



THE BUSINESS ETHICS FIELD GUIDE

Challenge 2: Made A Promise

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This series features 13 articles from Brad Agle, Aaron Miller and Bill O'Rourke, co-authors of The Business Ethics Field Guide. Each article focuses on a common work dilemma, provides real life examples and insightful solutions. For more information, please refer to the cover story in the November/December 2018 issue.

This article addresses the oft-faced ethical challenge of keeping promises. Indeed, establishing expectations and keeping our word is at the heart of the right of way profession. Many difficulties arise when the bonds of trust between parties are broken. I vividly remember when I assigned an agent to a client's maintenance project involving a short pipeline and a handful of landowners. The agent faced unexpected resistance from owners who recounted the numerous promises broken years earlier during the initial pipeline construction. Though eventually successful in regaining their trust, the outcome could have been reached more quickly and less costly if the pipeline operator had been better about managing obligations in the past. Had they listened to the following advice, I believe they would have succeeded.

13 ETHICAL DILEMMAS

Upcoming articles in this series will take a closer look at each dilemma.

We all make lots of promises. Some are small and casual, while others are formal. Some are even long term, personal commitments such as the promise to love, honor and respect a spouse for a lifetime. No matter what the promise is, many involve a degree of uncertainty.

Think about a small commitment like promising to take someone to the ball game, but then it rains. At the time the promise was made, there was little known of the future, yet the commitment was made anyway.

A basic moral principle is that we will live up to our promises. We like to think that our word is our bond. However, in a world of uncertainty, conflicts are sure to arise. Keep in mind that:

- Breaking some promises will be necessary to live a moral life.
- People remember when promises are kept or broken.

Unrelenting Circumstances

Sometimes the choice is straightforward. You had promised to mow your neighbor's lawn, but then you receive a phone call that your spouse was in a traffic accident. Most people will agree that the unforeseen event warrants breaking the promise to satisfy a higher priority. Most of the time, however, the choice is not so clear.

In business, we can oftentimes predict changes and plan for them. For instance, if there is a possibility that the price of a commodity can fluctuate, then the contract to supply that commodity should provide for price fluctuations.

1 STANDING UP TO POWER

Someone in power is asking you to do something unethical.

2 MADE A PROMISE

Conflicting commitments force you to choose.

3 INTERVENTION

You see something wrong. How do you proceed?

4 CONFLICTS OF INTEREST

Multiple roles put you at cross purposes.

5 SUSPICIONS WITHOUT ENOUGH EVIDENCE

You believe something is going on, but you're not sure.

6 PLAYING DIRTY

Achieving justice but by doing something unethical.

7 SKIRTING THE RULES

Bending a rule for a better outcome.

8 DISSEMBLANCE

Misrepresenting the truth for better outcome.

9 LOYALTY

Giving up ethical stance to protect valued relationship.

10 SACRIFICING PERSONAL VALUES

Living ethically might put burden on others.

11 UNFAIR ADVANTAGE

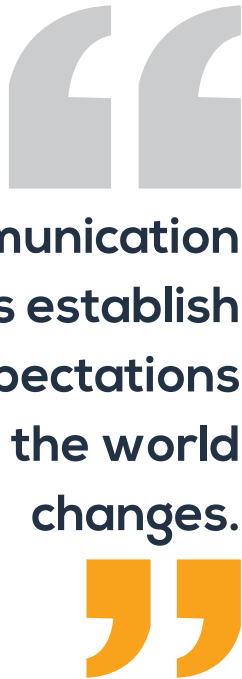
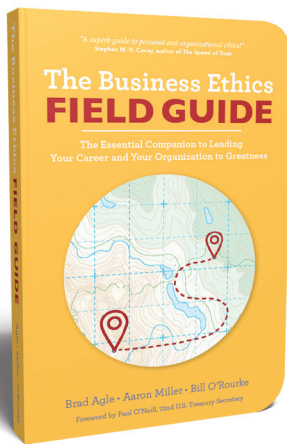
When opportunity exists to wield an unfair upper hand.

12 REPAIR

When you are responsible for a mistake.

13 SHOWING MERCY

You could grant forgiveness, but you don't know if you should.



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Alternate Solutions

Perhaps the other party may not even want you to keep the promise. If an economic panic makes it impossible for you to fulfill an order, then perhaps a customer who is facing the same circumstances no longer wants the product. Communication helps establish new expectations when the world changes.

There may be an alternative course of action that would fulfill the original intent of the promise. You promised to provide financial support for a local youth group and the group is forced to disband because of a crisis at the group's national level. Perhaps giving to another organization will achieve helping the community.

Communication is Key

Don't decide alone. The foreman of a plant shipped a large product order on the day it was promised. The order specified that the shipment be inspected. However, the inspection equipment was broken. The foreman decided to ship the items on the promised date, rationalizing that no product defects had been found in the previous five years.

When his supervisor learned of this, he insisted on calling the customer and explaining what happened. The boss gave the customer the option of shipping the product back or accepting it. If something happened with the product later, the boss promised to fix it. The customer accepted the product, but the foreman should have contacted the customer before unilaterally deciding on the action. Communication is valuable.

In Summary

Here's some guidelines for avoiding or mitigating these issues:

- **Be careful of the promises you make.**

Try to predict and plan for potential changes. The majority of contract discussions don't merely deal with the straightforward aspects of the contract (quality, delivery and price), but also the impact of potential future changes. It's critical to address where responsibility will fall in the event those changes happen.

- **Don't overbook yourself.**

It's difficult to estimate the time required to meet promises. Ensure there is time for unpredictable developments. Being too busy is seldom accepted as an excuse for breaking a promise.

- **Build good relationships.**

By honoring your commitments as a matter of course and often going above and beyond the expectations, you will build social capital. That social capital will serve you well when you are faced with breaking or modifying a promise.

- **Moral Imagination.**

Moral decisions must not consist of just two alternatives. Instead, using your imagination can result in developing a creative solution that satisfies the moral obligations of all the involved parties. While moral imagination doesn't always produce such solutions, you might be surprised at how often thinking through alternatives will lead you to a creative solution. ☘



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