for the resolution of ethical conflicts.

2. Sources and Types of Ethical Conflict

If the ethics governs the standard of behaviour between people then clearly in the workplace potential sources of ethical problems are ourselves, our colleagues, our clients, our superiors, the company for whom we work and all others with whom we interact. Ethical problems can arise from diligence or the lack of it, from the misuse or misappropriation of property or even the misuse of systems. Examples of these are:

The person who does not give an honest hour's work for an hour's pay.

Using company equipment for personal or improper use. There are many jokes about how the company car withstands crashes or can be driven through seawater at the beach much better than ones own vehicle!

³ In a political context a parallel might be the general recognition now that the economic management practices of the Muldoon era were wrong and unsustainable although this was not commonly recognised or voiced at the time

We have all come across people who claim every last expense with no give and take and those who are perhaps guilty of paying less for the taxi than they claim on the form. I have even been offered receipts of any value I like for taxi journeys in some cities of the world.

Example

A taxi driver in Auckland recently told me of taking people shopping in a taxi, and picking up children from school where the services were paid for with a parliamentary taxi chit.

Is this a proper use of tax payer's money? What should the taxi driver do about it? If you were a colleague of the person doing this and became aware of the practice what should you do about it?.

Companies can induce managers and employees to indulge in inappropriate behaviour. For example over billing clients and overworking staff or foisting unfair employment contracts on other staff. Companies can also indulge in unethical activities on a wider scale including evasion of environmental responsibilities, tax evasion, under reporting or over reporting of financial parameters or the adoption of unfair work practices.

Example

You have been appointed as the prospective team leader for the audit of a company's accounts. Your manager is trying to secure the audit contract and takes you along to introduce you to the client. During the course of the presentation you become aware that your superior is grossly overstating the experience and capability of your firm and is claiming experience where you know you have none. You feel that your company will have great difficulty in delivering the services the client wishes. What do you do?

Do you contradict your boss then and there in front of the client? Do you tackle him about it later? Do you become silent and say nothing on the grounds that he knows best and may know things that you don't know? Do you talk to your colleagues? Do you go to your superior's manager? Do you really know enough to make a judgement?

In some cases companies may engage in activities which some may find unethical. For example would you work for the company that made Agent Orange, the cancer causing defoliant used during the Vietnam War? Would you work for the company that dreamt up the tax deals revealed in the wine box enquiry? The companies involved in that were leaders in business and the legal profession but clearly many thought that those deals were not only illegal but immoral and unethical⁴.

In some cases the ethical dilemmas can be culturally dependent

Example

⁴ For example Anthony Molloy in his book "Thirty Pieces of Silver" and Ian Wishart in "The Paradise Conspiracy".

Your company undertakes a great deal of construction and other similar work in an African country where it is necessary to bribe officials in order to get anything done. Is it ethical to trade with such a country? If so is it ethical to indulge in the bribery necessary to achieve any action?

On the face of it one could be simplistic and purist and simply say that we should not be dealing with such a country. But this is not sensible. The evidence does not seem to suggest that being ethically purist will induce a large scale changed behaviour pattern in another culture. We must take the world as we find it and at best we are likely only be able to influence a small section of our immediate contacts. Even in such countries bribery may not be generally overt and may even be officially frowned upon or illegal so the fundamental ethical framework may already exist but be unworkable.

What should our response be if in turn we are being offered bribes by a local company to award them the contract? In this case it is much simpler because the unethical proposal is being made to us not by us. This can be easily refused, although even that can have consequences such as the jeopardising of important relationships.

These examples occur in everyday life. They may be different in source, shape or form but similar examples occur everyday and we are faced with the necessity of doing something about it. What do we do and how do we make a decision?

3. The Framework for Ethical Decisions

Ethical decisions must often be made quickly. It is therefore necessary to have a reasonably simple framework on which to make them without the same time being so simplistic and rigid as to exclude the possibility of new circumstances or a complex situation which may require more careful consideration. It must also recognise that the world is not black or white but rather shades of grey. Unfortunately there are no easy answers but when faced with an ethics decision some useful principles might be:

- Treat others as you would treat yourself. The second commandment requires that we love others as we love ourselves. Any action which you would regard as unjust or unfair if you were on the receiving end is unlikely to be ethical. Hence one of the guiding principles should be to look at the situation from the other point of view. It is not a question of whether one would like it from the other point of view, but whether it appears fair. We do not like losing a race because we are not the best or losing money as a consequence of a misjudgement but it may be fair that we do so.
- The ethical response is never dependant on the behaviour of others at least up to the point at which they recognise they have committed an ethical breach. Just because somebody has treated you badly, for example by overcharging or behaving in an underhand way that is no reason for you to reciprocate in kind. However if the perpetrator recognises the ethical breach we must allow room for forgiveness and restitution. (Matt 6:44)

Example

You have been unjustly blamed for a serious mistake that has cost your firm a substantial amount of money and your future advancement is likely to be affected. You possibly could have picked up the error, but the mistake was made by a colleague. You don't like him much and he lied to cover up his error thereby putting the blame on you but you also know that he is seriously distracted by desperate problems in his marriage and in relationships at work. You have all the information to expose him as a liar, which would probably end his career but do you?

Most people would say that you would be perfectly within your rights to do so but a Christian has to consider their obligations to everyone not just themselves eg the person, his family, the firm, yourself and your other colleagues.

In this case it would be as well to talk to the colleague first to make it clear that you understand the mistake and are aware of what he has done to cover it up, but that you will give him the chance to take action himself. This is obviously not without its risks.

- Do not let ethical breaches by yourself and others go unchallenged when you recognise that they have occurred, but be careful about your response and its timing.
- The response to an ethical breach must be appropriate and in the words of the cereal advertisement “not too heavy, not too light”.
- The response to the breach should be as direct as possible. The unethical person should be given a chance to recognise the unethical behaviour and do something about it and this can only be done in general by direct approach without antagonism. Of course this may not be possible in some circumstances. For example if there is a great disparity in power or possibility of danger an indirect approach to superiors or others may be appropriate. In the case of a minor breach for example it may be sufficient to let the person know that you are aware of the breach and that you do not approve. That sounds rather prissy and priggish but it is a matter of approach and timing. It does not do to appear more righteous than others since when we inevitably fall from grace ourselves we would be unlikely to receive much consideration of our predicament from those we have inappropriately criticised or censored.

This gives rise to the question of public whistleblowing, of which we seem to have had an epidemic of late. This is discussed in more detail later.

- Establish an ethical reference point beforehand by considering from whom you may seek ethical advice ie from somebody whose judgement you respect.
- Establish an ethical framework for likely positions in which you may find yourself. Some situations are so common or so predictable that you should have already worked out an ethical response. For example workmates who cheat on their employer are common place and lying to various degrees is also common place. If you do business in Africa or in parts of Asia bribery is endemic – how are you going to cope with it? In the case of bribery if you have made the decision that you are going to work in a country where bribery is necessary then mechanisms must be put in place possibly by employing an agent who looks after all local payments.

Example

You go to live in an Asian country where you are employing servants and house staff. The local rate for employing these staff is ridiculously cheap by your standards. Do you pay a higher and more equitable price in your view or do you pay the local going rate?.

This is a variation on the problem of whether one should buy products made by exploited labour in developing or undeveloped countries. Here the guiding principle should be whether or not the lot of the most disadvantaged party is being improved. Simply not purchasing the services does not in fact improve the lot of those performing them and it can be argued that paying an overly inflated price for services may also put up the going rate and reduce the market for those services. It is a matter of judgement, which is often the case.

- It should be recognised that an ethical standard requires courage and will not be universally popular. Generally unethical behaviour seeks to advantage one party to the disadvantage of another. In the work situation that can make relationships difficult hence the need for an appropriate response at the correct time. Many managers become aware of which employees are failing to pull their weight or otherwise behaving in an unethical fashion. This does not mean that instant action is required. It may require just a one on one discussion at an appropriate time but it may in some cases mean a generalised group discussion on the subject of ethics if the practice is widespread.
- Recognise that society and the behaviour of others about you does not set your ethical norm. One of the dangers is that public morality is a pendulum - it is never static. It may be declining (as some elderly are prone to say), but on other hand it may be improving in response to an earlier laxness now perceived to be wrong. Dual standards may also dishonestly exist simultaneously as in Victorian times and now. It is also possible that the rate of change of ethical standards is so slow and insidious that you remain largely unconscious of it until almost too late. Recognising the problem is only part way to solving it as the years of slide and accustomed habit may make combine to make the inertia too great for very rapid change.

Examples

You have joined a firm whose busy managing director trusts the staff to get on with it and is often absent meeting new clients or overseas leaving the day today running of the firm to his general manager. It is the usual practice for the staff, including the general manager, to take lunch hours on Fridays at the local pub. After a time you discover that these are getting longer and now extend well beyond the normal hour with a considerable increase in the consumption of beer and wine. The general manager doesn't seem to mind and most of the staff accept his presence as authority to continue but you eventually become uneasy and now make a habit of returning to work at about the due time.

You have obtained a holiday job working for a local district council on a road maintenance gang with only intermittent supervision and discover that not much work is done after 3pm on Fridays ostensibly because tools must be cleaned and maintained. In fact very little of this activity takes place and the time seems

mostly spent in extended tea breaks, alternative non work activity and slow travel back to the home base. When you make an observation that it all seems a bit slack you are told in no uncertain terms it is the usual thing and to just go along with it.

(The tales of unproductive government and local body employees are legion and unfortunately are sufficiently true to undermine the efforts of the many who are honest)

Thus at any given point in time you must decide for yourself what your own standards are.

- Pray about it. God listens and answers your prayers for guidance and direction. These answers can be direct and personal or indirect, such as the advice received from others or your recognition in another person's situation of a course of action that might apply to you. We sometimes tend to think of these as coincidences but they probably aren't. It is no accident that this principle is last in the list even though it is the most important. I sometimes think that God tells us the answer to our problems but we simply may not have done enough homework on the problem to recognise the solution when it is presented to us. Prayer is not a substitute for doing the hard yards and wrestling with problem yourself.

4. Public Whistle Blowing

Public whistle blowing is a special response to an ethical dilemma.

Example

You are in the accounts section of a large government department. Because the expense accounts of the CEO are passed by you for payment you become aware that his expenditure when away on company business is in your view grossly extravagant and inappropriate. The CEO is highly regarded by most people and has a high public profile. After some time you realize this is an ongoing pattern and finally decide that you have to do something. You know your immediate superior, the Chief Financial Officer, is a close friend of the CEO, but you gird your loins and go to see him. You explain that seems to be a pattern of extravagant spending by the CEO. He says that the expenses of this type and magnitude are not unusual at higher levels of management, are common in the private sector and tells you not to worry about it. You still feel uneasy and start to have doubts about your own judgment. You are conscious that you must be careful as you want to do the right thing by everybody and your career could be affected. After some thought you make some careful inquiries of your friends in the private sector and discover that what you have been told by the CFO is not acceptable there either. In the meantime you notice that the CEO's expenses are no longer being processed by you but the most casual and sloppy person your section. Are the CEO and the CFO in cahoots?

You realize that something must be done but what? Find another job? The police? The Serious Fraud Office? The newspapers? TV? You don't know anyone in these places and without a contact whom you know you feel you may not be taken seriously. Finally you realize that one of your friends has a contact in a newspaper and you use this.

The principles outlined above apply to whistle blowing but there are some added factors. Because it is so public the accused party may mount a vigorous defence and find it much more difficult to admit they were wrong, or to change to adopt an ethical approach. Hence the first rule is that all other more usual avenues of response must be exhausted before going public. Only the gravity of the offence, the potential for widespread wrongdoing or the guarding of an important element of public morality would seem to justify public whistle blowing.

5. Conclusions

The exercise of ethical judgment like that of any other skill can only be honed by consideration and constant practice. Just as an untrained body is unlikely to win the running race then a mind which has not been ethically exercised is unlikely to recognise or cope with the ethical dilemmas that confront us nor is it likely that our standard of ethical judgement will improve. Ethical judgement deals with the margins of behaviour and like any exercise, differentiating between right and wrong cannot be done well by the insensitive and unpractised. There is no easy way.