5
Weighing the Ethical Issues

An effective message (one that achieves its purpose) isn't necessarily an ethical message. Think of examples from advertising: ''Our artificial sweetener is composed of proteins that occur naturally in the human body (amino acids)'' or ''Our potato chips contain no cholesterol.'' Such claims are technically accurate but misleading: amino acids in certain sweeteners can alter body chemistry to cause headaches, seizures, and possibly brain tumors; potato chips are loaded with saturated fat-—which produces cholesterol.

Communication is unethical when it leaves recipients at a disadvantage or prevents them from making their best decisions (Figure 5.1). Ethical communication is measured by standards of honesty, fairness, and concern for everyone involved (Johannesen 1).

RECOGNIZE UNETHICAL COMMUNICATION IN THE WORKPLACE

Recent financial scandals reveal a growing list of corporations accused of boosting the value of company stocks by overstating profits and understating debt. As inevitable bankruptcy loomed, executives hid behind deceptive accounting practices; company officers quietly unloaded personal shares of inflated stock while employees and investors were kept in the dark and ended up losing billions. Small wonder that "opinion polls now place business people in lower esteem than politicians" (Merritt, "For MBAs" 64).

NOTE *Among the 84 percent of college students surveyed who claim to be "disturbed" by corporate dishonesty, "59 percent admit to cheating on a test...and only 19 percent say they would report a classmate who cheated" (Merritt, "You Mean" 8).*

Corporate scandals make for dramatic headlines, but more routine examples of deliberate miscommunication rarely are publicized:

- A person lands a great job by exaggerating his credentials, experience, or expertise
- A marketing specialist for a chemical company negotiates a huge bulk sale of its powerful new pesticide by downplaying the carcinogenic hazards
- A manager writes a strong recommendation to get a friend promoted, while overlooking someone more deserving

BusinessWeek reports that 20 percent of employees surveyed claim to have witnessed fraud on the job. Common abuses range from falsifying expense accounts to overstating hours worked ("Crime Spree" 8).

Other instances of unethical communication are less black and white. Here is one engineer's description of the gray area in which debates over product safety versus quality often occur:

> The company must be able to produce its products at a cost low enough to be competitive....To design a product that is of the highest quality and consequently has a high and uncompetitive price may mean that the company will not be able to remain profitable, and be forced out of business. (Burghardt 92)

Do you emphasize to a customer the need for scrupulous maintenance of a highly sensitive computer—and risk losing the sale? Or do you focus instead on the computer's positive features? The decisions we make in these situations are often influenced by the pressures we feel.

KNOW THE MAJOR CAUSES OF UNETHICAL COMMUNICATION

Well over 50 percent of managers surveyed nationwide feel "pressure to compromise personal ethics for company goals" (Golen et al. 75). To save face, escape blame, or get ahead, anyone might be tempted to say what people want to hear or to suppress bad news. But normally honest people usually break the rules only when compelled by an employer, coworkers, or their own bad judgment. Figure 5.2 depicts how workplace pressures can influence ethical values.

Yielding to Social Pressure

Sometimes, you may have to choose between doing what you know is right and doing what your employer or organization expects, as in this example:

> Just as your automobile company is about to unveil its new pickup truck, your safety engineering team discovers that the reserve gas tanks (installed beneath the truck but outside the frame) may, in rare circumstances, explode on impact from a side collision. You know that this information should be included in the owner's manual or, at a minimum, in a letter to the truck dealers, but the company has spent a fortune building this truck and doesn't want to hear about this problem.

Companies often face the contradictory goals of *production* (producing a product and making money on it) and *safety* (producing a product but spending money to avoid accidents that may or may not happen). When productivity receives first priority, safety concerns may suffer (Wickens 434–36). In these circumstances, you need to rely on your own ethical standards. If, in the case of the reserve gas tanks, you decide to publicize the problem, expect to be fired for defying the company.

Mistaking Groupthink for Teamwork

Organizations rely on teamwork and collaboration to get a job done. For example, technical communicators often work as part of a larger team of writers, editors, designers, engineers, and other technical experts. Teamwork is important in these situations, but teamwork should not be confused with *groupthink*, which occurs when group pressure prevents individuals from questioning, criticizing, reporting bad news, or "making waves" (Janis 9). Group members may need to feel accepted by the team, often at the expense of making the right decision. Anyone who has ever given in to adolescent peer pressure has experienced a version of groupthink.

Groupthink also can provide a handy excuse for individuals to deny responsibility. For example, because countless people work on a complex project (say, a new airplane), identifying those responsible for an error is often impossible—
especially in errors of omission, that is, of overlooking something that should have been done (Unger 137).

> People commit unethical acts inside corporations that they never would commit as individuals representing only themselves. (Bryan 86)

Figure 5.3 depicts the kind of thinking that allows individuals to deny responsibility.[1]

UNDERSTAND THE POTENTIAL FOR COMMUNICATION ABUSE

On the job, your effectiveness is judged by how well your documents speak for the company and advance its interests and agendas (Ornatowski 100–01). You walk the proverbial line between telling the truth and doing what your employer expects (Dombrowski 79).

Workplace communication influences the thinking, actions, and welfare of numerous people: customers, investors, coworkers, the public, policymakers—to name a

few. These people are victims of communication abuse whenever we give them information that is less than the truth as we know it, as in the following situations.

Suppressing Knowledge the Public Needs

Pressures to downplay the dangers of technology can result in censorship of important information. Threat of a lawsuit, for instance, might cause a journal editor to suppress an article about adverse effects of a popular over-the-counter medication.

Here are additional examples:

- The biotech industry continues to resist any food labeling that would identify genetically modified ingredients (Raeburn 78).
- Some prestigious science journals have refused to publish legitimate studies linking chlorine and fluoride in drinking water with cancer risk, and fluorescent lights with childhood leukemia (Begley, "Is Science" 63).
- MIT's Arnold Barnett has found that information about airline safety lapses and near-accidents is often suppressed by air traffic controllers because of "a natural tendency not to call attention to events in which their own performance was not exemplary" or their hesitation to "squeal" about pilot error (qtd. in Ball 13).
- Scientific breakthroughs, say, in cancer treatment, may be kept secret for months until lucrative patents can be obtained. One survey revealed this practice among 82 percent of biomedical companies and 50 percent of university researchers (Gibbs, "The Price" 16). Consider this notable example from the human genome project: Some companies seek to patent their particular genetic discoveries, thereby

restricting public access and hindering development of vital medical treatments based on this information.

Hiding Conflicts of Interest

It's hard to expect fair and impartial information from scientists and other experts who have a financial stake in a particular issue:

- In one analysis of 800 scientific papers, Tufts University's Sheldon Krimsky found that 34 percent of authors had "research-related financial ties," but none had been disclosed (King B1).
- *Los Angeles Times* medical writer Terence Monmaney recently investigated 36 drug review pieces in a prestigious medical journal and found "eight articles by researchers with undisclosed financial links to drug companies that market treatments evaluated in the articles" (qtd. in Rosman 100).
- Analysts on a popular TV financial program have recommended certain company stocks (thus potentially inflating the price of that stock) without disclosing that their investment firms hold stock in these companies (Oxfeld 105).

Exaggerating Claims about Technology

Organizations that have a stake in a particular technology (say, bioengineered foods) may be especially tempted to exaggerate its benefits, potential, or safety and downplay its risks. If your organization depends on outside funding (as in the defense or space industry), you might find yourself pressured to make unrealistic promises.

Falsifying or Fabricating Data

Research data might be manipulated or invented to support, say, a tobacco company facing lawsuits or by a scientist seeking grant money. Developments in fields such as biotechnology often occur too rapidly to allow for adequate peer review of articles before they are published ("Misconduct Scandal" 2).

Using Visual Images That Conceal the Truth

Generally more powerful than words, pictures can easily distort the real meaning of a message. For example, as required by law, TV commercials for prescription medications

must inform consumers of a drug's side effects—which can often be serious. But the typical drug commercial, as commentator Rob Edelman notes, describes side effects while showing benign images of smiling people holding hands as they walk through the flowers or enjoy their grandchildren's play, and so on. In short, the happy image is designed to eclipse the sobering verbal message.

Stealing or Divulging Proprietary Information

Information that originates in a specific company is the exclusive intellectual property of that company. Proprietary information includes insider financial information, employee records, product formulas, test and experiment results, surveys financed by clients, market research, plans, specifications, and minutes of meetings (Lavin 5). In theory, such information is legally protected, but it remains vulnerable to sabotage, theft, or exposure to the press. Fierce competition for the latest intelligence among rival companies leads to measures like these:

> Companies have been known to use business school students to garner information on competitors under the guise of conducting "research." Even more commonplace is interviewing employees for slots that don't exist and wringing them dry about their current employer. (Gilbert 24)

The law prohibits employees who switch jobs from revealing proprietary information about a previous employer, or from soliciting its clients (page 86). A court recently ruled that even a collection of customer business cards can be a trade secret. The "doctrine of inevitable disclosure" asserts that an employee in a new job, sooner or later and deliberately or not, will disclose sensitive information. Acting on this doctrine, courts require some employees to remain idle between jobs until the information they possess has become outdated (Lenzer and Shook 100–02).

Misusing Electronic Information

With so much information stored in databases (by schools, employers, government, mail order retailers, credit bureaus, banks, credit card companies, insurance companies, pharmacies), how we combine, use, and share the information raises questions about personal privacy (Finkelstein 471). Also, compared with hard copy, a database is easier to alter; one simple command can wipe out or transform the facts. Private or inaccurate information can be sent from one database to countless others, but "correcting information in

one database does not guarantee that it will be corrected in others" (Turner 5).

The proliferation of Web transactions, of course, creates broad opportunities for communication abuse. Notable examples include:

- Plagiarizing or republishing electronic sources without giving proper credit or obtaining permission.
- Copying digital files—music CDs, for example—without consent of the copyright holders.
- Failing to safeguard privacy. People worry about the ease with which Web sites can exchange personal information about visitor's health, finances, or buying habits. In one survey, "significant proportions of consumers" claimed that concerns for personal privacy prevent them from using health-related Web sites ("Online Health" 3–4).
- Publishing anonymous attacks, or smear campaigns, against people, products, or organizations. Anonymity is, of course, essential for people speaking out against a political dictatorship or for employees exposing corrupt business practices, but free speech is no excuse for threatening or defaming others (Gibbs, "Speech" 35–36).
- Selling prescription medications online without adequate patient screening or physician consultation. Terming online pharmacies "the true Wild West of the Web sites," journalists Claudia Kalb and Deborah Branscum point out that online pharmacies operating outside the United States can even market drugs never subjected to United States testing or approval (66).
- Offering inaccurate medical advice or information. University of Michigan researchers found erroneous information on a type of bone cancer at nearly one-third of 371 medical Web sites. On the basis of such information, laypersons could make disastrous decisions about treatment or choice of therapy ("Advisories" 2–3).

Withholding Information People Need for Their Jobs

Nowhere is the adage that ''information is power'' truer than among coworkers. One sure way to sabotage a colleague is to deprive that person of information about the task at hand. Studies show that employees withhold information for more benign reasons as well, such as fear that someone else might take credit for their work or might ''shoot them down'' (Davenport 90).

Exploiting Cultural Differences

Based on their business experience or their social values, people from certain cultures might be especially vulnerable to manipulation or deception. Some countries, for example, place greater reliance on interpersonal trust than on lawyers or legal wording, and a handshake can be worth more than the fine print of a legal contract. Other countries may tolerate abuse or destruction of their natural resources in order to generate much-needed income.

U.S. corporations, one researcher notes, ''have had to address [ethical] questions about doing business with repressive governments, in environmentally sensitive areas, and with work forces whose low expectations can lead to exploitation'' (Rivers 404). Two communication experts offer these examples of unethical behavior in a cross-cultural context: ''[excluding] graphics of women in positions of power from presentation materials prepared for an Arabic audience'' or ''[saving] 20% on publishing costs by sending a document to a Third World sweat shop that exploits child labor'' (Allen and Voss 59-60). If you know something about a culture's habits or business practices and if you use this information at their expense to get a sale or make a profit, you are behaving unethically.

Consider this recent attempt to use cultural differences as a basis for violating personal privacy: In a program of library surveillance, the FBI asked librarians to compile lists of materials being read by any ''foreign national patron'' or anyone with a ''foreign sounding name.'' The librarians refused (Crumpton 8).

RELY ON CRITICAL THINKING FOR ETHICAL DECISIONS

Because of their effects on people and on your career, ethical decisions challenge your critical thinking skills:

- How can I know the "right action" in this situation?
- What are my obligations, and to whom, in this situation?

- What values or ideals do I want to stand for in this situation?
- What is likely to happen if I do X—or Y?

Ethical issues resist simple formulas, but the following criteria offer some
guidance.

Reasonable Criteria for Ethical Judgment

Reasonable criteria (standards that most people consider acceptable) take the form of *obligations, ideals,* and *consequences* (Ruggiero, 3rd ed. 33–34; Christians et al. 17–18).

Obligations are the responsibilities you have to everyone involved:

- *Obligation to yourself,* to act in your own self-interest and according to good conscience
- *Obligation to clients and customers,* to stand by the people to whom you are bound by contract—and who pay the bills
- *Obligation to your company,* to advance its goals, respect its policies, protect confidential information, and expose misconduct that would harm the organization
- *Obligation to coworkers,* to promote their safety and well-being
- *Obligation to the community,* to preserve the local economy, welfare, and quality of life
- *Obligation to society,* to consider the national and global impact of your actions

When the interests of these parties conflict—as they often do—you have to decide where your primary obligations lie.

Ideals are the values that you believe in or stand for: loyalty, friendship, compassion, dignity, fairness, and whatever qualities make you who you are (Ruggiero, 3rd ed. 33).

Consequences are the beneficial, or harmful, results of your actions. Consequences may be immediate or delayed, intentional or unintentional, obvious or subtle (Ruggiero, 3rd ed. 33). Some consequences are easy to predict; some are difficult; some are impossible.

Figure 5.4 depicts the relationship among these three criteria.

The above criteria help us understand why even good intentions can produce bad judgments, as in the following situation.

> Someone observes...that waste from the local mill is seeping into the water table and polluting the water supply. This is a

> serious situation and requires a remedy. But before one can be found, extremists condemn the mill for lack of conscience and for exploiting the community. People get upset and clamor for the mill to be shut down and its management tried on criminal charges. The next thing you know, the plant does close, 500 workers are without jobs, and no solution has been found for the pollution problem. (Hauser 96)

Because of their zealous dedication to the *ideal* of a pollution-free environment, the extremists failed to anticipate the *consequences* of their protest or to respect their *obligation* to the community's economic welfare.

Ethical Dilemmas

Ethical decisions are especially frustrating when no single choice seems acceptable (Ruggiero, 3rd ed. 35).

In private and public ways, such dilemmas are inescapable. For example, the announced intention of "welfare reform" includes freeing people from lifelong dependence. One could argue that dedication to this *consequence* would violate our *obligations* (to the poor and the sick) and our *ideals* (of compassion or fairness). On the basis of our three criteria, how else might the welfare-reform issue be considered?

Ethical dilemmas also confront the medical and scientific communities. For instance, in late 1992, a brain-dead, pregnant woman in Western Europe was kept alive for several weeks until her child could be delivered. Also in 1992, a California court debated the ethics of using the medical findings of Nazi doctors who had experimented on prisoners in concentration camps. More recently, scientists researching deadly organisms such as anthrax, smallpox, and other bioweapons are debating whether to censor their own findings. Censorship might slow the spread of dangerous information among terrorists, but it also would prevent the kind of information sharing among the scientific community that could lead to better protection against bioweapons (Green 104). In terms of our three criteria, how might these dilemmas be considered?

ANTICIPATE SOME HARD CHOICES

Communicators' ethical choices basically involve revealing or concealing information:

- What exactly do I report and to whom?
- How much do I reveal or conceal?
- How do I say what I have to say?
- Could misplaced obligation to one party be causing me to deceive others?

For illustration of a hard choice in workplace communication, consider the following scenario:

A Hard Choice

You are a structural engineer working on the construction of a nuclear power plant in a developing country. After years of construction delays and cost overruns, the plant finally has received its limited operating license from the country's Nuclear Regulatory Commission.

During your final inspection of the nuclear core containment unit, on February 15, you discover a ten-foot-long, hairline crack in a section of the reinforced concrete floor, twenty feet from where the cooling pipes enter the containment unit. (The especially cold and snowless winter likely has caused a frost heave beneath the foundation.) The crack has either just appeared or was overlooked by NRC inspectors on February 10.

The crack might be perfectly harmless, caused by normal settling of the structure; and this is, after all, a "redundant" containment system (a shell within a shell). But the crack might also signal some kind of serious stress on the entire containment unit, which could damage the entry and exit cooling pipes or other vital structures.

You phone your boss, who is just about to leave on vacation. He tells you, "Forget it; no problem," and hangs up.

You know that if the crack is reported, the whole start-up process scheduled for February 16 will be delayed indefinitely. More money will be lost; excavation, reinforcement, and further testing will be required—and many people with a stake in this project (from company executives to construction officials to shareholders) will be furious—especially if your report turns out to be a false alarm. Media coverage will be widespread. As the bearer of bad news—and bad publicity—you suspect that, even if you turn out to be right, your own career could be damaged by your apparent overreaction.

On the other hand, ignoring the crack could have unforeseeable consequences. Of course, no one would ever be able to implicate you. The NRC has already inspected and approved the containment unit—leaving you, your boss, and your company in the clear. You have very little time to decide. Start-up is scheduled for tomorrow, at which time the containment system will become intensely radioactive.

What would you do? Come to class prepared to justify your decision on the basis of the obligations, ideals, and consequences involved.

Working professionals commonly face similar choices, which they must often make alone or on the spur of the moment, without the luxury of meditation or consultation.

NEVER DEPEND ONLY ON LEGAL GUIDELINES

Can the law tell you how to communicate ethically? Sometimes. If you stay within the law, are you being ethical? Not always—as illustrated in this chapter's earlier section on communication abuses. In fact, even threatening statements made on the Web are considered legal by the Supreme Court as long as they are not likely to cause "imminent lawless action" (Gibbs, "Speech" 34).

Legal standards "sometimes do no more than delineate minimally acceptable behavior." In contrast, ethical standards "often attempt to describe ideal behavior, to define the best possible practices for corporations" (Porter 183).

Except for the instances listed below, lying is rarely illegal. Common types of legal lies are depicted in Figure 5.5. Later chapters cover other kinds of legal lying, such as page design that distorts the real emphasis or words that are deliberately unclear, misleading, or ambiguous.

What, then, are a communicator's legal guidelines? Among the laws regulating workplace communication are these:

- *Laws against deception* prohibit lying under oath, lying to a federal agent, lying about a product so as to cause injury, or breaking a contractual promise.
- *Libel law* prohibits any false written statement that maliciously attacks or ridicules anyone. A statement is considered libelous when it damages someone's reputation, character, career, or livelihood or when it causes humiliation or mental suffering. Material that is damaging but truthful would not be considered libelous unless it were used intentionally to cause harm. In the event of a libel suit, a writer's ignorance is no defense; even when the damaging mate-rial has been obtained from a presumably reliable source, the writer (and publisher) are legally accountable.[2]
- *Laws protecting employee privacy* impose strict limits on information employers are allowed to give out regarding an employee's job references, disciplinary problems, health problems, or reasons for being fired. (See page 284 for more on this topic.)
- *Copyright law* (pages 138, 144) protects the ownership rights of authors—or of their employers, in cases where the writing was done as part of their employment.
- *Law against software theft* prohibits unauthorized duplication of copyrighted software. A first offense carries up to five years in prison and fines up to $250,000. The Software Publisher's Association estimates that

software piracy costs the industry more than $2 billion yearly ("On Line" A29).

- *Law against electronic theft* prohibits unauthorized distribution of copyrighted material via the Internet as well as possession of ten or more electronic copies of any material worth $2,500 or more (Evans, "Legal Briefs" 22).
- *Laws against stealing or revealing trade secrets.* According to FBI estimates, roughly $25 billion of proprietary information (trade secrets and other exclusive intellectual property) is stolen yearly. The 1996 Economic Espionage Act makes such theft a federal crime. The act classifies as "trade secret" not only items such as computer source code or the recipe for our favorite cola, but even a listing of clients and contacts brought from a previous employer (Farnham 114, 116).
- *Laws against fraudulent, deceptive, or misleading advertising* prohibit false claims or suggestions, say, that a product or treatment will cure disease, or representation of a used product as new. Fraud is defined as lying that causes another person monetary damage (Harcourt 64). Even a factual statement such as "our cigarettes have no additives" is considered deceptive because it implies that a cigarette with no additives is safer than other cigarettes (Savan 63). The Federal Trade Commission offers the following legal guidelines:

A claim can be misleading if relevant information is left out or if the claim implies something that's not true. For example, a lease advertisement for an automobile that promotes "$0 Down" may be misleading if significant and undisclosed charges are due at lease signing. In addition, claims must be substantiated. ...If your ad specifies a certain level of support for a claim—"tests show X"—you must have at least that level of support.... Advertising agencies or Web-site designers also may be liable for making or disseminating deceptive representations...[and they] are responsible for reviewing the information used to substantiate ad claims. ("Advertising and Marketing")

- *Liability laws* define the responsibilities of authors, editors, and publishers for damages resulting from incomplete, unclear, misleading, or otherwise defective information. The misinformation might be about a product (such as failure to warn about the toxic fumes from a spray-on oven cleaner) or a procedure (such as misleading instructions in an owner's manual for using a tire jack). Even if misinformation is given out of ignorance, the writer is liable (Walter and Marsteller 164–65).

Legal standards for product literature vary from country to country. A document must satisfy the legal standards for safety, health, accuracy, or language for the country in which

it is distributed. For example, instructions for assembly or operation must carry warnings stipulated by the country in which the product is sold. Inadequate documentation, as judged by that country's standards, can result in a lawsuit (Caswell-Coward 264–66; Weymouth 145).

NOTE *Laws regulating communication practices are few because such laws have traditionally been seen as threats to freedom of speech (Johannesen 86). Large companies typically have legal departments to advise you about a document's legal aspects. Also, most professions have their own ethics guidelines. If your field has its own formal code, obtain a copy.*

LEARN TO RECOGNIZE PLAGIARISM

Ethical communication includes giving proper credit to the work of others. In both workplace and academic settings, plagiarism (representing the words, ideas, or perspectives of others as your own) is a serious breach of ethics.

Blatant cases of plagiarism occur when a writer consciously lifts passages from another work (print or online) and incorporates them into his or her own work without quoting or documenting the original source. As most students know, this can result in a failing grade and potential disciplinary action. More often, writers will simply fail to cite a source being quoted or paraphrased, often because they misplaced the original source and publication information, or forgot to note it during their research (Anson and Schwegler 633–36). Whereas this more subtle, sometimes unconscious form of misrepresentation is less blatant, it still constitutes plagiarism and can undermine a technical communicator's credibility, or worse. Whether the infraction is intentional or unintentional, writers, researchers, and other professionals accused of plagiarism can lose their reputation and be sued or fired.

The rapid development of Internet resources has spawned a wild array of misconceptions about plagiarism. Some people mistakenly assume that because material posted on a Web site is free, it can be paraphrased or copied without citation. Despite the ease of cutting and pasting from Web sites, the fact remains: Any time you borrow someone else's words, ideas, perspectives, or images—regardless of the medium used in the original source—you need to document the original source accurately.

Whatever your job, learning to gather, incorporate, and document author-
itative source material is an absolutely essential career skill. By properly citing a range of sources in your work, you

bolster your own credibility and demonstrate your skills as a researcher and a writer. (For more on incorporating and documenting sources, see Appendix A. For more on recognizing plagiarism, go to <www.indiana.edu/~wts/wts/plagiarism.html>.)

NOTE *Plagiarism and copyright infringement are not the same. You can plagiarize someone else's work without actually infringing copyright. These two issues are frequently confused, but plagiarism is primarily an ethical issue, whereas copyright infringement is a legal and economic issue. (For more on copyright and related legal issues, see Chapter 8.)*

DECIDE WHERE AND HOW TO DRAW THE LINE

Suppose your employer asks you to cover up fraudulent Medicare charges or a violation of federal pollution standards. If you decide to resist, your choices seem limited: resign or go public (i.e., blow the whistle).

Walking away from a job isn't easy, and whistle-blowing can spell career disaster. Many organizations refuse to hire anyone blacklisted as a whistle-blower. Even if you aren't fired, expect animosity on the job. Consider this excerpt from a study of sixty-eight whistle-blowers by the Research Triangle Institute:

> "More than two-thirds of all whistle-blowers reported experiencing at least one negative outcome...." Those most likely to experience adverse consequences were "lower ranking [personnel]." Negative consequences included pressure to drop their allegations, [ostracism] by colleagues, reduced research support, and threatened or actual legal action. Interestingly,...three-fourths of these whistle-blowers experiencing "severe negative consequences" said they would definitely or probably blow the whistle again. (qtd. in "Consequences of Whistle Blowing" 2)

Despite the negative consequences, few people surveyed regretted their decision to go public.

Employers are generally immune from lawsuits by employees who have been dismissed unfairly but who have no contract or union agreement specifying length of employment (Unger 94). Current law, however, offers some protection for whistle-blowers.

- The Federal False Claims Act allows an employee to sue, in the government's name, a contractor who defrauds the government (say, by overcharging for military parts). The

employee receives up to 25 percent of money recovered by the suit. Also, this law allows employees of government contractors to sue when they are punished for whistle-blowing (Stevenson A7).

- Anyone punished for reporting employer violations to a regulatory agency (Federal Aviation Administration, Nuclear Regulatory Commission, Occupational Health and Safety Administration, and so on) can request a Labor Department investigation. A claim ruled valid leads to reinstatement and reimbursement for back pay and legal expenses.[3]
- Laws in several states protect employees who report discrimination or harassment on the basis of sexual orientation (Fisher, "Can I Stop" 205).
- Beyond requiring greater accuracy and clarity in the financial reports of publicly traded companies, The Sarbanes-Oxley Act of 2002 imposes criminal penalties for executives who retaliate against employees who blow the whistle on corporate misconduct. This legislation also requires companies to establish confidential hotlines for reporting ethical violations.
- One Web-based service, Ethicspoint.com, allows employees to file their reports anonymously and then forwards this information to the company's ethics committee.

Even with such protections, an employee who takes on a company without the backing of a labor union or other powerful group can expect lengthy court battles, high legal fees (which may or may not be recouped), and disruption of life and career.

Before accepting a job offer, do some discreet research about the company's reputation. (Of course you can learn only so much before actually working there.) Learn whether the company has *ombudspersons* (who help employees file complaints) or hotlines for advice on ethics problems or for reporting misconduct. Ask whether the company or organization has a formal code for personal and organizational behavior (Figure 5.6). Finally, assume that no employer, no matter how ethical, will tolerate any public statement that makes the company look bad.

NOTE *Sometimes the right choice is obvious, but often it is not so obvious. No one has any sure way of always knowing what to do. This chapter is only an introduction to the inevitable hard choices that, throughout your career, will be yours to make and to live with. For further guidance and case examples, go to The Online Ethics Center for Engineering and Science at <www.onlineethics.org>.*

EXERCISES

1. Prepare a memo (one or two pages) for distri-bution to first-year students in which you introduce the ethical dilemmas they will face in college. For instance:

   - If you received a final grade of A by mistake, would you inform your professor?
   - If the library lost the record of books you've signed out, would you return them anyway?
   - Would you plagiarize—and would that change in your professional life?
   - Do you support lowering standards for student athletes if the team's success was important for the school's funding and status?
   - Would you allow a friend to submit a paper you've written for some other course?
   - What other ethical dilemmas can you envision? Tell your audience what to expect, and give them some *realistic* advice for coping. No sermons, please.

2. In your workplace communications, you may face hard choices concerning what to say, how much to say, how to say it, and to whom. Whatever your choice, it will have definite consequences. Be prepared to discuss the following cases in terms of the obligations, ideals, and consequences involved. Can you think of similar choices you or someone you know has faced? What happened? How might the problems have been avoided?

   - While traveling on an assignment that is being paid for by your employer, you visit an area in which you would really like to live and work, an area in which you have lots of contacts but never can find time to visit on your own. You have five days to complete your assignment, and then you must report on your activities. You complete the assignment in three days. Should you spend the remaining two days checking out other job possibilities, without reporting this activity?
   - As a marketing specialist, you are offered a lucrative account from a cigarette manufacturer; you are expected to promote the product. Should you accept the account? Suppose instead the account were for beer, junk food, suntanning parlors, or ice cream. Would your choice be different? Why, or why not?
   - You have been authorized to hire a technical assistant, so you are about to prepare an advertisement. This is a time of threatened cutbacks for your company. People hired as "temporary," however, have never seemed to work out well. Should your ad include the warning that this position could be only temporary?
   - You are one of three employees being considered for a yearly production bonus, which will be awarded in six weeks. You've just accepted a better job, at which you can start any time in the next two months. Should you wait until the bonus decision is made before announcing your plans to leave?
   - You are marketing director for a major importer of coffee beans. Your testing labs report that certain African beans contain roughly twice the caffeine of South American varieties. Many of these African varieties are big sellers, from countries whose coffee bean production helps prop otherwise desperate economies. Should your advertising of these varieties inform the public about the high caffeine content? If so, how much emphasis should this fact be given?
   - You are research director for a biotechnology company working on an AIDS vaccine. At a national conference, a researcher from a competing company secretly offers to sell your company crucial data that could speed discovery of an effective vaccine. Should you accept the offer?

3. Visit a Web site for a professional association in your major or career (American Psychological Association, Society for Technical Communi- cation, American

Nursing Association, or the like) and locate its code of ethics. How often are communication-related issues mentioned? Print out a copy of the code for sharing in a class discussion of the role of ethical communication in different fields.

4. Prepare a brief presentation for your classmates or coworkers in which you answer these questions: *What is plagiarism? How do I avoid it?* Start by exploring the following sites:

   - *Plagiarism: What It Is and How to Avoid It,* from the Indiana University Writing Tutorial Services at <http://www.indiana.edu/~wts/wts/ plagiarism.html>
   - *Avoiding Plagiarism,* from the Purdue Online Writing Lab at <http://owl.english.purdue.edu/ handouts/research/r_plagiar.html>"

   Find at least one additional Web source on plagiarism (you may need to do a search).

   For your class presentation, your goal is to summarize in one page or less a practical, working definition of plagiarism, and a list of strategies for avoiding it. (See page 199 for guidelines for summarizing information.) Attach a copy of the relevant Web page(s) to your presentation. Be sure to credit each source of information (page 685).

5. Examine Web sites that make competing claims about a controversial topic such as bioengineered foods and crops, nuclear power, and herbal medications or other forms of alternative medicine. For example, compare claims about biotech foods from the Biotechnology Council <www.why. biotech.org>, the Sierra Club <www.sierraclub. org>, American Growers Foods <www.americangrowers.com>, and the Food and Drug Administration <www.fda.gov>. Or compare claims about nuclear energy from the Nuclear Energy Institute <www.nei.org> with claims from the Sierra Club <www.sierraclub.org>, the American Council on Science <www.acsh.org>, and the Nuclear Regulatory Commission <www.nrc. gov>. Do you find possible examples of unethical communication, such as conflicts of interest or exaggerated claims? Refer to pages 77–79 and the Checklist for Ethical Communication (page 90) as a basis for evaluating the various claims. Report your findings in a memo to your instructor and classmates.

6. In July 1999 the American Telemedicine Association (ATA) issued the following advice to consumers who use the Internet for health-related information and services. ATA's criteria for a quality site include the following ("Advisories" 2–3):

   - The site is sponsored by a reputable healthcare organization (American Cancer Society, American Medical Association, nationally recognized medical college, or the like). Information from a commercial interest such as a drug company should include assurances that the material is reasonably balanced and objective, and does not merely promote the company's own products.
   - Each information source is clearly documented.
   - A site providing online diagnosis or prescribing treatment and medication avoids any direct sales of the treatments or medications being prescribed.
   - The professionals offering medical consultation are fully licensed, and their credentials are clearly posted.
   - The site clearly describes its policies and procedures for maintaining records of the consultation and safeguarding patient privacy.

   Visit a health-related Web site and evaluate it according to the above criteria. Focus on sites that cover alternative health such as <www.vicus.com>, sites that create specific

recommendations based on the information you provide such as <www.webmd.com>, sites that offer specialized consultation about specific medi-cal conditions such as <www.mediconsult.com>,
or discussion sites for people with a specific medical condition such as <www.cancersurvivors.network.com>. Assume that you are a Web site consultant, and prepare a memo for the site's Webmaster pointing out specific problems and recommending changes to improve the site's credibility.

7. Assume that you are a training manager for ABC Corporation, which is in the process of overhauling its policies on company ethics. Developing the company's official Code of Ethics will require several months of research and collaboration with attorneys, ethics consultants, editors, and the like. Meanwhile, your boss has asked you to develop a brief but practical set of "Guidelines for Ethical Communication," as a quick and easy reference for all employees until the official code is finalized. Using the material in this chapter, prepare a two-page memo for employees, explaining how to avoid major ethical pitfalls in corporate communication.

COLLABORATIVE PROJECT

After dividing into groups, study the following scenario and complete the assignment: You belong to the Forestry Management Division in a state whose year-round economy depends almost totally on forest products (lumber, paper, etc.) but whose summer economy is greatly enriched by tourism, especially from fishing, canoeing, and other outdoor activities. The state's poorest area is also its most scenic, largely because of the virgin stands of hardwoods. Your division has been facing growing political pressure from this area to allow logging companies to harvest the trees. Logging here would have positive and negative consequences: for the foreseeable future, the area's economy would benefit greatly from the jobs created; but traditional logging practices would erode the soil, pollute waterways, and decimate wildlife, including several endangered species—besides posing a serious threat to the area's tourist industry. Logging, in short, would give a desperately needed boost to the area's standard of living, but would put an end to many tourist-oriented businesses and would change the landscape forever.

Your group has been assigned to weigh the economic and environmental effects of logging, and prepare recommendations (to log or not to log) for your bosses, who will use your report in making their final decision. To whom do you owe the most loyalty here: the unemployed or underemployed residents, the tourist businesses (mostly owned by residents), the wildlife, the land, future generations? The choices are by no means simple. In cases like this, it isn't enough to say that we should "do the right thing," because we are sometimes unable to predict the consequences of a particular action—even when it seems the best thing to do. In a memo to your supervisor, tell what action you would recommend and explain why. Be prepared to defend your group's ethical choice in class on the basis of the obligations, ideals, and consequences involved.

SERVICE-LEARNING PROJECT

Identify a service agency or advocacy group whose goals and values you support: for example, an environmental group or one that opposes the use of animals in laboratory experiments. What is the main ethical argument advanced by this group? What are two or three major objections that opponents offer to justify a different position? After reviewing
Chapter 4, prepare a one- or two-page memo responding to these objections for distribution to group members as "Arguing Points."

FIGURE 5.1 Three Problems Confronted by Communicators

Routine instances of unethical communication
Ethical decisions are not always “black and white”
Pressure to “look the other way”

FIGURE 5.2 How Workplace Pressures Can Influence Ethical Values A decision that is more efficient, profitable, or better for the company might overshadow a person’s sense of what is right**.**

5.1
For more on group dynamics and collaboration visit <www.ablongman.com/lannonweb>

JOB...

JOB...

ON THE

“I was only following orders!”

5.2
View historical Nazi technical documents at <www.ablongman.com/lannonweb>

FIGURE 5.3 Hiding behind Groupthink

[1]My thanks to Judith Kaufman for this idea.

Examples of suppressed information

JOB...

JOB...

ON THE

Hidden conflicts of interest

5.3
Learn more about recent conflicts of interest in medical research at <www.ablongman.com/lannonweb>

5.4
More examples of distorted visuals and exaggerated claims at <www.ablongman.com/lannonweb>

5.5
View a sample nondisclosure agreement at <www.ablongman.com/lannonweb>

Examples of corporate espionage
Web-based communication abuses
Ethical decisions require critical thinking
Our obligations are varied and often conflicting

FIGURE 5.4 Reasonable Criteria for Ethical Judgment

What seems like the “right action” might be the wrong one
Ethical questions often resist easy answers
You may have to choose between the goals of your organization and what you know is right
Communication can be legal without being ethical

FIGURE 5.5 Lies That Are Legal

Laws that govern workplace communication

[2]Thanks to my colleague Peter Owens for the material on libel.

When ads break the law
Examples of plagiarism
Plagiarism and the Internet
5.6
For more on plagiarism and corporate document "reuse" visit <www.ablongman.com/lannonweb>

CONSIDER THIS Ethical Standards Are Good for Business

People look for companies they can trust. And businesses have discovered that trustworthiness creates goodwill. To earn public trust, for example, companies involved in human cloning, bioengineered foods, and other controversial technologies increasingly are hiring "professional ethical advisors" to help them "sort out right from wrong when it comes to developing, marketing, and talking about new technology" (Brower 25). Here are some notable instances of good standards that pay off.

By Telling Investors the Truth, a Company Can Increase Its Stock Value

Publicly traded companies that tell the truth about profits and losses are tracked by more securities analysts than companies that use "accounting smoke screens" to hide bad economic news. "All it takes is the inferential leap that more analysts touting your stock means a higher stock price" (Fox 303).

High Standards Earn Customer Trust

Wetherill Associates, Inc., a car parts supply company, was founded on the principle of honesty and "taking the right action," instead of trying to maximize profits and minimize losses. Among Wetherill's policies:

- *Employees are given no sales quotas, so that no one will be tempted to camouflage disappointing sales figures.*
- *Employees are required to be honest in all business practices.*
- *Lies (including "legal lies") to colleagues or customers are grounds for being fired.*
- *Employees who gossip or backbite are penalized.*

From a $50,000 start-up budget and 45 people who shared this ethical philosophy in 1978, the company has grown to 480 employees and $160 million in yearly sales and $16 million in profit—and continues growing at 25 percent annually (Burger 200–01).

Socially Responsible Action Earns International Goodwill

John Brown, CEO of British Petroleum Co., is committed to the economic and social prosperity of all locations in which his global corporation operates. Some of BP's efforts to earn employee loyalty and community goodwill:

- *Building schools, providing job training for local employees, and supporting small business development*
- *Providing medical equipment and assorted technology*
- *Repairing environmental damage from forest fires and other natural disasters*
- *Keeping detailed, open records of workplace and environmental accidents, and working constantly to eliminate such accidents*
- *Listening to the concerns of local residents and seeking their feedback*

Rather than occurring at shareholder expense, BP's investment in social responsibility apparently improves its bottom line: Annual returns of 33 percent have outperformed the Dow-Jones industrial average by more than 50 percent since 1992 (Garten 26).

Sharing Information with Coworkers Leads to a Huge Invention

Information expert Keith Devlin describes this result of one company's "strong culture of sharing ideas":

> The invention of Post-it Notes by 3M's Art Fry came about as a result of a memo from another 3M scientist who described the new glue he had developed. The new glue had the unusual property of providing firm but very temporary adhesion. As a traditional bonding agent, it was a failure. But Fry was able to see a novel use for it, and within a short time, Post-it Notes could be seen adorning every refrigerator door in the land. (179–80)

Consequences of whistle-blowing

Limited legal protections for whistle-blowers

[3]Although employees are legally entitled to speak confidentially with OSHA inspectors about health and safety violations, one survey reveals that inspectors themselves believe such laws offer little protection against company retribution (Kraft 5).

5.7

Compare ethical codes for various professions at <www.ablongman.com/lannonweb>

CHECKLIST for Ethical Communication

Use this checklist for any document you prepare or for which you are responsible. Numbers in parentheses refer to the first page of discussion)*

Accuracy

- Have I explored all sides of the issue and all possible alternatives? (121)
- Do I provide enough information and interpretation for recipients to understand the facts as I know them? (92)
- Do I avoid exaggeration, understatement, sugarcoating, or any distortion or omission that would leave recipients at a disadvantage? (74)
- Do I state the case clearly, instead of hiding behind jargon and generalities? (266)

Honesty

- Do I make a clear distinction between "certainty" and "probability"? (79)
- Are my information sources valid, reliable, and relatively unbiased? (165)
- Do I actually believe what I'm saying, instead of being a mouthpiece for groupthink or advancing some hidden agenda? (76)
- Would I still advocate this position if I were held publicly accountable for it? (77)
- Do I inform people of the consequences or risks (as I am able to predict) of what I am advocating? (75)
- Do I give candid feedback or criticism, if it is warranted? (76)

Fairness

- Am I reasonably sure this document will harm no innocent persons or damage their reputations? (85)
- Am I respecting all legitimate rights to privacy and confidentiality? (80)

- Am I distributing copies of this document to every person who has the right to know about it? (81)
- Do I credit all contributors and sources of ideas and information? (87)

*Adapted from Brownell and Fitzgerald 18; Bryan 87; Johannesen 21–22; Larson 39; Unger 39–46; Yoos 50–55.

FIGURE 5.6 A Sample Code of Ethics. Notice the many references to *communication* in this engineering association's code of professional conduct.

Source: The Institute of Electrical and Electronics Engineers, Inc., <www.ieee.org>. Copyright © 2004 IEEE. Reprinted with permission of the IEEE.

GUIDELINES for Ethical Communication*

How do we balance self-interest with the interests of others —our employers, the public, our customers? Listed below are guidelines:

Satisfying the Audience's Information Needs

1. *Give the audience everything it needs to know.* To see things as accurately as you do, people need more than just a partial view. Don't bury readers in needless details, but do make sure they get all the facts straight. If you're at fault, admit it and apologize immediately.
2. *Give the audience a clear understanding of what the information means.* Facts can be misinterpreted. Ensure that readers understand the facts as you do. If you're not certain about your own understanding, say so.

Taking a Stand versus the Company

1. *Get your facts straight, and get them on paper*. Don't blow matters out of proportion, but do keep a paper (and digital) trail in case of legal proceedings.
2. *Appeal your case in terms of the company's interests.* Instead of being pious and judgmental ("This is a racist and sexist policy, and you'd better get your act together"), focus on what the company stands to gain or lose ("Promoting too few women and minorities makes us vulnerable to legal action").
3. *Aim your appeal toward the right person*. If you have to go to the top, find someone who knows enough to appreciate the problem and who has enough clout to make something happen.
4. *Get professional advice.* Contact an attorney and your union or professional society for advice about your legal rights.

Leaving the Job

1. *Make no waves before departure.* Discuss your departure only with people "who need to know." Say nothing negative about your employer to clients, coworkers, or anyone else.
2. *Leave all proprietary information behind.* Take no hard copy documents or computer disks prepared on the job—except for those records tracing the process of your resignation or termination.

The ethics checklist (page 90) incorporates additional guidelines from other chapters. For additional advice, go to "Online Science Ethics Resources" at <www.chem.vt.edu/ethics/vinny/ethxonline.html>.

*Adapted from G. Clark 194; Unger 127–30; Lenzer and Shook 102.

For more exercises, visit
<www.ablongman.com/lannon>