SYLLABUS

Subject Code :14MBA HR408   **IA Marks : 50**   **No. of Lecture Hours / Week : 04**

Exam Hours : 03   **Total Number of Lecture Hours : 56**   **Exam Marks : 100**

Practical Component: 01 Hour / Week

Objectives:

• To make students understand the meaning of good ethics, doing things right and the obstacles to making good ethical decisions

• To enable students to identify and critically assess the principles and values they personally embrace and use in addressing the ethical issues which arise in their working lives.

• To acquaint students with some of the major kinds of ethical problems encountered while performing work assignments and some possible ways of responding to them.

Module 1: (8 Hours)

Workplace Ethics: Introduction, Needs, Principals, Development of Personal Ethics, Workplace Ethics for Employees-Ethical behaviour in workplace- Professionalism, Ethical violations by employees, Employee Attitude and Ethics, Employee Etiquettes. Benefits of ethics in Workplace- employee commitment, investor loyalty, customer satisfaction, profits

Module 2: (8 Hours)

Professionalism at Workplace: Unethical Conduct for employees and employers. Factors leading to Unethical Behaviours. Different unethical behaviours. Measures to control unethical behaviours. Rewarding ethical behaviour

Module 3: (10 Hours)

Business Ethics and Corporate Governance: Overview of Business Ethics, Corporate Governance, Ethical issues in human resource management- The principal of ethical hiring, Firing, worker safety, whistle blowing, Equality of opportunity, Discrimination, Ethics and remuneration, Ethics in retrenchment. Ethical Dilemmas at workplace, Ethical issues in global business, corporate responsibility of employers.

Module 4: (8 Hours)

Workplace Privacy & Ethics: Watching what the say and what the do in the workplace, Hardware, Software and Spyware, Plagiarism and Computer Crimes, Convenience and Death of Privacy, Defence of employee privacy rights.

Module 5: (8 Hours)

Teamwork in the Workplace & Ethics: Teams, Elements of team, Stages of team development, team meetings, team rules, and teams work and professional responsibility, rules of professional responsibility, ASME code of ethics.

Module 6: (8 Hours)

Managing Change in Workplace through Ethics: Introduction to Change Management, Models of change, the Ethics of Managing Change, the role of ethics and responsibilities in leading innovation and change, ethics based model for change management, ethics and risks of change management

Module 7: (6 Hours)

Ethics, Discrimination and Harassment at Workplace: Discrimination, sexual harassment, Creating awareness about workplace harassment, Vishaka Dutta vs. State of Rajasthan – Supreme Court directions, Compulsory workplace guidelines.

Practical Components:

• To solve case studies on Workplace Ethics

• To visit organizations and find out the problems and causes for unethical behavior at workplace.

• To visit organizations and find out the measures adopted to control unethical behavior of employees. • To compare and contrast the various ethical codes of conduct practiced in organizations.

• To study the recent cases on breach of workplace privacy.

RECOMMENDED TEXT BOOKS:

• Ethical Theory and Business, Tom L. Beauchamp, Norman E. Bowie and Denis Arnold, 8 th Edition.

• Business Ethics, O.C. Ferrell, John Fraedrich, and Linda Ferrell, 9th Edition, Cengage Learning.

• How technology is compromising Workplace Privacy, Fredrick S Lane 111, AMACOM Div American Mgmt Assn, 2003

• Ethics in the Workplace, Dean Bredeson, Keith Goree, Cengage Learning, 2011.

REFERENCE BOOKS:

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• Ethics in 21st Century, Mary Alice Trent, Oral Roberts University, longman.

 • Ethics in workplace, Elizabeth P Tierney, Oak tree press

• Ethics in Workplace: System Perspective, William F Roth, Pearson, 2014.

• Ethics in the Workplace: Tools and Tactics for Organizational Transformation - Craig E. Johnson - SAGE Publications, 2007

• Business Ethics: Fairness and justice in the workplace - Volume 2 of Business Ethics, Fritz Allhoff, ISBN 1412902541, 9781412902540 - SAGE Publications, 2005

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Module 1: (8 Hours)

Workplace Ethics: Introduction

"A group of moral principles, standards of behavior, or set of values regarding proper conduct in the workplace"

Ethics—relates to a value system of cultural beliefs; standards of conduct; what a society deems as being right or wrong. Something may be unethical but legal. Ethics author Mary Guy defines ethics as ―that behavior which is the right thing to do, given the circumstances.‖ Ethical behavior involved four key principles: honesty, integrity, fairness, and concern for others. Its‘ not good to shoot for two out of four or three out of four. For example, it‘s not enough to be a person who is honest, shows integrity, and is fair in their treatment of others if they lack concern for their employees.

Being ―ethical‖ when business times are good is easy. When times get hard, high ethical principles become more challenging. We are often faced with ―ethical dilemmas.‖ Ethical Codes of Conduct are the norm now, estimated to be in 90% or more of all organizations.

The management of ethics in the workplace holds tremendous benefits for everyone, benefits both moral -- and even practical. This is particularly true today when it is critical to understand and manage highly diverse values in the workplace, and at a time when too many people still feel that business ethics is a topic for philosophy or is about shaming and blaming people. This module aims to make the topic of business ethics very understandable and accessible.

The field of business ethics has traditionally been the domain of philosophers, academics and social critics. Consequently, much of today's literature about business ethics is not geared toward the practical needs of leaders and managers -- the people primarily responsible for managing ethics in the workplace. The most frequent forms of business ethics literature today typically include: a) philosophical, which requires extensive orientation and analysis; b) anthologies, which require much time, review and integration; c) case studies, which require numerous cases, and much time and analyses to synthesize; and d) extended stories about businesses "gone bad".

Needs

1. To Build Customer Loyalty: Consumers may let a company take advantage of them once, but if they believe they have been treated unfairly, such as by being overcharged, they will not be repeat customers. Having a loyal customer base is one of the keys to long-range business success because serving an existing customer doesn‘t involve marketing cost, as does acquiring a new one. A company‘s reputation for ethical behavior can help it create a more positive image in the marketplace, which can bring in new customers through word-of-mouth referrals. Conversely, a reputation for unethical dealings hurts the company‘s chances to obtain new customers, particularly in this age of social networking when dissatisfied customers can quickly disseminate information about the negative experience they had.

2. To Retain Good Employees
   Talented individuals at all levels of an organization want to be compensated fairly for their work and dedication. They want career advancement within the organization to be

based on the quality of the work they do and not on favoritism. They want to be part of a company whose management team tells them the truth about what is going on, such as when layoffs or reorganizations are being contemplated. Companies who are fair and open in their dealings with employees have a better chance of retaining the most talented people. Employees who do not believe the compensation methodology is fair are often not as dedicated to their jobs as they could be

3. To Positive Work Environment
   Employees have a responsibility to be ethical from the moment they have their first job interview. They must be honest about their capabilities and experience. Ethical employees are perceived as team players rather than as individuals just out for themselves. They develop positive relationships with coworkers. Their supervisors trust them with confidential information and they are often given more autonomy as a result. Employees who are caught in lies by their supervisors damage their chances of advancement within the organization and may risk being fired. An extreme case of poor ethics is employee theft. In some industries, this can cost the business a significant amount of money, such as restaurants whose employees steal food from the storage locker or freezer.

4. To Avoid Legal Problems
   At times, a company's management may be tempted to cut corners in pursuit of profit, such as not fully complying with environmental regulations or labor laws, ignoring worker safety hazards or using substandard materials in their products. The penalties for being caught can be severe, including legal fees and fines or sanctions by governmental agencies. The resulting negative publicity can cause long-range damage to the company's reputation that is even more costly than the legal fees or fines. Companies that maintain the highest ethical standards take the time to train every member of the organization about the conduct that is expected of them.

Principles

Ethical principles are general statements of how people should or should not act. These principles are often the reasons behind a person's actions, thoughts, and beliefs. Some ethical principles are frequently described as universal, meaning that rational people thinking logically would have to agree that everyone should follow them. A popular universal ethical principle is known as the golden rule—the should treat others as the would want to be treated.

Other common ethical principles include the following:

• People should respect the rights of others.

 • They should keep their promises.

• They should be honest.

 • People should take responsibility for their actions.

• They should act in the best interests of others.

• They should help others in need when possible.

 • People should be fair.

<u>Development of Personal Ethics</u>

Starting With What We Do

Professional ethics are meaningless unless they fit well with what we actually do. We're not in a good position to consider the ethical implications of our acts unless we clearly understand what we do as psychologists. Teaching, research, supervision, mentoring, assessment, and intervention are abstractions until we understand what they mean in specific terms. This is not always easy. In 1947, APA president Carl Rogers appointed David Shakow to chair a committee on defining and teaching psychotherapy. Shakow's report resulted in the influential Boulder Conference and the "Boulder Model" (i.e., the scientist-practitioner model) of clinical psychology. On August 28, 1949, the recorder for the Boulder task force attempting to define therapy and establish criteria for adequate training wrote the following summary: "We have left therapy as an undefined technique which is applied to unspecified problems with a nonpredictable outcome. For this technique we recommend rigorous training."

The psychologists who created APA's first ethics code developed an ingenious way to fit the code to the work psychologists do in their day-to-day lives and to psychology's empirical roots. As committee chair Nicholas Hobbs wrote in 1948, this approach would produce "a code of ethics truly indigenous to psychology, a code that could be lived." To develop the code, a critical incident study was conducted in which all APA members were sent a letter asking them to share personal "experiences in solving ethical problems by describing the specific circumstances in which someone made a decision that was ethically critical."

It is important to ask ourselves from time to time: Do our own individual professional ethics fit what we actually do in our day-to-day work as psychologists? Do they take account of the pressures, conflicting needs, ambiguities, subtleties, gray areas, and other realities we--and our students, supervisees, research participants, therapy clients, and others--face? Professional ethics that are unrealistic are unlikely to be much help to psychologists in the real world.

Seeking Information

Few psychologists would try to design research without first reading about the topic, looking at the research already conducted in that area, becoming knowledgeable about what is already understood about the phenomenon. This kind of active searching for information can be crucial in approaching ethical issues as well. For virtually any aspect of our work as psychologists, there is a framework of formal ethical standards, laws (both legislation and case law), and published research. It can be fundamentally important to know what organizations, agencies, and committees set forth and enforce the ethical, professional, legal, and other standards relevant to our work and settings, to find out their policies and procedures, not only what they do but how they do it. To what degree does thegraduate school set forth standards for faculty and students,

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and how are these standards implemented? Which of thelocal, state, or national psychology associations have ethics codes and ethics committees, and how do they function? What standards does thestate psychology licensing board enforce, and how are they enforced? The reference section presents resources on the web and in the published literature that may be helpful in locating some of this information.

Thinking

Finding the relevant ethics codes, legal standards, policies, procedures, and research doesn't tell us the most ethical approach to a specific situation any more than reading prior research studies tells us how to design the best research for that topic. In both cases, finding the information does not mark the end of the process, but rather the beginning of informed thinking about the specific instance at hand."

Awareness of the ethics codes is crucial to competence in the area of ethics, but the formal standards are not a substitute for an active, deliberative, and creative approach to fulfilling our ethical responsibilities. They prompt, guide, and inform our ethical consideration; they do not preclude or serve as a substitute for it. There is no way that the codes and principles can be effectively followed or applied in a rote, thoughtless manner. Each new client, whatever his or her similarities to previous clients, is a unique individual. Each situation also is unique and is likely to change significantly over time. The explicit codes and principles may designate many possible approaches as clearly unethical. They may identify with greater or lesser degrees of clarity the types of ethical concerns that are likely to be especially significant, but they cannot tell us how these concerns will manifest themselves in a particular clinical situation. They may set forth essential tasks that we must fulfill, but they cannot tell us how we can accomplish these tasks with a unique client facing unique problems

Workplace Ethics for Employees- Ethical behaviour in workplace

Workplace ethics and behavior are a crucial part of employment, as both are aspects that can assist a company in its efforts to be profitable. In fact, ethics and behavior are just as important to most companies as performance as high morale and teamwork are two ingredients for success. Every business in every industry has certain guidelines to which its employees must adhere, and frequently outline such aspects in employee handbooks.

Behavior
All companies specify what is acceptable behavior, and what is not, when hiring an employee. Many even summarize expected conduct in job descriptions or during the interview process. Behavior guidelines typically address topics, such as harassment, work attire and language. Workers who don't follow codes of conduct may receive written and verbal warnings, and ultimately be fired.

Integrity
A key component to workplace ethics and behavior is integrity, or being honest and doing the right thing at all times. For example, health care employees who work with mentally or physically challenged patients must possess a high degree of integrity, as those who manage and

work primarily with money. Workers with integrity also avoid gossip and sneakiness while on the job.

Accountability

Taking responsibility for theactions is another major factor when it comes to workplace ethics and behavior. That means showing up on scheduled workdays, as well as arriving on time and putting in an honest effort while on the job. Workers who exhibit accountability are honest when things go wrong, then work toward a resolution while remaining professional all the while.

Teamwork

A vital aspect of the workplace is working well with others. That includes everyone from peers to supervisors to customers. While not all employees will always like each other, they do need to set aside their personal or even work-related differences to reach a larger goal. In many instances, those who are not considered ―team players‖ can face demotion or even termination. On the other hand, those who work well with others often can advance on that aspect alone, with teamwork sometimes even outweighing performance.

Commitment

Ethical and behavioral guidelines in the workplace often place a high amount of importance on dedication. Although possessing the necessary skills is essential, a strong work ethic and positive attitude toward the job can carry the a long way. Plus, dedication is often viewed in the business world as ―contagious,‖ meaning employees who give a strong effort can often inspire their co-workers to do the same.

Professionalism

Professionalism is the conduct, aims or qualities that characterize or mark a profession or professional person; it implies quality of workmanship or service. Every organization knows that a professional reputation is the difference between success and failure and they seek to keep their most professional staff. Professionalism is all about success and influence; having a reputation for excellence and being thought of as someone who exhibits professionalism under any circumstances can open doors for one either in the workplace or in one personal ambition.

Following are ten golden rules to being professional in service to one organization:

● Always strive for excellence; this is the first rule to achieving greatness in whatever endeavor one undertake this is the quality that makes one and one work stand-out. Excellence is a quality of service which is unusually good and so surpasses ordinary standards, it should be made a habit for it to make a good impression on one bosses and colleagues.

● Be trustworthy; in today‗s society trust is an issue and any employee who exhibits trustworthiness is on a fast track to professionalism. Trustworthiness is about fulfilling an assigned task and as an extension- not letting down expectations, it is been dependable, and reliable when called upon to deliver a service. In order to earn the trust of one bosses and colleagues,   worth   and   integrity   must   be   proven   over   time.

Be accountable; to be accountable is to stand tall and be counted for what actions one have undertaken, this is the blameworthiness and responsibility for one actions and its consequences- good or bad.

● Be courteous and respectful; courteousness is being friendly, polite and well mannered with a gracious consideration towards others. It makes social interactions in the workplace run smoothly, avoid conflicts and earn respect. Respect is a positive feeling of esteem or deference for a person or organization; it is built over time and can be lost with one stupid or inconsiderate action. Continued courteous interactions are required to maintain or increase the original respect gained.

● Be honest, open and transparent; honesty is a facet of moral character that connotes positive and virtuous attributes such as truthfulness, straightforwardness of conduct, loyalty, fairness, sincerity, openness in communication and generally operating in a way for others to see what actions are being performed. This is a virtue highly prized by employers and colleagues, for it builds trust and increases one personal value to all.

● Be competent and improve continually; competence is the ability of an individual to do a job properly, it is a combination of knowledge, skills and behavior used to improve performance. Competency grows through experience and to the extent one is willing to learn and adapt. Continuous self development is a pre-requisite in offering professional service at all times.

● Always be ethical; ethical behavior is acting within certain moral codes in accordance with the generally accepted code of conduct or rules. It is always safe for an employee to ―play by the rules". This is always the best policy and in instances the rule book is inadequate, acting with a clear moral conscience is the right way to go. This may cause friction in some organizations but ethical organizations will always stand by the right moral decisions and actions of their employees.

● Always be honorable and act with integrity; honorable action is behaving in a way that portrays ―nobility of soul, magnanimity, and a scorn of meanness" which is derived from virtuous conduct and personal integrity. This is a concept of ―wholeness or completeness" of character in line with certain values, believes, and principles with consistency in action and outcome.

● Be respectful of confidentiality; confidentiality is respecting the set of rules or promise that restricts one from further and unauthorized dissemination of information. Over the course of one career, information will be passed on to one in confidence – either from the organization or from colleagues- and it is important to be true to such confidences. One gain trust and respect of those confiding in one and increase one influence within the organization.

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● Set good examples; applying the foregoing rules helps one improve one professionalism within one organization but it is not complete until one impact knowledge on those around and below one. One must show and lead by good example. Being a professional is about living an exemplary live within and without the organization.

Professionalism is highly valued by every organization today and professionals are hardly out of work. Apply the ten golden rules of professionalism and enjoy a wonderful, professional and prosperous career.

Ethical violations by employees

Perhaps one of the most important actions the can take as a business owner is the establishment of a written code of ethics. This may help prevent the occurrence of many forms of unethical workplace behavior. Unethical behavior ranges from stealing office supplies to defrauding a business out of large sums of money.

Employer Intimidation
The 2005 National Business Ethics Study listed employer intimidation as the most common form of ethical violation in the workplace. According to the Canadian Centre for Occupational Health and Safety, intimidation, also known as bullying, typically involves a pattern of verbal abuse directed at any employee by an employer. The employers attempts to assert his power by humiliating the employee.

Safety Violations
Ethical violations may occur regarding workplace safety. The 2005 National Business Ethics Study indicated that 16 percent of the surveyed employees observed violations of workplace safety regulations. Not following established safety procedures can jeopardize the health, or even the lives of other employees. Even something as simple as not wearing a hard hat or other safety gear can result in worker injury, which impacts the employer as far as lost productivity and possible payment of a workers compensation claim.

Time Theft
Time theft can be a more subtle form of unethical behavior. According to the International Foundation for Protection Officers, common forms of time theft involve altering time cards or time sheets to cover up late arrivals or early departures, or even standing around the water cooler instead of working. Time theft also includes viewing non-work-related websites, or spending time sending emails to friends.

Stealing
Ethics violations can also involve stealing items, including office supplies and computer equipment. Employees who have access to company finances can steal cash, or use "creative accounting" as a means to embezzle money. Workers may also steal merchandise from a business. The International Foundation for Protection Officers points out that product displays are a frequent target of employee theft.

Misconduct

Misconduct in the workplace can take on many forms. Common varieties include sexual harassment, or discriminatory practices, such as age, race or gender bias. The 2005 National Business Ethics Study indicated that 12 percent of employees reported occurrences of discrimination in the workplace, while 9 percent reported occurrences of sexual harassment.

Employee Attitude and Ethics

Attitudes are an integral part of the workplace that directly impact employee behavior. Understanding how people form attitudes, how those attitudes affect work behavior, and persuasion will help managers improve their ability to change counterproductive attitudes.

    A.   The ABC Model

The ABC Model includes three areas: affect, behavioral intentions, and cognition. **Affect** is the emotional component of an attitude. When we ask an employee how he or she feels about a new policy, we are requesting an affective response. Behavioral intentions relate to the action(s) an individual would take given the opportunity. Cognition is a verbal statement regarding one's belief about a specific person or situation, which reflects perceptions and attitudes. People experience **cognitive dissonance** when their behavior conflicts with their own attitudes or beliefs.

    B.   Attitude Formation

All attitudes are learned, and our attitudes vary based on our experiences and learning environment. One way in which our attitudes are formed is through **social learning**, which involves the influences of family, peers, colleagues, and institutions.

    C.   Attitudes and Behavior

The association between attitudes and behaviors intrigues researchers. Attitude enactment is not as simple as thinking positively to produce positive results. The degree to which our behavior matches our attitudes has to do with relevance, personality factors, and social context.

    D.   Work Attitude

Two primary work attitudes are job satisfaction and organizational commitment.

        1.   Job Satisfaction

Job satisfaction is the pleasurable or positive emotional state resulting from the appraisal of one's job or job experience. There are several measures of job satisfaction. One of the most widely used measures is the Job Descriptive Index. Job satisfaction correlates with several other outcomes, including **organizational citizenship behavior** – behavior that is above and beyond the call of duty.

        2.   Organizational Commitment

Organizational commitment is the strength of an individual's identification with an organization. There are three kinds of organizational commitment: affective, continuance, and normative. **Affective commitment** refers to an employee's intention to remain in an organization because of a strong desire to do so. **Continuance commitment** is based on the fact that an individual cannot afford to leave. **Normative commitment** refers to a perceived obligation to remain with the organization. Some interesting outcomes of widespread company downsizing ventures may alter the level and types of organizational commitment.

E.   Persuasion and Attitude Change

Because attitudes can be altered and shaped, it is in the interest of managers to be conscious of ways in which they might affect attitude changes. Through persuasion, attitudes can be altered. Characteristics of the persuader, and the individual being persuaded, and the message itself must be considered. Source characteristics are related to the individual trying to persuade another, while target characteristics are related to the individual being persuaded.

1.   Source Characteristics

The persuader may have an impact on the target through expertise, trustworthiness, attractiveness, and/or likability.

2.   Target Characteristics

The persuader may have difficulty persuading a target who has high self-esteem, who is resistant to change, or who is negative.

3.   Message Characteristic

People react either negatively or positively to the message content, as well as to the perceived intent of the persuader sending the message.

4.   Cognitive Routes to Persuasion

Persuasion occurs through either a central route or a peripheral route, or both. The central route involves direct cognitive processing, in which the content of the message is very important. In contrast, peripheral routes involve persuasion based on characteristics of the persuader or the method of presentation. Consequently, the target's level of involvement with the issue becomes very important, and the persuader should adopt the route that matches the individual's level of involvement.

 Employee Etiquettes.

The standard of etiquette refers to expectations concerning manners or social graces. Societies and cultures have their own rules of etiquette that their members are expected to meet. Most people understand their social etiquette standards and try to live up to them. Thus, a person

knows to knock before entering someone's office and tries to remember to say ―please" and ―thank the." It is assumed that everyone understands these rules, even though many of them are not written down. People who violate the standards of etiquette run the risk of being embarrassed or of having others look down on them. Some large corporations actually send their employees to etiquette classes—proper manners can be that important to the company's image.

In a crowded, busy, and stressed society, etiquette also reduces social friction and makes it easier for people to live together as a community. There is an important difference, however, between the standards of etiquette and ethics. That difference is seriousness. The issues covered by the standard of etiquette are not as serious as those that pertain to ethics. People rarely die due to poor manners, but the ethical standard applies to many life-and-death issues such as abortion, euthanasia, war, and capital punishment. Even ethical issues that are not associated with death, such as censorship, honesty in government, and sexual ethics, still have serious implications.

<u>Benefits of ethics in Workplace-employee commitment, investor loyalty, customer satisfaction, profits</u>

Practicing the ethical values ultimately benefit the organization in several ways and by various stakeholders.

The benefits of ethics can be summarized in the following points

  a) Ethics Contributes to Employee Commitment
  b) Ethics Contributes to Investor Loyalty
  c) Ethics Contributes to Customer Satisfaction
  d) Ethics Contributes to Profits

1- Ethics Contributes to Employee Commitment

Employees' commitment comes from the employees who believe that their future is tied with the progress of the organization. When employees see values such as honesty, respect, and trust applied in the workplace, they feel less pressure to compromise ethical standards, observe less misconduct, are more satisfied with their organizations overall, and feel more valued as employees.

2- Ethics Contributes to Investor Loyalty

Investors recognize that an ethical climate provides a foundation for efficiency, productivity, and profits, while negative publicity, lawsuits, and fines can lower stock prices, diminish customer loyalty, and threaten a company's long-term viability.

3- Ethics Contributes to Customer Satisfaction

By focusing on customer satisfaction, a company continually deepens the customer's dependence on the company, and as the customer's confidence grows, the firm gains a better understanding of how to serve the customer.

Successful businesses provide an opportunity for customer feedback, which can engage the customer in cooperative problem solving.

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4- Ethics Contributes to Profits

A company cannot nurture and develop an ethical organizational climate unless it has achieved adequate financial performance in terms of profits. Many studies have found a positive relationship between corporate social responsibility and business performance.

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Module 2: (8 Hours)

Professionalism at Workplace:

Professionalism is the conduct, aims or qualities that characterize or mark a profession or professional person; it implies quality of workmanship or service. Every organization knows that a professional reputation is the difference between success and failure and they seek to keep their most professional staff. Professionalism is all about success and influence; having a reputation for excellence and being thought of as someone who exhibits professionalism under any circumstances can open doors for one either in the workplace or in one personal ambition

Unethical Conduct for employees and employers

- Investigation. The first step in this situation, like others, is simply to confirm that the alleged behavior did in fact occur. Here, the report of the motel manager certainly appears credible, since she has no apparent motive to fabricate these allegations. Even so, it is essential to confront the employee with the allegations and give him an opportunity to deny or explain them. This is the kind of ―due process‖ that most judges and juries will expect to have occurred before an employee is terminated, out of a basic and simple sense of fairness. If the employee concedes these incidents occurred as alleged, that will eliminate ambiguity regarding the underlying facts. If the employee flatly denies the allegations, the should consider casting a broader net to look for other witnesses to these events who might be able to confirm or deny the allegations. Of course, if other witnesses corroborate the allegations notwithstanding the employee's denials, the will have further evidence of the employee's lack of honesty.

2. Contract issues. The next step is to evaluate whether this employee has any kind of written employment agreement. Some employees do have such agreements, and they often prevent an employer from terminating an employee unless there is ―cause‖ – or unless the employer is willing to provide the severance pay required by the agreement. If, however, there is no employment agreement, the salesperson is an ―at will‖ employee, meaning that the are at liberty to terminate his employment for any reason not prohibited under the law. (If the employee had an employment agreement that required ―cause‖ for termination, the would have to determine whether the ―cause‖ threshold had been met in this case, or whether the needed to consider another alternative short of discharge.)

3. Comparable situations. Perhaps the most frequent legal challenges to employment-related decisions arise from the state and federal laws that prohibit discrimination on the basis of race, age, gender, disability, or other protected classifications. Before making a termination decision, the should explore whether any other employees of the company have ever been caught engaging in similarly dishonest behavior. If the find that there have been comparable situations involving employee dishonesty (even if they did not involve a similar fact pattern, which presumably has never previously arisen), the would want to ensure that this employee was being treated no more harshly than any other employee of a different race, gender, age or the like who had engaged in similar misconduct.

Assuming this review leads to the conclusion that a termination of employment is both appropriate and legally defensible, there are at least two other issues the may wish to consider. Other important subjects of discussion include the following.

4. Communications. It is often necessary to communicate something about an employment termination both inside and outside the company. In most situations, however, ―less is more." Disparaging statements that are made about a former employee, either inside or outside the company, can lead to potential defamation claims. For that reason, the may elect not to communicate inside the company about the reasons for this employee's termination. Similarly, the may decide that the do not wish to have further communications with the motel manager regarding this subject, other than thanking her for bringing the issue to the attention, informing her that the company has responded appropriately, and requesting her to let the know if any further problems occurred.

5. Additional investigation and training. The also may wish to review all of this salesperson's customer accounts to confirm that there have not been other improprieties. Finally, the may want to take this opportunity to review and revise the company's Employee Handbook or Code of Conduct, and/or use this as an opportunity to conduct employee training meetings on the issue of business ethics.

Factors leading to Unethical Behaviours

- Pressure can drive people to do things they wouldn't normally do.

• Some people make unethical choices because they are not sure about what really is the right thing to do.

• Self-interest, personal gain, ambition, and downright greed are at the bottom of a lot of unethical activity in business.

• Misguided loyalty.

• Then there are those who simply never learned or do not care about ethical values

• Individual characteristics

– Values - basic convictions about what is right

and wrong.

– Ego Strength - a personality measure of the strength of a person's convictions.

– Locus of Control - a personality attribute that measures the degree to which people believe they control their own fate.

• Organization's Culture

– Organization's culture consists of the shared organizational values. These values reflect what the organization stands for and what it believes in as well as create an environment that influences employee behavior ethically or unethically

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– Values-based management - the organization's values guide employees in the way they do their jobs

• Stage of Moral Development

– Preconvention level - a person's choice between right or wrong is based on personal consequences

– Conventional level, ethical decisions rely on living up to the expectations of others.

– Principled level, individuals define moral values apart from the authority of the groups society in general

– Greatness of harm

– Consensus of wrong

– Probability of harm

– Immediacy of consequences

– Proximity to victim(s)

– Concentration of effect

<u>Different unethical behaviours</u>

<u>1. Misusing company time</u>

Whether it is covering for someone who shows up late or altering a time sheet, misusing company time tops the list. This category includes knowing that one of the co-workers is conducting personal business on company time. By "personal business" the survey recognizes the difference between making cold calls to advance the freelance business and calling the spouse to find out how the sick child is doing.

<u>2. Abusive behavior</u>

Too many workplaces are filled with managers and supervisors who use their position and power to mistreat or disrespect others. Unfortunately, unless the situation the're in involves race, gender or ethnic origin, there is often no legal protection against abusive behavior in the workplace.

<u>3. Employee theft</u>

According to a recent study by Jack L. Hayes International, one out of every 40 employees in 2012 was caught stealing from their employer. Even more startling is that these employees steal on average 5.5 times more than shoplifters .Employee fraud is also on the uptick, whether its check tampering, not recording sales in order to skim, or manipulating expense reimbursements.

4. Lying to employees

The fastest way to lose the trust of the employees is to lie to them, yet employers do it all the time. One of out every five employees report that their manager or supervisor has lied to them within the past year.

Measures to control unethical behaviours

- Create a Code of Conduct

A written code of conduct provides employees and managers with an overview of the type of conduct and behaviors the company expects. It outlines what behaviors are unacceptable and what measures are taken if an employee violates the code of conduct.

Example

Employees look to business owners and managers for direction on how they should conduct themselves. As a business owner, make ethics-based decisions and monitor the individuals the put into leadership roles at the company for the same values.

- Reinforce Consequences

Business owners must hold their employees accountable when they act unethically. Start by informing new employees of the rules during their orientation sessions. If an employee acts unethically, refer to the code of conduct and take the necessary measures to warn or terminate.

- Show Employees Appreciation

Loyal employees feel that a company values the hard work they put into accomplishing tasks on a daily basis. A loyal employee is less likely to act unethically. Show appreciation to the employees for work well done on a regular basis to encourage loyalty.

- Welcome an Ethics Speaker

Schedule an ethics trainer to visit the work site to discuss ethical behavior and explain why it is important in organizations, regardless of the size or industry. Ethics trainers use role-playing, motivational speaking, videos and handouts to illustrate the importance of ethics in the workplace.

- Create Checks and Balances

Rather than putting related responsibilities in the hands of one employee, create a system of checks and balances to minimize the opportunities for unethical behavior. For example, a sales associate rings up customer purchases, while an accountant balances the books to ensure that all payables are received and documented.

- Hire for Values

When business owners hire employees, many seek to bring on individuals who have the education and experience that prove they are skilled workers, capable of handling the tasks at

hand. Employers who want to prevent unethical behavior also look at candidates' values to ensure they mesh with the company's culture.

- Using incentives/reward systems

• Negative rewards for individuals who generate undesirable behaviors/outcomes (e.g., lower commissions for returns based on misrepresentation).

• Positive rewards for desirable behavior/outcomes produced by individuals.

• Tie positive/negative rewards to organizational outcomes (e.g., tax incentives for fewer workplace injuries).

Rewarding ethical behaviour

1. **Use an ethics screen for job candidates.** Behavioral information can be obtained from resumes, reference checks, background checks, and integrity tests. Behavior is also a function of attitudes. The most reliable attitudinal survey scales for predicting ethical behavior measure conscientiousness, organizational citizenship behavior, social dominance, and bullying. Job candidates also should be interviewed about how they managed ethical dilemmas at their previous workplace, and given an opportunity to comment on any issues revealed from the behavioral information or attitudinal surveys.

2. **During orientation, expose new employees to the organization's Code of Ethics, Code of Conduct, and ethical decision making process.** An organization's codes serve as its conscience and provide employees with a common ethical reference point. Reviewing a list of ethical questions helps to unveil the ethics of any work situation that arises.

3. **In the spirit of continuous improvement, require annual ethics and diversity training workshops for all employees.** Document and praise ethical strengths and accomplishments, unveil weaknesses, and develop strategies for addressing those weaknesses. Diversity success stories should be praised, shortcomings discussed, and continuous improvement strategies developed. Commonalities among all diverse groups must be highlighted to help all employees feel part of a cohesive team experience. Ethics and diversity training help to further develop, and reinforce, a culture of trust.

4. **Establish an ethics reporting system, such as an ethics hotline, in which employees can confidentially raise ethical issues and receive ethical guidance.** A failure in these internal communication systems can result in external whistleblowing, which is damaging for both the organization and the whistleblower.

5. **The most important ethics reference point is an employee's direct supervisor or manager.** How a manager acts in response to an ethical issue has more influence on employee ethics than any stated policy or words of encouragement. The manager's words and actions must be aligned with the organization's Code of Ethics and Code of Conduct.

6. **The work unit's ethics should be reinforced through work goals and performance appraisals that reward ethical behaviors and punish unethical behaviors.** Otherwise, hypocrisy and moral confusion develops. Work goals should be specific, measurable, aligned, time-bound, and challenging, yet attainable. Stretch goals can result in stretching

the truth. Performance appraisals should document employee accomplishments and benchmark the distance an employee still needs to travel to become an ideal employee.

7. **An ethical organization is a community of people where every employee is treated with dignity and has a sense of organizational ownership and accountability.** Team-based participatory management, where employees provide meaningful input in the organization's decision-making process, and share the financial gains associated with improved performance, creates a sense of ownership, communal experience, and accountability among employees.

8. **Ethical organizations place a high value on appropriately managing the earth's scarce resources and creating environmentally healthy workplaces for their employees.** Managers can achieve superior environmental performance by creating an Environmental Management System (EMS) plan that documents relevant organizational procedures, conducting an environmental risk assessment, using the Natural Step (TNS) objectives to develop action plans, redesigning the product to achieve zero waste, operating in green buildings that have earned LEED certification, and developing performance indicators to measure continuous improvement, and reporting the results of these efforts.

9. **An ethical organization aspires to be a model citizen, joining other stakeholders in creating vibrant communities for the well-being of its employees and other residents.** Companies can give nonprofit and community organizations money, products or services, and skills, and provide job opportunities for nontraditional employee populations. A systematic giving program would integrate all four areas. Employees should be involved in the company's outreach decision-making process.

10. **All of these ethics mechanisms require assessment and modifications based on feedback from those they affect.** Managers should benchmark their organization's management of ethics to the best practices discussed in this essay.

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Module 3: (10 Hours)

Business Ethics and Corporate Governance: Overview of Business Ethics

The study of ethics has become an important ingredient of the syllabus of management schools in recent years. This is because of ethical issues that have come to the forefront as a result of many well-known failures of corporates. The fraudulent activities of these corporates have resulted in the defrauding of stockholders, consumers, employees, creditors and governments to varying degrees. It has therefore become important that students of B-schools as future managers of business should imbibe ethical values. Ethics reflects a society's notions about the rightness or wrongness of an act. Ethics also involves the evaluation and application of certain moral values that a society or culture

The word ethics is derived from the Greek word *ethikos* meaning character or custom. Today we use the word ethos in a different connotation meaning a characteristic, or attitude of a group of people, culture and so on. When we talk of _business ethos', we mean the attitude, culture and the manner of doing business of the business community. Philosophers generally distinguish _ethics' from _morality'. To them while _morality' refers to human conduct and values, _ethics' refers to the study of human character or behaviour in relation to moral values, that is, the study of what is morally right or morally wrong.

Corporate Governance

_Corporate governance is concerned with ways of bringing the interests of investors and manager into line and ensuring that firms are run for the benefit of investors'.

Corporate governance includes _the structures, processes, cultures and systems that engender the successful operation of organizations'

In a narrow sense, corporate governance involves a set of relationships amongst the company's management, its board of directors, its shareholders, its auditors and other stakeholders. These relationships, which involve various rules and incentives, provide the structure through which the objectives of the company are set, and the means of attaining these objectives as well as monitoring performance are determined. Thus, the key aspects of good corporate governance include transparency of corporate structures and operations; the accountability of managers and the boards to shareholders; and corporate responsibility towards stakeholders. While corporate governance essentially lays down the framework for creating longterm trust between companies and the external providers of capital, it would be wrong to think that the importance of corporate governance lies solely in better access of finance. Companies around the world are realizing that better corporate governance adds considerable value to their operational performance:

• It improves strategic thinking at the top by inducting independent directors who bring a wealth of experience, and a host of new ideas

• It rationalizes the management and monitoring of risk that a firm faces globally

• It limits the liability of top management and directors, by carefully articulating the decision making process

• It assures the integrity of financial reports

• It has long term reputational effects among key stakeholders, both internally and externally

<u>Ethical issues in human resource management</u>

Of all the organisational issues or problems, ethical issues are the most difficult ones to handle or deal with. Issues arise in employment, remuneration and benefits, industrial relations and health and safety.
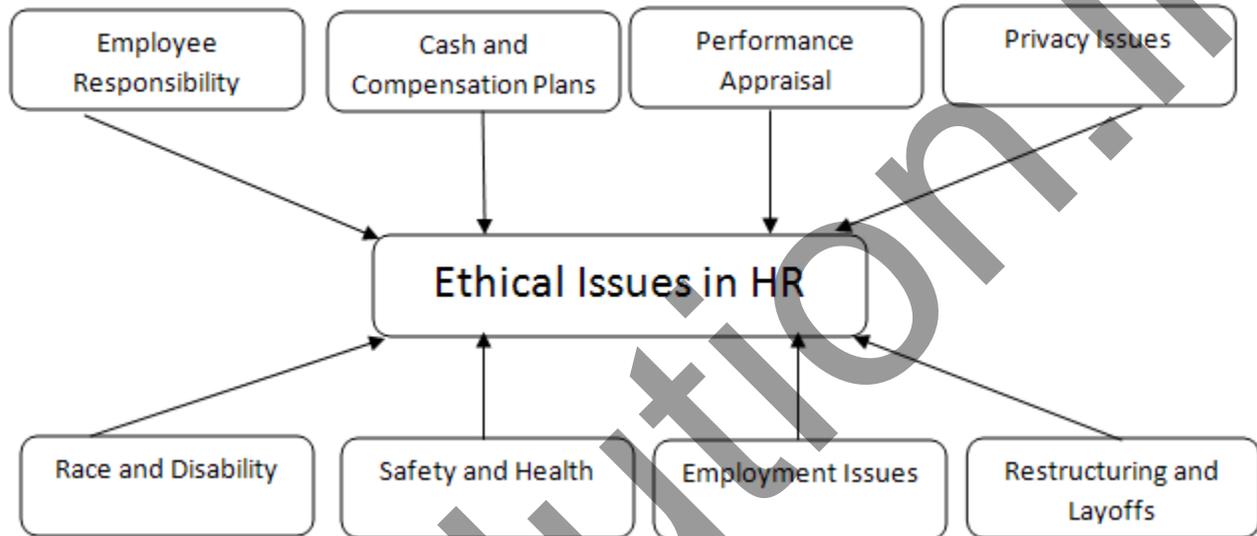
- **Cash and Compensation Plans**

    There are ethical issues pertaining to the salaries, executive perquisites and the annual incentive plans etc. The HR manager is often under pressure to raise the band of base salaries. There is increased pressure upon the HR function to pay out more incentives to the top management and the justification for the same is put as the need to retain the latter. Further ethical issues crop in HR when long term compensation and incentive plans are designed in consultation with the CEO or an external consultant. While deciding upon the pathet there is pressure on favouring the interests of the top management in comparison to that of other employees and stakeholders.

- **Race, gender and Disability**

    In many organisations till recently the employees were differentiated on the basis of their race, gender, origin and their disability. Not anymore ever since the evolution of laws and a regulatory framework that has standardised employee behaviours towards each other. In good organisations the only differentiating factor is performance! In addition the power of filing litigation has made put organisations on the back foot. Managers are trained for aligning behaviour and avoiding discriminatory practices.

- **Employment Issues**

    Human resource practitioners face bigger dilemmas in employee hiring. One dilemma stems from the pressure of hiring someone who has been recommended by a friend, someone from the family or a top executive.

    Yet another dilemma arises when the have already hired someone and he/she is later found to have presented fake documents. Two cases may arise and both are critical. In the first case the person has been trained and the position is critical. In the second case the person has been highly appreciated for his work during his short stint or he/she has a unique blend of skills with the right kind of attitude. Both the situations are sufficiently dilemmatic to leave even a seasoned HR campaigner in a fix.

- **Privacy Issues**

    Any person working with any organisation is an individual and has a personal side to his existence which he demands should be respected and not intruded. The employee wants the organisation to protect his/her personal life. This personal life may encompass things like his religious, political and social beliefs etc. However certain situations may arise that mandate snooping behaviours on the part of the employer. For example, mail scanning is one of the activities used to track the activities of an employee who is believed to be engaged in activities that are not in the larger benefit of the organisation.

    Similarly there are ethical issues in HR that pertain to health and safety, restructuring and layoffs and employee responsibilities. There is still a debate going on whether such activities are ethically permitted or not. Layoffs, for example, are no more considered as unethical as they were thought of in the past.

The principles of ethical hiring

- Organisations comprise employees who need respect as people.

• Streamlining has lead to downsizing or right-sizing of organisations. Those employees who are left behind often mistrust management and feel insecure about their own jobs. Job insecurity can result in stress for the employee which increases the likelihood of mistakes being made or accidents occurring

• As organisations become more complex with fewer employees, legislative requirements become crucial to maintain the psychological well-being of employees.

• Legislative requirements include: EEO legislation, Affirmative Action legislation, Worker"s Compensation Acts and Regulations and so on.

• Discriminatory recruitment practices may inhibit the success of women or people from minority backgrounds, but also older applicants

Firing

Work force downsizing or layoffs occur for many different reasons. These layoffs and acts of downsizing happen in many different ways. Human resource departments go through many different ethically challenged routes to get where they need to be. First of all there are two different types of downsizing. One is reactive downsizing; this is a quick way for a company to react to something in the external environment in a deliberate and sometimes uncalculated manor. This type of downsizing is a quick fix and may cause problems down the road. The immediate reaction can sometimes come with disregard to the companies mission statement and overall values and goals .

Reactive downsizing tends to cut down on the company's overall morale and puts employees on edge. Not to mention it cuts down the talent pool that is a problem the may face down the road. That seems to be more unethical than the alternatives.

The other type of downsizing is strategic downsizing; this occurs when a company gradually sees redundancies and starts to eliminate them slowly over time . Sometimes this type of downsizing is referred to as rightsizing.

Worker safety

Employee safety is an issue facing human resources personnel. The department must prevent and correct potentially dangerous situations. Human resources must promptly act on hazardous conditions that present safety concerns in the workplace. The department is also responsible for identifying potentially dangerous employees and ensuring they do not harm themselves or others within the organization.

The elimination of accidents to employees and customers is one of our greatest responsibilities. Safety is to take precedence over any kind of shortcut, and every reasonable attempt should be made to reduce the possibility of injuries. Management is responsible for maintaining a sound safety program and encouraging a high level of safety awareness. Company recognizes the value and worth of each employee, regardless of the employee's race, color, national origin, ancestry, sex, mental and physical disability, age, religion, sexual orientation, gender identity, marital status or other legally protected status. The Company also should strive to provide working conditions and a work climate that protects both the physical and psychological well-being of employees.

Whistle blowing

A whistleblower (whistle-blower or whistle blower) is a person who exposes any kind of information or activity that is deemed illegal, unethical, or not correct within an organization that is either private or public. The information of alleged wrongdoing can be classified in many ways: violation of company policy/rules, law, regulation, or threat to public interest/national security, as well as fraud, and corruption. Those who become whistleblowers can choose to bring information or allegations to surface either internally or externally. Internally, a whistleblower can bring his/her accusations to the attention of other people within the accused organization. Externally, a whistleblower can bring allegations to light by contacting a third party outside of an accused organization. He/She can reach out to the media, government, law enforcement, or those

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who are concerned. Whistleblowers also face stiff reprisal/retaliation from those who are accused or alleged of wrongdoing.

Equality of opportunity

Every employee is entitled to an equal chance to succeed regardless of the employee's race, color, national origin, ancestry, sex, mental and physical disability, age, religion, sexual orientation, gender identity, marital status or other legally protected status. This means that we comply fully with applicable human rights and employment equity laws, and companies should not discriminate unlawfully in any aspect of employment, including recruiting, hiring, compensation, promotion or termination.

Discrimination

Discrimination based on a person's ethnicity, race or culture may manifest itself in a number of ways in the workplace. For example, when the policies for a business discriminate against persons of certain ethnicities or races, or when an individual receives unequal treatment due to his ethnicity, this is known as disparate impact and disparate treatment, respectively. This may include grouping employees based on race and having differing standards on promotions, punishment, and hiring and placement of employees based on ethnicity, race or cultural orientation.

Discrimination Policies

Discrimination based on a person's ethnicity, race or culture may manifest itself in a number of ways in the workplace. For example, when the policies for a business discriminate against persons of certain ethnicities or races, or when an individual receives unequal treatment due to his ethnicity, this is known as disparate impact and disparate treatment, respectively. This may include grouping employees based on race and having differing standards on promotions, punishment, and hiring and placement of employees based on ethnicity, race or cultural orientation.

Employment Discrimination Laws

Federal and state laws prohibit discrimination in the workplace under Title VII of the Civil Rights Act. The United States Equal Employment Opportunity Commission is in charge of overseeing the enforcement of the rules and regulations governing this act, which specifies that employers should award equal opportunities to all their employees regardless of their race or ethnicity. Additionally, the Civil Service Reform Act supports the Civil Rights Act through a provision that forbids punishment of an individual who reports ethnic discrimination acts.

Discrimination Reports

An individual who suffers workplace discrimination based on her ethnicity can report these actions through the Equal Employment Opportunity Commission office for proper address. She must file a charge of discrimination stating the nature of the discrimination act, her contacts and her employer's contacts. She may also consult a lawyer to direct her on legal actions.

Compensation for Discrimination

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The Equal Employment Opportunity Commission investigates the alleged discrimination issue and decides whether to settle the claim with the parties or present the case in court. Once the commission or the court rules in favor of an employee in a discriminatory case, it determines the compensation to be awarded to the employee. This may be in the form of payment fees, job hiring and placement, reinstatement or a promotion. In cases where the plaintiff suffered emotional distress or monetary expenses such as medical fees for stress-related issues --- e.g., high blood pressure --- the court may award damages. The court may also issue an order to the employer to design an exercise in the workplace to address discrimination practices and prevent retaliation against the employee by individuals who took part in discriminatory actions.

Ethics and remuneration

There are ethical issues pertaining to the salaries, executive perquisites and the annual incentive plans etc. The HR manager is often under pressure to raise the band of base salaries. There is increased pressure upon the HR function to pay out more incentives to the top management and the justification for the same is put as the need to retain the latter. Further ethical issues crop in HR when long term compensation and incentive plans are designed in consultation with the CEO or an external consultant. While deciding upon the pathet there is pressure on favouring the interests of the top management in comparison to that of other employees and stakeholders

Ethics in retrenchment

Show appreciation

When colleagues are retrenched, the remaining staff members may feel insecure about their own job security, leading to low morale and a decline in productivity. In the worst case, they could begin exploring other career opportunities, as the situation raises concerns about the company's ability to recognise and reward their contribution through raises, promotions or bonuses.

To retain talented employees and keep morale high, managers need to make staff feel supported and valued within the company by taking the time to communicate with them individually and express appreciation for their hard work. These discussions should serve as an opportunity to re-establish trust and demonstrate the company's commitment to the employees' professional development.

On an ongoing basis, employers should also make an effort to reward employees when they have achieved positive results. This doesn't need to be a financial reward – it could be in the form of time off in lieu, or giving an internal employee an award highlighting a job well done. Managers need to also ensure they are offering competitive compensation to top talent, and if this is not possible, they should consider other benefits, such as flexible working.

Offer an explanation

any breaks in communication could potentially lead to negative rumours.

When communicating changes to staff, managers should ensure they address:

The reason for the job reductions

The support offered to redundant staff

Future career development options for current staff

How workloads will be managed

Expectations of staff moving forward

What the organisation will do to support and help current staff acquire any new skills they may need if their role is changing.

Communication needs to be a dialogue, rather than one-way, so employers should give their staff the option to ask questions anonymously or in the strictest of confidence. For example, this could be in the form of a question box, where the answers are provided in a forum and discussion is encouraged. This also ensures managers are made aware of the core issues in their departments and gives them the opportunity to respond.

Focus on workloads

Current employees may feel overwhelmed with added job responsibilities as a result of the loss of staff members. Managers should meet with their staff individually to determine what the business priorities are and the plans for managing the new structures. Together they may be able to identify some projects that can be placed on the backburner, at least for the time being. If all work on the employee's plate is urgent, managers need to look at whether a few projects can be distributed among other colleagues.

Managers should also consider hiring temporary contractors to alleviate the mundane or repetitive work from employees. Timing is key for this factor. Providing additional support will not only lead to improved morale, but also shows employees that their skills are valued by the organisation. However, add this level of support too quickly, and permanent staff can feel disheartened.

Exit strategy

Managers can learn a lot from a staff member during an exit interview. If asked the right questions, exiting staff can provide considerable knowledge and valuable insight into what the team is really thinking.

Suggested topics could include asking the former employee to identify the best and worst experiences at the organisation, the operational changes they would make in the current environment and what they see to be the level of morale within the organisation.

Any staff member change requires a period of adjustment. Focusing on the staff morale during the process will allow the business to carry itself through the tough transition period.

A company's decision to downsize can cause a great deal of anxiety for staff. During hard times, employees are often left in the dark by their managers and may not understand the business reason for reducing headcount. They may also not be clear on how the change will be managed and how workloads will be impacted.

Ethical Dilemmas at workplace

Most people spend a great deal of their weekdays at their offices or job sites. It's not surprising, then, that employees face ethical dilemmas there. Several of these dilemmas pop up on a regular basis. With some common sense and a bit of analysis, employees can resolve common workplace dilemmas without losing their jobs or bringing harm to their employer.

Conducting Personal Business on Company Time
Because employees tend to spend so much of their weekday hours on the job, they often are tempted to conduct personal business on company time. This can include setting up doctor's appointments on company phone lines, making vacation reservations using their employer's computers and Internet connections or even making phone calls for a freelance side business while on company time.

Taking Credit for Others' Work
Employees often work in teams to create marketing campaigns, develop new products or fine-tune services, yet rarely does everyone in a group contribute equally to the final product. If three members of a five-person team did all the work, do those three members demand to receive proper credit while pointing out that two members of the team did not pull their weight?

This is a thorny question. If employees single out their co-workers in a negative light, it could foment resentment. The same thing could happen, however, if all employees accept equal praise even though only a select few did the real work. The best way to resolve this ethical dilemma is to not let it happen. Team members should insist that all employees perform specific tasks to help complete a project.

Harassing Behavior
Employees often don't know what to do if they see one of their co-workers harassing another employee, either mentally, sexually or physically. Employees may worry for their jobs if they attempt to report a superior for harassment. They may fret that they'll be labeled a troublemaker if they report co-workers who display inappropriate behavior toward other employees.

The best way to resolve this ethical dilemma rests with the staff members who develop the company's employee handbook. It is their job to include specific language that spells out that employees won't be punished for reporting the harassing behavior or inappropriate actions of their co-workers.

Ethical issues in global business

• Marketing and safety practices

- Nestle: Baby Killers; Union Carbide: Bhopal

• Sweatshop and labour abuse

- Wal-Mart's Kathy Lee collection (20 hrs/day @ $0.20/hr)

• Corruption and bribery

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- Gulf Oil: ‚political contributions' to Korea ($4.2 million)

-Lockheed: bribes to Middle East ($22 mil) and Japan

Employment

Wages and the working environment in overseas locations are often inferior to those in the United States, even when fulfill all local legal requirements. If the hire workers there, face the issue of what pay levels and working conditions are acceptable. Applying U.S. standards is usually not realistic and often simply disrupts the established market. An effective approach is to develop company standards which protect workers while fitting into the local economy. The standards have to guarantee a living wage, protect the safety of the workers and establish a reasonable number of hours for the work week.

Corruption

Companies making payments to secure business that they would not otherwise obtain are guilty of illegal actions under the U.S. Foreign Corrupt Practices Act. The payments, even if they seem to be customary, are usually illegal under local laws as well. When the company makes such payments, it is encouraging a local system of corruption through unethical behavior. Smaller gifts, of a size that would not normally influence a major decision, are considered ethical in some societies and may be legal under local and U.S. laws. If the find that large sums are routinely required to do any business in a country, the may want to reevaluate the decision to enter that market.

Human Rights

The country into which are expanding may not respect basic human rights. The ethical issue facing the company is whether the presence supports the current abusive regime or whether the presence can serve as a catalyst for human rights improvements. If the find that are supporting a regime that oppresses its citizens, engages in discrimination and does not recognize basic freedoms, the ethical action is to withdraw from the market. If the find that the regime allows to observe human rights within the organization and that the presence moderates human rights abuses, the may actively work to improve local conditions.

Pollution

Not all foreign countries have environmental legislation that makes it illegal to pollute. Companies may discharge harmful materials into the environment and avoid costly anti-pollution measures. An ethical approach to the expansion into such markets is to limit the environmental footprint beyond what is required by local laws. An ethically operating company ensures its operations don't have harmful effects on the surrounding population. Since the company has the knowledge and expertise to operate within U,S. environmental regulations, it is ethical to apply similar standards in the new locations.

Corporate responsibility of employers

Companies That Care prize employees and are committed to community service. To sustain these values, participating companies consistently demonstrate the following 10 Characteristics

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in their work environment. These 10 Characteristics are the code of conduct for optimal daily business practices.

Companies That Care ...

1. Sustain a work environment founded on dignity and respect for all employees
2. Make employees feel their jobs are important
3. Cultivate the full potential of all employees
4. Encourage individual pursuit of work/life balance
5. Enable the well-being of individuals and their families through compensation, benefits, policies and practices
6. Develop great leaders, at all levels, who excel at managing people as well as results
7. Appreciate and recognize the contributions of people who work there
8. Establish and communicate standards for ethical behavior and integrity
9. Get involved in community endeavors and/or public policy
10. Consider the human toll when making business decisions

Module 4: (8 Hours)

Workplace Privacy & Ethics:

Privacy in the workplace is one of the more troubling personal and professional issues of our time. But privacy cannot be adequately addressed without considering a basic foundation of ethics. We cannot reach a meaningful normative conclusion about workplace privacy rights and obligations without a fundamental and common understanding of the ethical basis of justice and a thorough understanding of individual and organizational concerns and motivations.

Watching what they say and what they do in the workplace

Companies may have the right to monitor employees who are checking their bank balances or shopping online on corporate networks.

The technological sophistication of employee monitoring tools available today gives companies the power to scrutinize virtually every move an employee makes using keyboard logging, cellphone tapping, tracking devices attached to office badges -- even chairs that vibrate when an employee gets up from his or her desk. To be sure, many of these approaches are extreme.

Hardware, Software and Spyware

Today, many people rely on computers to do homework, work, and create or store useful information. Therefore, it's important for the information to be stored and kept properly. It's also extremely important to protect computers from data loss, misuse and abuse. For example, businesses need to keep their information secure and shielded from hackers. Home users also need to ensure their credit card numbers are secure when participating in online transactions. A computer security risk is any action that could cause loss of information to software, data, processing incompatibilities or damage to computer hardware.

An intentional breach in computer security is known as a computer crime, which is slightly different from a cybercrime. A cybercrime is known as illegal acts based on the Internet and is one of the FBI's top priorities. There are several distinct categories for people that perpetrate cybercrimes, and they are: hacker, cracker, cyberterrorist, cyberextortionist, unethical employee, script kiddie and corporate spy. A hacker is defined as someone who accesses a computer or computer network unlawfully. They often claim that they do this to find leaks in the security of a network.

The term cracker refers to someone intentionally accessing a computer or computer network with malice in mind. They access computers with the intention of destroying or stealing information. Both crackers and hackers are have advanced network skills.

A cyber terrorist is someone who uses a computer network or the internet to destroy computer systems for political reasons. It is similar to a terrorist attack because it requires highly skilled individuals, millions of dollars to implement and years of planning.

The term cyberextortionist is someone who uses email as an offensive force. They usually send a company a threatening email stating that they will release some confidential information, exploit

a security leak, or launch an attack that will harm a company's network. They use blackmail to demand a certain amount of money in exchange for not launching an attack.

An unethical employee is one who illegally accesses their company's network for numerous reasons. One could be the money they can get from selling top secret information, or some may be bitter and want revenge.

A script kiddie is similar to a cracker because they might want to do harm, but often lack the technical skills. Script kiddies tend to use prewritten hacking and cracking programs.

A corporate spy has extensive computer and networking skills and is hired to break into a specific computer or computer network to steal, delete data and/or information. Shady companies hire these types people in a practice known as corporate espionage. They do this to gain an advantage over their competition. Business and home users must do their best to protect or safeguard their computers from security risks. The next part of this article will give some pointers to help protect your computer. However, one must remember that there is no guaranteed way of protecting your computer, so learning about your options is important.

When you transfer information over a network it has a high security risk compared to information transmitted in a business network because the administrators usually take stringent measures to protect against security risks. Over the Internet the risk is much higher. If you're not sure if your computer is secure, it's advisable to use an online security service to check your computer for email and Internet vulnerabilities. The company will then give some pointers on how to correct these vulnerabilities. The <u>Computer Emergency Response Team Coordination Center</u> is a good resource.

The typical network attacks that puts computers at risk are: viruses, worms, spoofing, Trojan horses and denial of service attacks. Every unprotected computer is vulnerable to a computer virus. Once the virus is in the computer it can spread throughout, infecting other files and potentially damaging the operating system itself.

A computer worm is a program that repeatedly copies itself and is similar to a computer virus. However, a virus needs to attach itself to an executable file and become part of it. A computer worm doesn't need to do that. It copies itself, travels to other networks and eats up a lot of bandwidth. A Trojan horse is a program that hides and seems to be a legitimate program but in reality is a fake. A certain action usually triggers the Trojan horse, and unlike viruses and worms they don't replicate. Computer viruses, worms, and Trojan horses are all classified as malicious-logic programs. These three are the most common but there many variations which are impossible to list here. You know when a computer is infected by a virus, worm, or Trojan horse if one or more of the following events take place:

- Screen shots of strange messages or pictures appear.

- You experience a sudden drop in memory.

- Music or sound plays randomly.

- Files become corrupted.

- Programs or files don't work properly.

- Unknown files or programs randomly appear.

- System properties fluctuate.

Plagiarism and Computer Crimes

Plagiarism - means presenting the words, phrases, ideas or work of another, including certain facts and statistics, as if they were your own. To avoid plagiarizing, you must clearly acknowledge the source of any borrowed language or ideas that you present in your own work. Quotation marks, followed by documentation, should be used to indicate the exact words of others. A signal phrase identifying a source and/or parenthetical citation or a superscript number should denote the summarized or paraphrased ideas of others, depending on the particular style the paper follows.*

Types of work must be cited?

The work of others includes not only written words and ideas, but also "art, graphics, computer programs, music, [. . .] charts, pictures, graphs, diagrams, data, websites, or other communication or recording media," including "formatting," images, statistics, and problem solutions ("Avoiding Plagiarism").*

Sources must be cited

Both published (in digital or traditional formats) and unpublished sources must be cited. Published sources include "books, magazines, newspapers, websites, plays, movies, photos, paintings, and textbooks" and online papers; unpublished sources include "class lectures or notes, handouts, speeches, other students' papers, or material from a research service" ("Avoiding Plagiarism").

Computer Crime- the act of using a computer to commit an illegal act

- Authorized and unauthorized computer access

- Examples

  - Stealing time on company computers

  - Breaking into government Web sites

  - Stealing credit card information

- Federal and State Laws

- Stealing or compromising data

- Gaining unauthorized computer access

- Violating data belonging to banks

- Intercepting communications

- Threatening to damage computer systems

- Disseminating viruses

- Hacking and Cracking

  - Hacker – one who gains unauthorized computer access, but without doing damage

  - Cracker – one who breaks into computer systems for the purpose of doing damage

Convenience and Death of Privacy

Information, as everyone knows, is power. Both collecting and collating personal information are means of acquiring power, usually at the expense of the data subject. Whether this is desirable depends upon who the viewer and subject are and who is weighing the balance.

Privacy-destroying technologies can be divided into two categories: those that facilitate the acquisition of raw data and those that allow one to process and collate that data in interesting ways. Although both real and useful, the distinction can be overstated because improvements in information processing also make new forms of data collection possible. Cheap computation makes it easy to collect and process data on the keystrokes per minute of clerks, secretaries, and even executives. It also makes it possible to monitor their web browsing habits. Cheap data storage and computation also makes it possible to mine the flood of new data, creating new information by the clever organization of existing data

Defence of employee privacy rights.

Employee privacy has become a greater concern as more and more employees have turned to the Internet and other electronic media to communicate both on and off the job. Although many of these accounts may seem private, in reality employees have very little privacy. Employers can generally search through anything that happens on company computers.

Personal Information
The law only protects personal information held by government agencies, not private companies. It is up to private employers to act in good faith with an employee's information

Job References

The law does not protect a private company's employee information from being disclosed to a prospective employer. It is, however, not good practice to hand out employee information, including their Social Security Number, date of birth, pay level, work schedule or full name.

Electronic Monitoring
A private company is allowed to monitor the phone, computer and email use of its employees. It is advisable that all monitoring policies be well defined, documented and given written acknowledgement by employees. If computer and email monitoring policies exist, they should clearly state that employees have no expectation of privacy while on company property or when using company resources.

Camera Monitoring
Camera monitoring is the legal right of a private company. A company should disclose its monitoring activities to employees and get written acknowledgement of the policy. Privacy laws forbid cameras in restrooms or locker rooms where employees change clothes.

Drug And Alcohol Testing
Drug and alcohol testing is permitted within private companies, although drug testing records cannot legally be released. The policies regarding how, why and when employees are tested are not enforced by law, but a company should have a clear and known drug policy to avoid legal action.

Personal Searches
A private company can have a policy that allows it to search an employee, an employee's workspace or an employee's property, including a car, if it is on company property. That said, a personal search may lead to a variety of legal actions against an employer. Bodily searches are especially risky legally and should never be conducted with force.

Module 5: (8 Hours)

Teamwork in the Workplace & Ethics:

A vital aspect of the workplace is working well with others. That includes everyone from peers to supervisors to customers. While not all employees will always like each other, they do need to set aside their personal or even work-related differences to reach a larger goal. In many instances, those who are not considered ―team players‖ can face demotion or even termination. On the other hand, those who work well with others often can advance on that aspect alone, with teamwork sometimes even outweighing performance.

Teams

A **team** is a group of people or other animals linked in a common purpose. Human teams are especially appropriate for conducting tasks that are high in complexity and have many interdependent subtasks.

A group does not necessarily constitute a team. Teams normally have members with complementary skills and generate synergy through a coordinated effort which allows each member to maximize their strengths and minimize their weaknesses.

Elements of team

Commitment and Trust
All members of a high-impact team must be fully committed to achieving the team's mission and goals. Each member must devote a reasonable amount of time and energy to advancing the team's mission and must be able to trust that all other team members are doing the same. Mistrust stemming from unbalanced workloads can lead to petty political moves, such as high performers slacking off to close the gap between team member outputs.

Communication
Effective teams must have open lines of communication. Communication must be honest and flow between all team members equally. Team members who understand each other's unique communication styles, or who agree on a single style of communication from the outset, are more likely to move the team in a productive direction that everyone understands and supports. Team members must never be hesitant to communicate with other members about issues and concerns, as well as new ideas or personal observations.

Diversity of Capabilities
Teams that possess a wide range of professional competencies can be more fully equipped to meet a wide range of challenges. When building teams, take time to ensure that each team member possesses skills and strengths that complement the skills, strengths and weaknesses of other team members. Bringing together people with common skill-sets can lead to a great deal of discussion with little subsequent action. Ensuring that each team member possesses a unique specialty allows team members to trust each other for certain aspects of performance, while fully understanding what their own contribution is expected to be.

Adaptability

High-powered teams must be flexible and adaptable to changing conditions. Team strategies, goals, tasks, workflows and even members can change over the life of the team. Team members should be able to rally together and meet new challenges head-on, rather than splintering into idealogical factions or banding together to resist change. Change is an unavoidable part of modern business, and the most effective teams have the ability to roll with the punches and change the way they work together on the fly.

Creative Freedom
All team members should feel free to think creatively--to try new things and fail without the fear of consequences. This aspect of teamwork brings together all of the other elements for effective teamwork. Team members must trust that others will listen openly to their ideas, they must be able to confidently and openly communicate their new ideas, they must be trusted enough in their area of expertise to lead the way in new initiatives and they must be adaptable enough to accommodate the changes inherent in bringing new ideas to realization.

Stages of team development,

In 1965, Bruce Tuckman, an educational psychologist developed one of the most influential models of group formation. Based on his observations of group behaviour in different settings and on literature study, he came up with a model, representing the different phases groups need to go through to grow as a team.

The model initially consisted of four distinct stages of group formation: forming, storming, norming and performing. Later, a fifth stage was added, called ̲adjourning' or ̲mourning'. They represent the necessary and inevitable stages from facing challenges, tackling problems, finding solutions and planning work to ultimately delivering results as a team.

The five stages:

- Stage 1: Forming
- Stage 2: Storming
- Stage 3: Norming
- Stage 4: Performing
- Stage 5: Adjourning

Fig 2: Team Development stages

Stage 1: Forming

The ―forming" stage takes place when the team first meets each other. In this first meeting, team members are introduced to each. They share information about their backgrounds, interests and experience and form first impressions of each other. They learn about the project they will be working on, discuss the project's objectives/goals and start to think about what role they will play on the project team. They are not yet working on the project. They are, effectively, ―feeling each other out" and finding their way around how they might work together.

During this initial stage of team growth, it is important for the team leader to be very clear about team goals and provide clear direction regarding the project. The team leader should ensure that all of the members are involved in determining team roles and responsibilities and should work with the team to help them establish how they will work together (―team norms".) The team is dependent on the team leader to guide them.

Stage 2: Storming

As the team begins to work together, they move into the ―storming" stage. This stage is not avoidable; every team – most especially a new team who has never worked together before – goes through this part of developing as a team. In this stage, the team members compete with each other for status and for acceptance of their ideas. They have different opinions on what should be done and how it should be done – which causes conflict within the team. As they go progress through this stage, with the guidance of the team leader, they learn how to solve problems together, function both independently and together as a team, and settle into roles and responsibilities on the team. For team members who do not like conflict, this is a difficult stage to go through.

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The team leader needs to be adept at facilitating the team through this stage – ensuring the team members learn to listen to each other and respect their differences and ideas. This includes not allowing any one team member to control all conversations and to facilitate contributions from all members of the team. The team leader will need to coach some team members to be more assertive and other team members on how to be more effective listeners.

This stage will come to a closure when the team becomes more accepting of each other and learns how to work together for the good of the project. At this point, the team leader should start transitioning some decision making to the team to allow them more independence, but still stay involved to resolve any conflicts as quickly as possible.

Some teams, however, do not move beyond this stage and the entire project is spent in conflict and low morale and motivation, making it difficult to get the project completed. Usually teams comprised of members who are professionally immature will have a difficult time getting past this stage.

Stage 3.Norming

Team members start to resolve their differences, appreciate colleagues' strengths, and respect the leader's authority. Behaviour from the storming and norming phases can overlap for some time when new tasks come up.

Stage 4.Performing

Hard work goes hand in hand with satisfaction about the team's progress. Team confidence makes team roles more fluid and more tasks can be delegated by the facilitator. Problems are prevented or solved as they pop up.

Stage 5.Adjourning

When all tasks are completed, it's important to celebrate the team's positive achievements. Letting go of the group structure after long periods of intensive team work can also generate uncertainty for individual team members.

<u>Team meetings</u>

Effective meetings are not only integral to achieve team goals and successful completion of tasks, but also are reflective overall of team functioning. Whether they are conducted in real-time or asynchronously, in-person or by a remote conference, team meetings are important tools for managing team tasks and productivity. Effective team meetings allow for open conversation that draws upon each members' knowledge, skills, and perspectives to solve problems and to support one another in achieving the team's collective goals.

Attention to meeting preparation, facilitation, participation, and evaluation processes is the recommended approach for ensuring productive outcomes. The following meeting practices are well known to support productive team processes:

1. Organize meeting logistics

2. Distribute an agenda before the meeting

3. Start and end on time

4. Open with member check-in

5. Establish and review ground rules

6. Assign administrative roles

7. Summarize decisions and assign action items

8. Debrief: evaluate and plan for improvement

9. Distribute meeting minutes promptly

Prior to the meeting, the details of logistics—meeting location, date and time, space set-up, and technology support—need to be organized.

Advance notice: Has adequate notice been given to all those asked to attend, with coordinates of the meeting space included? If the meeting is being held over a meal, let folks know if food and beverages are being served.

Meeting space:

- Does the meeting space encourage the meeting chair/facilitator and the participants to effectively see, hear, and communicate with everyone present?

- Is the space comfortable? (consider temperature, refreshments, seating, and so on)

  Technical issues: Have technical issues been tested and, when necessary, resolved? This includes testing remote connections, teleconference equipment, and computer setup.

- It is highly recommended to replicate the team environment by dialing in the remote locations and running the computer-based applications in a rehearsal format prior to the actual meeting.

- If teleconferencing, make sure the teleconferenced member is not "left in the dark" by providing them with clear directions on when to contribute. This may seem awkward at first, but from the perspective of a caller on the line and the members sitting at the meeting, it can be a challenge to contribute fully without clear cues. Videoconferencing allows participants to follow non-verbal cues.

  Providing an agenda helps prevent confusion over who is addressing topics, provides reasons to attend the meeting (either in topics of interest on the list, or if members see they are assigned to present) and gives structure to the meeting so that time is used well.

- The agenda should include a one-sentence description of the meeting goal/objectives with a list of the topics to be covered. Each topic should include a brief description of the issue, who will address it, and the amount of time estimated for discussion.

- Send the agenda to participants before the meeting so they may offer feedback or add agenda items, prepare for the meeting, and be ready to work together.
- Follow the agenda closely during the meeting.
  Most teams will have ground rules that respect members' time.

- If someone comes in late, refrain from recapping what the team has covered—doing so sends the message that it is okay to be late for meetings and wastes valuable time. What should the do if an important member comes in late? Offer to discuss the work of the team "offline" (i.e. after the meeting is over). For habitual latecomers, request their notes/reports ahead of time so the may review their work without their presence at the meeting, and move ahead with the collective work of the team.
- State a finish time for the meeting and do not run over. To help finish at the stated time, arrange the agenda in order of importance so that if the have to omit or rush through items, the will have discussed the important topics. Unfinished business can be placed on the next meeting agenda or assigned to sub-committees to report at the next meeting.

4. Open with member "check-in"
Take 5-10 minutes at the beginning for members to check-in with the teams. "Checking-in" opens with an invitation to contribute to the opening of the meeting. As an invitation, members should be offered the option of a pass. The check-in step has been described as an investment in relationship-building with the potential to pay large dividends in efficiency and performance

The opening check-in brings busy people into the purpose of the meeting and allows them to share distractions so that they can receive support or put issues aside for the meeting. It allows them to be more fully present in the discussions of the team. Depending on the dynamics of the team, this can include appropriate elements of personal as well as professional life. They can be a simple "Tell us how the are doing or how the are thinking about the team's activities" or can be more purposeful.

- Check-in questions that bring members to the professional focus of the meeting include: "What do the hope gets accomplished today? What has been the experience with [the issues on the agenda]?"
- Check-in questions that support the development of team performance: "Compliment a team member for his or her contributions at the last meeting." "Tell us something the are comfortable sharing about theself that most of us probably do not know about the." "What did the find most helpful from our last meeting that the would like to see repeated today?"

5. Establish or review ground rules
A team sets ground rules for what it expects in terms of general courtesy and responsibility for behavior. These form the basis for future team meeting interactions, and should be reviewed periodically (preferably at each meeting). Consider the following ground rule categories while collectively determining rules for the team:

- Attendance: Who gets notified if a member is unable to attend?
- Promptness: Start and end on time.
- Participation: Everyone's viewpoint is valuable; build upon each other's ideas.

- Conversational Courtesy: Listen attentively and respectfully to one another; don't interrupt; hold one conversation at a time.
- Accountability: Team members should be empowered to discuss the application (or lack) of the ground rules during the meeting.
- Confidentiality: The "Vegas Rule"—What happens here, stays here, unless published in a public record.

6. Assign administrative roles

Clarity in team member roles leads to increased team effectiveness and cohesion. It provides a needed structure, and allows meetings to start and finish on time with productive time spent together. On a rotating basis, pre-assign or seek volunteers for each of the following important roles:

Timekeeper: Assists the team leader or facilitator in managing time. Give verbal reminders of the current time or time left available. The timekeeper can make "5 minute warning" cards and hold them up at the appropriate times during each topic discussed.

Recorder: Captures and transcribes (in real-time or later) key decisions, action plans, and a meeting summary. The style of the minutes issued depends on the circumstances—in situations of critical importance, detailed minutes may be required. Where this is not the case, then minutes are simple lists of decisions made and action items identified for follow-up with the person responsible named by each action item. Generally, minutes should be as short as possible with all key information recorded. This makes notes quick and easy to prepare and review. A template for team meeting records can help organize and make reading the minutes easier.

Facilitator: Focuses on asking instead of telling, listening attentively, and building consensus among meeting participants. It is a collaborative style of leadership and a core skill for leaders as well as team members to exhibit. The facilitator should ensure effective participation, avoid too much or too little contribution from individual members, and keep the conversation flowing in the direction of the team's goals. When the timekeeper warns that the time for an agenda topic is almost over, the facilitator summarizes the discussions and the recommendations on that agenda topic and moves on to the next item on the agenda. Do not finish any discussion without deciding how to act on it. Ingrid Bens (2000) has developed a very useful tool to facilitate core practices for open conversation.

7. Summarize decisions and assign action items

When an agenda item is resolved or a mutually agreeable action plan is established, make it clear who at the meeting will be responsible for the action task. To reduce confusion and misunderstandings, summarize and document these actions in the meeting minutes.

8. Debrief: Evaluate and plan for improvement

Time is well spent wrapping up the meeting with an assessment of process and progress, and then using the information shared to plan to improve the next meeting. Task-level monitoring can lead to immediate and significant improvements in how the task is run. Team-level evaluation is more involved, but it can surface issues felt by individuals; open up productive

lines of discussions; and lead to improvements in team processes. Note that the template for team meeting records includes wrap-up questions to facilitate this final step.

9. Distribute meeting minutes promptly

Minutes record the decisions of the meeting and the actions for follow-up. Minutes are a visible means of measuring and monitoring whether individuals assigned to tasks have completed those tasks. They serve as a reminder for all to track whether tasks have been finished by those with designated responsibilities.

 Team rules and teams work

Setting Team Ground Rules

As a manager, the are concerned with not only on getting the work done, but on *how* the work gets done. Ground rules are an important tool for helping individuals function together as a team. They reflect what is important to the members about how they work together. Ideally, the rules are set at the first meeting, allowing them to become second nature to the team. Discussing ground rules after problems arise is much more difficult. Ground rules should focus on three elements:

- Tasks – Expected activities and deliverables for the team.
- Process – How the activities will be carried out.
- Norms – Ways in which team members will interact with each other.

Steps in Setting Ground Rules

1. Set aside time at a team meeting to discuss ground rules. All team members should have a chance to provide input.
2. Ask team members to discuss prior group experiences. What worked well? What created problems?
3. As a group, describe what the'd like to happen when the work together.
4. Write down the ground rules to which the team has agreed. Each member should have a copy.
5. Ground rules should be reviewed periodically.

In any organisation whether small or large, teams of people from different backgrounds with different experiences need to be able to work together to deliver results. The 5 golden rules to keep in mind to encourage effective team working

Golden Rule 1: Find things people can easily agree as the key focus

This is particularly important when in a large organisation where it can be all too easy to get narrowly focused on the activities of the department without considering the overall purpose of the organisation. For example, professional accountancy firms exist to serve clients, schools to educate and hospitals to deliver healthcare. People, no matter what their functional bias can generally get behind and support the overall purpose.

Golden Rule 2: Recognise good team working

It is all too easy to attribute team successes to a leader or particular individuals but in truth most of the results will have been achieved by people working together and bringing their own unique contribution to the challenge. Make a point of recognising good team working, especially cross functional team working.

Golden Rule 3: Get people understanding each other better

We all tend to look at things through a particular lens which is usually influenced by things like our experiences, training or even professional discipline. Encourage people to avoid stereotyping and help them to better understand the different ways different people look at the same problem or challenge.

Golden Rule 4: Focus on contribution from all

The fact that people look at things differently is not a drawback but a distinct benefit of team working. Get people listening more to others contributions so that the best solutions can be arrived at from the range of possibilities.

Golden Rule 5: Don't expect it to happen overnight

Teams take time to come together, gel, bed down and deliver results. Don't expect improving team working to be like a light switch where the time from flicking the switch to having more light is almost immediate. View it more as a longer term project where small steps are made that eventually lead to big results.

Professional responsibility

Professional responsibility is the area of legal practice that encompasses the duties of attorneys to act in a **professional** manner, obey the law, avoid conflicts of interest, and put the interests of clients ahead of their own interests.

Rules of professional responsibility

CFP Board adopted the *Code of Ethics* to establish the highest principles and standards. These Principles are general statements expressing the ethical and professional ideals certificants and registrants are expected to display in their professional activities. As such, the Principles are aspirational in character and provide a source of guidance for certificants and registrants. The Principles form the basis of CFP Board's *Rules of Conduct*, *Practice Standards* and *Disciplinary Rules*, and these documents together reflect CFP Board's recognition of certificants' and registrants' responsibilities to the public, clients, colleagues and employers.

Rule 1 – Integrity: Provide professional services with integrity.

Integrity demands honesty and candor which must not be subordinated to personal gain and advantage. Certificants are placed in positions of trust by clients, and the ultimate source of that trust is the certificant's personal integrity. Allowance can be made for innocent error and legitimate differences of opinion, but integrity cannot co-exist with deceit or subordination of one's principles.

Rule2 – Objectivity: Provide professional services objectively.

Objectivity requires intellectual honesty and impartiality. Regardless of the particular service rendered or the capacity in which a certificant functions, certificants should protect the integrity of their work, maintain objectivity and avoid subordination of their judgment.

Rule3 – Competence: Maintain the knowledge and skill necessary to provide professional services competently.

Competence means attaining and maintaining an adequate level of knowledge and skill, and application of that knowledge and skill in providing services to clients. Competence also includes the wisdom to recognize the limitations of that knowledge and when consultation with other professionals is appropriate or referral to other professionals necessary. Certificants make a continuing commitment to learning and professional improvement.

Rule4 – Fairness: Be fair and reasonable in all professional relationships. Disclose conflicts of interest.

Fairness requires impartiality, intellectual honesty and disclosure of material conflicts of interest. It involves a subordination of one's own feelings, prejudices and desires so as to achieve a proper balance of conflicting interests. Fairness is treating others in the same fashion that you would want to be treated.

Rule5 – Confidentiality: Protect the confidentiality of all client information.

Confidentiality means ensuring that information is accessible only to those authorized to have access. A relationship of trust and confidence with the client can only be built upon the understanding that the client's information will remain confidential.

Rule6 – Professionalism: Act in a manner that demonstrates exemplary professional conduct.

Professionalism requires behaving with dignity and courtesy to clients, fellow professionals, and others in business-related activities. Certificants cooperate with fellow certificants to enhance and maintain the profession's public image and improve the quality of services.

Rule7 – Diligence: Provide professional services diligently.

Diligence is the provision of services in a reasonably prompt and thorough manner, including the proper planning for, and supervision of, the rendering of professional services.

ASME code of ethics

The **American Society of Mechanical Engineers** (**ASME**) is a professional association that, in its own words, "promotes the art, science, and practice of multidisciplinary engineering and allied sciences around the globe" via "continuing education, training and professional development, codes and standards, research, conferences and publications, government relations, and other forms of outreach." ASME is thus an engineering society, a standards organization, a research and development organization, a lobbying organization, a provider of training and education, and a nonprofit organization. Founded as an engineering society focused on mechanical engineering in North America, ASME is today multidisciplinary and global.

ASME has over 140,000 members in 158 countries worldwide.

ASME was founded in 1880 by Alexander Lyman Holley, Henry Rossiter Worthington, John Edison Sweet and Matthias N. Forney in response to numerous steam boiler pressure vessel failures. Known for setting codes and standards for mechanical devices, ASME conducts one of the world's largest technical publishing operations, holds numerous technical conferences and hundreds of professional development courses each year, and sponsors numerous outreach and educational programs.

The Fundamental Principles
Engineers uphold and advance the integrity, honor and dignity of the engineering profession by:

1. Using their knowledge and skill for the enhancement of human welfare;
2. Being honest and impartial, and serving with fidelity, the public, their employers and their clients;
3. Striving to increase the competence and prestige of the engineering profession; and
4. Supporting the professional and technical societies of their disciplines.

The Fundamental Canons

1. Engineers shall hold paramount the safety, health and welfare of the public in the performance of their professional duties.
2. Engineers shall perform services only in the areas of their competence.
3. Engineers shall issue public statements only in an objective and truthful manner.
4. Engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.
5. Engineers shall build their professional reputation on the merit of their services and shall not compete unfairly with others.
6. Engineers shall act in such a manner as to uphold and enhance the honor, integrity and dignity of the profession.
7. Engineers shall continue their professional development throughout their careers and shall provide opportunities for the professional development of those engineers under their supervision.

Module 6: (8 Hours)

Managing Change in Workplace through Ethics: Introduction to Change Management

Teams and organizations face rapid change like never before. Globalization has increased the markets and opportunities for more growth and revenue. However, increasingly diverse markets have a wide variety of needs and expectations that must be understood if they are to become strong customers and collaborators. Concurrently, scrutiny of stakeholders has increased as some executives have been convicted of illegal actions in their companies, and the compensation of executives seems to be increasing while wages of others seems to be decreasing or leveling off. Thus, the ability to manage change, while continuing to meet the needs of stakeholders, is a very important skill required by today's leaders and managers.

Change is something that happens in businesses all of the time. Change can occur in an organisation's internal or external environment. As a result, this process of change is constant. Change management looks at the drivers of change in the business environment.

Effective managers are proactive in creating solutions to improve the organisation's performance. They must then manage employees through the change process. It is in the interest of managers to try to predict the changes that are likely to take place. In other words, they have to plan and drive change initiatives. This involves managing the change process and making it part of an organisation's strategy. Strategies help a business achieve its aims and objectives. This then helps businesses to develop in a more focused way to the environment in which it operates, whilst facing new challenges with more certainty.

Models of change

According to an article in Forbes, Change Management Guru is the world's oldest profession. Almost everyone has a few theories about change management.

While there are many change management models, most companies will choose at least one of the following three models to operate under:

1. Lewin's Change Management Model

2.McKinsey 7-S Model
3. Kotter's 8 Step Change Model

Lewin's Change Management Model

This change management model was created in the 1950s by psychologist Kurt Lewin. Lewin noted that the majority of people tend to prefer and operate within certain zones of safety. He recognized three stages of change:

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1. Lewin's Change Management Model

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I Lewin's Change Management Model

This change management model was created in the 1950s by psychologist Kurt Lewin. Lewin noted that the majority of people tend to prefer and operate within certain zones of safety. He recognized three stages of change:
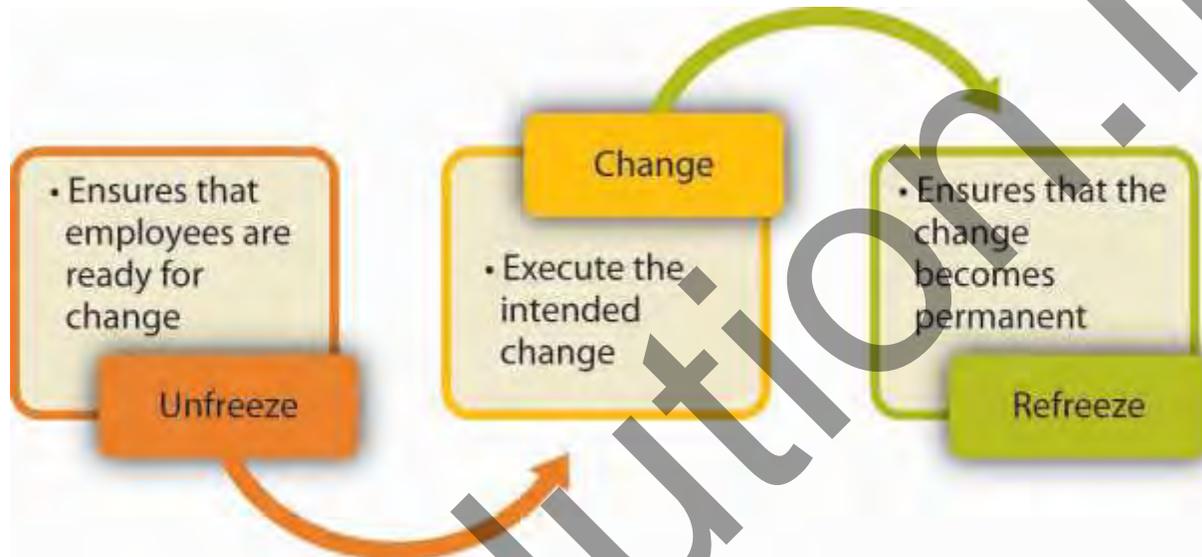
1. Unfreeze – Most people make an active effort to resist change. In order to overcome this tendency, a period of thawing or unfreezing must be initiated through motivation.

2. Transition – Once change is initiated, the company moves into a transition period, which may last for some time. Adequate leadership and reassurance is necessary for the process to be successful.

3. Refreeze – After change has been accepted and successfully implemented, the company becomes stable again, and staff refreezes as they operate under the new guidelines.

While this change management model remains widely used today, it is takes time to implement. Of course, since it is easy to use, most companies tend to prefer this model to enact major changes.

II McKinsey 7-S Model

The McKinsey 7-S model offers a holistic approach to organization. This model, created by Robert Waterman, Tom Peters, Richard Pascale, and Anthony Athos during a meeting in 1978, has 7 factors that operate as collective agent of change:

1. Shared values

2. Strategy

3. Structure

4. Systems

5. Style

6. Staff

7. Skills

The McKinsey 7-S Model offers four primary benefits:

1. It offers an effective method to diagnose and understand an organization.

2. It provides guidance in organizational change.

3. It combines rational and emotional components.

4. All parts are integral and must be addressed in a unified manner.

The disadvantages of the McKinsey 7-S Model are:

– When one part changes, all parts change, because all factors are interrelated.

– Differences are ignored.

– The model is complex.

– Companies using this model have been known to have a higher incidence of failure.

III Kotter's 8 Step Change Model

This model, created by Harvard University Professor John Kotter, causes change to become a campaign. Employees buy into the change after leaders convince them of the urgent need for change to occur. There are 8 steps are involved in this model:

1. Increase the urgency for change.

2. Build a team dedicated to change.

3. Create the vision for change.

4. Communicate the need for change.

5. Empower staff with the ability to change.

6. Create short term goals.

7. Stay persistent.

8. Make the change permanent.

Significant advantages to the model are:

– The process is an easy step-by-step model.

– The focus is on <u>preparing and accepting change</u>, not the actual change.

– Transition is easier with this model.

There are some disadvantages offered by this model:

– Steps can't be skipped.

– The process takes a great deal of time.

It doesn't matter if the proposed changed is a change in the process of project planning or general operations. Adjusting to change is difficult for an organization and its employees. Using almost any model is helpful, because it offers leaders a guideline to follow, along with the ability to determine expected results. This is helpful because change is difficult to implement and manage.

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WORKPLACE ETHICS AND VALUE SYSTEMS   **14MBAHR408**

The Ethics of Managing Change

Code of Ethics for Successful Six Sigma Change Management

- We seek to use our knowledge and skills for the enhancement of the organization.

- We do not exercise the power of our expertise or position to influence the decisions or actions of others in order to benefit personally at their expense.
- We do not engage in communications or behavior designed to deceive others, including but not limited to, making misleading statements, stating half-truths, providing information out of context or withholding information that, if known, would render our statements as misleading or incomplete.
- We perform services only within our areas of competence.
- We seek to understand the organizational culture so as to avoid engaging in behaviors perceived as disrespectful.
- We listen with empathy and seek first to understand others' points of view.
- We behave professionally even when it is not reciprocated.
- We avoid conflicts of interest or the appearance of conflicts of interest.
- When we make errors or omissions, we take ownership and make prompt corrections.
- We apply the rules of the organization without favoritism or prejudice.

The role of ethics and responsibilities in leading innovation and change

Innovation and change are inevitable processes in the business world. Organizations are constantly evolving and changing in response to market trends. If your business is on the verge of restructuring or undergoing some other significant transformation, give due consideration to the role of ethics and responsibility as you move forward.

Employees
One of the primary responsibilities of leading change and innovation is the need to keep your employees in mind as you implement changes. As a small business owner who has the economic well-being of your employees in your hands, you have a certain level of responsibility to examine the changes you make from your employees' perspective. As much as possible, you should want them to come out better on the other side of the change. As you plan for changes, assess the impact the changes will have on your employees.

Disruption
Change and innovation are disruptive, not only to workers, but to everyone involved with your business. This disruption requires that business owners take into account everyone involved in the process of change. Ask questions about how the change is disruptive, and how to make it less so. The disruption caused by change and innovation will have outcomes that need to be planned for, and the business owner should do everything possible to preserve the rights and interests of others, rather than trampling to accomplish a goal. The Business Institute Roundtable for Corporate Ethics notes that business owners should make efforts to not treat stakeholders as a mere means to an end.
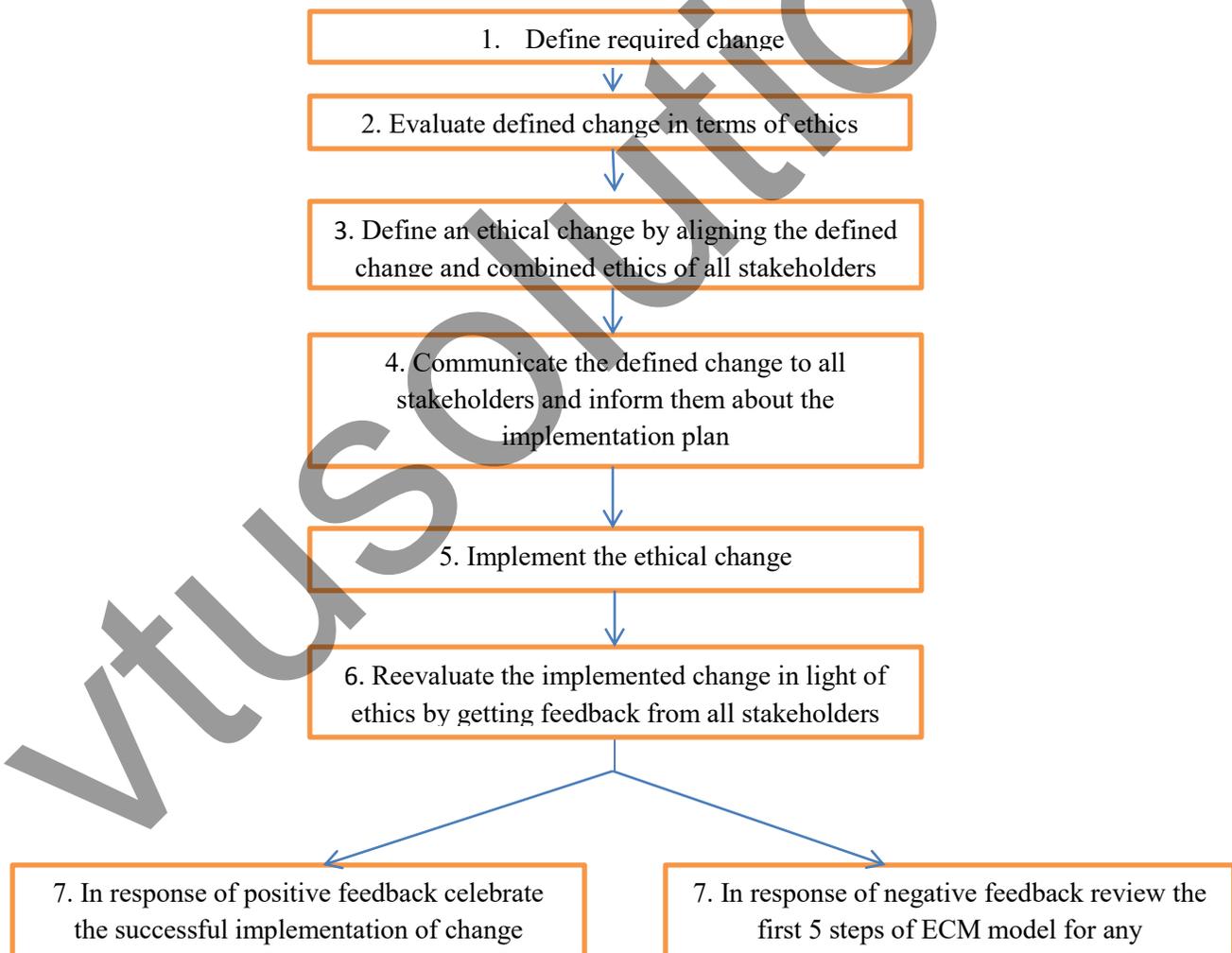
Communication

Ethics plays a role in the process of change and innovation in terms of the need for open and honest communication among employers and employees, and between the company and the public. Communication needs to be transparent during the process of change so that continued trust in the organization will continue to exist once the changes have been completed. Companies that are not up front about the changes taking place may lose the trust of their employees, and possibly of the community as well, depending upon the nature of the business and its involvement in the community.

Teamwork

Ethical behavior towards the community and employees will help the business owner to build a stronger organization. The sense of pride that employees take away from participating in the process of change will provide them with a greater sense of belonging and purpose. The responsibility of the business owner and manager is to make innovation and change a process that affects and benefits everyone. Giving all involved a stake in the outcome, and treating them in an ethical manner in the process, will bring greater results in the long run.

Ethics based model for change management (ECM Model)

1. Define required change

2. Evaluate defined change in terms of ethics

3. Define an ethical change by aligning the defined change and combined ethics of all stakeholders

4. Communicate the defined change to all stakeholders and inform them about the implementation plan

5. Implement the ethical change

6. Reevaluate the implemented change in light of ethics by getting feedback from all stakeholders

7. In response of positive feedback celebrate the successful implementation of change

7. In response of negative feedback review the first 5 steps of ECM model for any

1. Define Required Change

Study the internal requirement and external pressures for change in order to identify the need of change that whether the change is really required by the organization or not. o If the change is not extremely required then try to steer away from change implementation if possible, and do not disturb the existing status-quo. If the change is required then define the exact change that has been figured out as need of the organization.

2. Evaluate Defined Change in terms of Ethics o Identify all the stakeholders for the defined change o First the Employer should itself evaluate the change in terms of ethics in order to know whether this change is right and justifiable for all the stakeholders rather than being just in favor of employer and need sacrifices from employees in name of change management or organizational development. Then the change that has been evaluated and defined by employer in terms of being ethical for all (employer and other stakeholders) is then presented to all the stakeholders or the representatives of stakeholders for further evaluation (here the stakeholder means the organization's employees in specific and other stakeholders in general). Second; the stakeholders will then define the change in their moral perspective that to what extent the change is ethical for all the stakeholders. This step is not a mechanistic recipe but focus on the sensitivity to become aware of the ethical issues surrounding the change and making a deliberate attempt to deal with these issues in a moral way. Defining the ethics of change with a contribution of all stakeholders will help in designing a change with them rather than for them. After all; it is the stakeholders whose lives are going to be impacted by the change.

3. Define an Ethical Change by aligning the Defined Change and combined ethics of all stakeholders o This is a step where change will be defined in such a way that no one will have an objection over it in terms of ethics, as every one would have been involved in the defining phase of an ethical change. This participative approach to defining ethical change will tend to decrease the fear of change and so the resistance to change by employees and make the change a win-win situation for all. o It should be made clear while defining ethical change that the employer and stakeholders must equally share the benefits or losses that are arising from the change.

4. Communicate the Defined Ethical Change to all Stakeholders and inform them about the implementation plan .The combiningly defined change is then communicated to stakeholders as a mutually agreed and shared objective for all. Make the people aware before final implementation of the ethical change.

5. Implement the Ethical Change- Implement the change by keeping all of the stakeholders in loop. o Involve the people in change implementation and train them. The change should be implemented on all, from top management to lower level staff. The employer, employees and other stakeholders must equally share the benefits or losses that are arising from the change.

6. Re-evaluate the Implemented Change in light of Ethics by getting feed back from all stakeholders Take feed back from all stakeholders or the representatives of stakeholders in order to reevaluate the change implementation. The satisfaction rate of people regarding the implementation of ethical change will show the success percentage of the change implemented.

7. a. In Response of positive feedback celebrate the successful implementation of Change .If the majority of stakeholders feel that the implemented change is a win-win scenario for all, celebrate

the successful implementation of change. This positive response is an indication that future change projects in this manner will also run smoothly as the employers had won the trust of stakeholders by the implementation of ethical change in their organization.

b. In Response of negative feedback review First 5 steps of the ECM Model for any Mishandling If the majority of stakeholders are not satisfied with the implementation of change and perceive that this change has not ethically favored all the stakeholders then figure out the gap by reviewing first five steps of this model. If possible, again initiate the whole change process or learn from the shortcomings of this change process in terms of ethics and beware in future change endeavors.

Ethics and risks of change management

Ethics and compliance have been with us at least since Moses and the Ten Commandments. Yet here we are in the 21st century, continuing to make headlines with ethics and compliance breaches leading to unprecedented fines and ever-longer criminal sentences. Investigations of corruption, bribery, fraud and money laundering are increasing while laws and regulations are being enacted or strengthened around the world—even in countries once presumed to be lax— with greater frequency, broader territorial reach and stiffer penalties for violators. Moreover, corporations are now being held accountable, not simply for their own conduct, but for the conduct of third parties with whom they contract.

What does this mean for leaders of manufacturing companies? It means addressing three aspects of corporate ethics and compliance that are critical for success in today's global marketplace:

- Establishing and actively promoting a culture of integrity that is evident in every aspect of your company.

- Ensuring your company has adequate policies and processes in place to manage ethics and compliance risks.

- Understanding the extent to which you are accountable for the behavior of your business partners and preparing yourself accordingly.

Culture of Integrity

Regulators want companies to demonstrate a serious commitment, not merely lip service, to ethics and compliance. Manifestations of this commitment can be:

- A Code of Conduct that clearly articulates the company's values and expectations.

- Demonstrably rewarding those whose behavior reflects the code, whether they are speaking up and raising concerns, or refusing to accept lavish gifts or entertainment offered by influence-peddlers.

- Demonstrably taking corrective action against code violations, such as conflicts of interest, fraud, or retaliation against people raising ethical or compliance questions in good faith.

A true culture of integrity also involves training and communications that are appropriately designed and evident, incorporating ―acting with integrity‖ in a meaningful way into the performance objectives of managers and employees alike.

Adequate Policies and Procedures

As a strong corporate leader, you must take full and active responsibility for assessing risks based on your particular industry and the regions where your company is active. You also must identify risk areas, such as potential encounters with government officials, and have an effective program in place to manage business partners. This latter point is critical; you must recognize that the perimeter of risk does not stop at your company‗s door.

Regulators are now of the opinion that what you can‗t do yourself you also can‗t do through third parties, and they no longer accept willful ignorance or benign negligence as an excuse. This may be one of the most significant changes in the ethics and compliance arena in recent years.

Module 7: (6 Hours)

Ethics, Discrimination and Harassment at Workplace:

Unlawful **workplace discrimination** occurs when an employer takes adverse action against a person who is an employee or prospective employee because of the following attributes of the person: race. colour. sex. sexual preference

This is the uninvited and unwelcome verbal or physical conduct directed at an individual because of race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, veteran status, citizenship and parental status. (Examples include: bias in assignments, bias in educational decisions, inappropriate language).

Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by law.

The *Equal Opportunity Act 2010* sets out 18 personal characteristics that make discrimination in employment against the law. Federal anti-discrimination laws also apply to Victorian employers.

Employees are protected from discrimination at all stages of employment, including:

- recruitment, including how positions are advertised and how interviews are conducted
- being offered unfair terms and conditions of employment
- being denied training opportunities, promotion, transfers, performance pay or other employment-related benefits
- being unfairly dismissed, retrenched or demoted.

Direct and indirect discrimination

Direct discrimination is when a person treats, or proposes to treat, someone unfavourably because of a personal characteristic protected by law. Direct discrimination often happens because people make unfair assumptions about what people with certain personal characteristics can and cannot do.

For example, refusing to employ someone on the basis of their age because you think they are too old to learn new skills.

Indirect discrimination occurs when an unreasonable condition is imposed that disadvantages a person with a personal characteristic protect by law. Indirect discrimination happens when a workplace policy, practice or behaviour seems to treat all workers the same way, but it actually unfairly disadvantages someone because of a personal characteristic protected by law.

For example, a requirement for employees to work 12-hour shifts may appear to treat everyone equally. However, it may disadvantage employees with family or caring responsibilities. If the requirement is not reasonable, this is indirect discrimination.

<u>Sexual harassment</u>

Sexual harassment is unwelcome conduct of a sexual nature. It involves behaviour that could reasonably be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written. Sexual harassment is covered in the workplace when it happens:

- at work

- at work-related events

- between people sharing the same workplace

- between colleagues outside of work.

Responding to harassment
All incidents of sexual harassment – no matter how large or small or who is involved – require employers or managers to respond quickly and appropriately. Just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour.
The law

Sexual harassment is against the law. Some types of sexual harassment may also be offences under criminal law and should be reported to the police, including indecent exposure, stalking, sexual assault and obscene or threatening communications, such as phone calls, letters, emails, text messages and postings on social networking sites.

More information on sexual harassment and the law is available on our Sexual harassment page.
Liability
While the person who sexually harasses someone else is liable for their behaviour, employers can also be held vicariously liable for acts of sexual harassment by their employees or agents.

Sexual harassment can involve employees, managers, contractors, agents, clients, customers and others connected with or attending a workplace. It can happen at work, at work-related events or between colleagues outside the work environment.

A common workplace

A workplace covers any place that a person attends for the purpose of carrying out their work or trade. They do not need to be an employer or employee of the workplace.

For example, Miki is contracted by an employment agency to fill a short-term reception role with an IT company. During her two-week placement she is sexually harassed by one of the company's staff. Although Miki is not an employee of the IT company she is still covered by the law.

Industrial organisations

Employees or members of industrial organisations must not sexually harass other employees or members of the organisation, or people seeking to become a member.

For example, Louise is a union member and workplace representative for her union. At a union meeting she is sexually harassed by another member. She is covered by the law.

Qualifying bodies

Employees or members of a qualifying body, such as a professional association, must not sexually harass other employees or members, or people seeking action on an occupational qualification.

For example, Justine is a dental hygienist and a member of a professional association. On a professional development course run by the association she is sexually harassed by one of its employees. She is covered by the law.

<u>Creating awareness about workplace harassment</u>

1. **Adopt and promote a prevention and reparation policy against harassment.**

- Create a prevention policy involving each level of the organization: management, employees and union representatives. For further assistance, feel free to consult the sample policies found on this website.
- Make sure information about the new policy is widely distributed, that all employees know the policy and encourage everyone to make it their own.
- Put a system in place to record all acts of violence by creating, for example, an Event Report Form.
- Set up procedures to handle complaints impartially, confidentially and quickly. These should include measures to prevent any recurrence of harassment and other types of workplace violence. It is critical to ensure that the victim feels safe against retaliation and has the right, if needed, to be represented when interviewed by an independent and qualified investigator. Keep in mind that, in this case, lodging a formal complaint is not always the best solution since it often involves lengthy delays.
- And finally, establish measures to support the victims and the alleged perpetrators.

2. **Establish clear codes of conduct.**

- Define and communicate a clear code of conduct like ‗**Zero-tolerance'** with respect to moral harassment and other types of workplace violence.
- Make sure all employees know the organization's code of conduct. These measures should reflect the organization's commitment to preventing and responding to external acts of violence.
- ry to reduce and even eliminate behaviour that contravenes the code of conduct by exercising dissuasion and enforcing sanctions.

3. **Organize awareness and training sessions.**

- Take time to organize and provide access to awareness and training sessions on the prevention of workplace violence.
- Open the necessary lines of communication to achieve the prevention objectives.

4. **Do not allow conflicts to escalate into harassment or acts of violence.**

- Monitor the training of work teams. Working in teams highlights interpersonal relations and may give rise to some situations that could cause tension among people.
- Deal with conflicts swiftly, and from the moment they begin. Harassment and violence stem from unresolved conflicts that fester. They can degenerate and turn the workplace into a hostile environment and create negative occurrences that are violent and costly.

5. **Set up effective lines of communication.**

- Open effective lines of communication, because aggressors thrive on the silence of victims and witnesses. Communication is a key factor in the well-being of employees.
- Promote communication and regular meetings of the work teams. Strong lines of communication will not only rally employees against violence, they also reduce the risk of workplace violence by defusing tensions and clarifying situations and misunderstandings.

6. **Pay special attention to the quality of relationships among members of a work team.**

- Ensure that work is meaningful for each worker.
- Manage work teams to help prevent and resolve violent situations. Among others:
  - Model behaviour by being fair and respectful with everyone.
  - Encourage employees to be tolerant and open-minded about other people's differences.
  - Give each person a motivating role.
  - Watch for clues that reveal conflicts within the team, such as absenteeism, flagging motivation and performance, and resignations.
  - Try to be a catalyst and build bridges between people.
  - Introduce technology in a well-planned way.
  - Develop the ability to intervene quickly when a conflict emerges within the team, via discussions and mediation.

7. **Encourage the acceptance of individual differences.**

- Communicate the idea that the strength of a team resides in individual differences (We need each other to make a winning team. The "differences" in each team member makes the strength of the team and enhances the team's performance.)
- Where possible, plan social or training activities that help team members get to know each other and discover each other's strengths and weaknesses, from a standpoint of openness to such differences and of acceptance of each team member's willingness to improve interpersonal relations.

11 Recommendations for Victims DURING an Incident of Workplace Violence

The following recommendations are intended to help victims thwart the manoeuvres of an aggressor in most incidents of external workplace violence.

1. Do not provoke the aggressor or group of aggressors: by staying calm and keeping the cool, the avoid working up the aggressor and igniting tension.
2. Be firm and give short answers such as "Yes. No. That's possible." Speak clearly and slowly without raising the voice.
3. Do not argue or contradict the aggressor. Listening calmly to the aggressor will help him or her blow off some steam.
4. Leave the product or documentation that causes the aggressor's frustration alone. Picking it up could make matters worse.
5. If possible, try to bring the discussion back to the problem at hand. Try to be understanding and to resolve the conflict by proposing a solution that gives the aggressor an honourable way out.
6. If possible, ask for help from a co-worker if, after a few minutes and several attempts at conciliation, the aggressor does not calm down. An aggressor's unpredictable behaviour is often caused by alcohol or drug use.
7. Avoid physical retaliation at all costs, unless it is the last resort in self-defence. If the feel threatened, give the aggressor what he/she wants.
8. Never put the own safety at risk. Maintain a reasonable distance from the aggressor. Avoid any sudden movements or any seemingly threatening gestures such as pointing the finger.
9. Take notes about each episode of violence: date, time, place, behaviour (whether it was a repeated attack, whether the were alone or isolated, humiliating remarks, injustice, abuse, etc.), names of witnesses and other useful information.
10. Talk about the incident with co-workers the trust or family members. If they witnessed the incident, ask them to take down notes about the behaviour of the aggressor or group of aggressors.
11. If necessary, screen the calls; keep track of names, dates and messages.

10 Measures to Take AFTER an Incident of Workplace Violence

1. Encourage the victim to denounce the aggressor and file a formal complaint.
2. Ask the victim to write a report on the aggressor from the notes taken on each episode of violence: date, time, place, behaviour (whether it was a repeated attack, whether they were alone or isolated, humiliating remarks, injustice, verbal or physical abuse, etc.), names of witnesses and other useful information. Use an Event Report Form.
3. Conduct an investigation on the aggressor or group of aggressors.
4. If the feel it is important, do not hesitate to inform the police about the event and give precise details.
5. Make sure that proper legal and disciplinary measures are taken against the aggressor or group of aggressors.

6. Activate the Employee Assistance Program (EAP), including counselling from psychologists and other experts through individual consultation, group therapy or telephone help lines.

7. Set up measures to help the victim take control and go back to work: encourage the victim to talk about the ordeal with co-workers, superiors, family members and friends, and to seek their comfort and support.

8. Offer support in indemnity claims or legal matters involving the victim as well as other employees and/or family members concerned.

9. Keep a record of all workplace violence incidents in the organization. Document all incidents to be able to analyze and identify sensitive sectors that are more vulnerable or exposed to violence.

10. Strengthen existing prevention measures after determining how and why the workplace violence occurred despite the prevention measures.

<u>Vishaka Dutta vs. State of Rajasthan – Supreme Court directions</u>

Vishakha and others v State of Rajasthan was a 1997 Indian Supreme Court case where Vishakha and other women groups filed Public Interest Litigation (PIL) against State of Rajasthan and Union of India to enforce the fundamental rights of working women under Articles 14, 19 and 21 of the Constitution of India. The petition was filed after Bhanwari Devi, a social worker in Rajasthan was brutally gang raped for stopping a child marriage.[1]The court decided that the consideration of "International Conventions and norms are significant for the purpose of interpretation of the guarantee of gender equality, right to work with human dignity in Articles 14, 15 19(1)(g) and 21 of the Constitution and the safeguards against sexual harassmentimplicit therein." The petition, resulted in what are popularly known as the Vishaka Guidelines. The judgment of August 1997 given by a bench of J. S. Verma (then C.J.I)., Sujata Manohar and B. N. Kirpal, provided the basic definitions of sexual harassment at the workplace and provided guidelines to deal with it. It is seen as a significant legal victory for women's groups in India.

The Bill on the Sexual Harassment at the Workplace **[The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Bill, 2012]** got passed by the Lok Sabha on 3rd September, as news sources put it, ‗amidst the protests over Coalgate'. India did not have any legislation to deal with sexual harassment at the workplace and in that sense, the bill is a welcome addition. So far the ‗law' for the purpose of dealing with ‗sexual harassment at the workplace' emanated from the operative Guidelines on Sexual Harassment at the Workplace, issued by the Supreme Court of India in 1997, in the case of Vishaka v. State of Rajasthan. Under Article 19 (1) g of the Indian Constitution, all citizens have been granted the right to practice any profession, or to carry on any occupation, trade or business. *Vishaka* established that a logical consequence of incidents, which result in violation of the fundamental rights of ‗Gender Equality' and ‗Right to Life and Liberty', is that it causes a violation of the victim‗s fundamental right under Article 19 (1) g. The Vishakha guidelines recognized that sexual harassment is not just a personal injury to the affected woman but violates a woman‗s right to equality at the workplace. The guidelines shifted the onus for ensuring employees‗ safety and gender equality to the employer and institutions, whether it is in the government or the private sector and the

employer was made responsible for implementing both preventive and remedial measures to make the workplace safe for women.

Compulsory workplace guidelines

 Adopting Sexual Harassment Policy:

- an express commitment to eradicate and prevent sexual harassment and express prohibition of sexual harassment;
- a definition of sexual harassment including both quid pro quo and hostile work environment giving examples;
- an explanation of penalties (including termination) the employer will impose for substantiated sexual harassment conduct;
- a detailed outline of the grievance procedure employees should use;
- a clear statement that anyone found guilty of harassment after investigation will be subject to immediate and appropriate disciplinary action
- a clear understanding and strict rules regarding harassment of or by third parties like clients, customers etc.
- additional resource or contact persons available for support and consultation;
- an express commitment to keep all sexual harassment complaints and procedures confidential and time bound;
- provisions for training of employees at all levels.
- an anti retaliation policy providing protection against retaliation to complainants, witnesses, Complaints Committee members and other employees involved in prevention and complaints resolution.

Policies and procedures should be adopted after consultation or negotiation with employee representatives. Experience suggests that strategies to create and maintain a working environment in which the dignity of employees is respected are most likely to be effective where they are jointly agreed. .

Communicate Policy- Issue a strong policy from the top authority against sexual harassment taking a "zero tolerance" approach Make sure it gets out to all the employees either through the employee handbook or in memo form or with pay packets or with appointment letter. Have the employees sign it to acknowledged that they received and read the policy. The policy can also be posted in the workplace. If the have employees whose primary language is not English, have the sexual harassment policy translated or communicate to them in their primary language. Discuss the policy with all new employees Ensure that third-party such as suppliers and customers are aware of the sexual harassment policy Review the policy with the employees on a regular basis

Enforce Policy Take complaints of sexual harassment seriously and investigate all sexual harassment charges quickly and thoroughly and professionally Maintain accurate records of the investigation and the findings Make sure employees who bring charges do not face retaliation Ensure confidentiality and time bound response to complaints. Take immediate action when sexual harassment is discovered or suspected Discipline appropriately any employee found to have engaged in sexual harassment Safeguard the employees from third-party work-related sexual harassment

Complaints channel

Complaints Channels need to provide different routes that employees can take to file complaints; i.e., contacting the responsible authority for sexual harassment, a supervisor, calling a hotline, complaining through email, etc. Organisations need to focus on the plight of the average individual. A policy is useless unless people use it, and most research indicate that a small fraction of employees ever say or do anything about harassing behaviour.

Informal methods of resolving complaints must be part of the complaints mechanism as 1. the objective is to end the harassing behaviour at the lowest possible (which is the most cost effective, as well) 2. many complaints can be resolved effectively and positively through informal methods. Informal options act as a buffer or filter, save bad blood, prevent the office environment getting uncomfortable for all, if employees can be advised as to how to handle the situation before it gets out of hands. Platforms to resolve complaints or to stop harassing behaviour must be provided before the complaints escalate into full-blown, formal complaints. The Supreme Court guidelines impose an obligation on the employer to set up a Complaints Committee to deal with the cases of harassment. Such a committee should: *be headed by a woman *have half its members as women *include a third-party representative from an NGO or any other agency conversant with the issue of sexual harassment (to prevent undue pressure from within the organization with respect to any complaint).

Complaints Committee

Employers need to set up a redress mechanism/ complaints committees as per Vishaka guidelines. First Contact Persons from within the Committee or otherwise should be appointed who could try to resolve the complaint informally first before the complaint goes to the formal channels of complaints committee. The organisation needs to put down clearly, certain non-negotiables for the complaints committees for effective resolution of complaints.