



THE BUSINESS ETHICS FIELD GUIDE

Challenge 3: Intervention

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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, while providing real life examples and insightful solutions. For more information, please refer to the cover story in the November/December 2018 issue.

This article deals with an ethical issue that we all have encountered. It's when you know of wrongdoing, but you aren't sure if you should intervene. I remember when I had helped a friend get a job at the company where I worked. His poor initial performance began to suddenly improve. That's when I discovered that he was using false information to persuade folks to sign a contract that benefited our company and himself. I talked to him but he denied any wrongdoing. However, one of the contracted individuals showed me a document given to him by my friend that contained misleading information. I took this to our supervisor who immediately acted to correct the situation, but my intervention bruised our longtime relationship and to make the situation worse, he told many of our mutual friends that I had maliciously targeted him to gain our employers favor. Were my actions ethical? This article contains valuable information that will help you with the issue of intervention.

13 ETHICAL DILEMMAS

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

You see something that's wrong. What are you to do? Usually, doing something will involve some risk and maybe retaliation. But not acting is itself an action and condones the behavior. Keeping silent does not avoid responsibility. After all, that choice has moral significance. Once you understand that non-action is a choice, you have to evaluate whether restraint or intervention is the morally superior choice.

How to Intervene

Whistleblowing—a dramatic and difficult choice—is one type of intervention. Publicizing inappropriate conduct that the wrongdoers want to keep private takes particular courage and willpower. It also takes preparation. If your intervention involves accusing others, expect to be accused in response. Therefore, document the facts with hard evidence. Be sure to eliminate any conflicts of interest that could taint your report or impugn your motives. Be prepared to have your integrity attacked as well. Whistleblowers often suffer great personal harm and incur significant personal cost. But once you decide to blow the whistle, don't stop. Don't drop the accusation in response to promotions or bonuses that are typically offered to make you stop.

Often you can intervene without accusing anybody. For instance, if a patient is being strongly encouraged by their doctor to get surgery when you know there are less invasive and less expensive options, you can encourage the patient to get a second opinion without accusing the doctor of anything.

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**

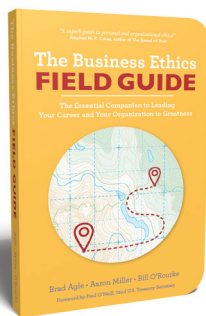
When opportunity exists to wield an unfair upper hand.

12 **REPAIR**

When you are responsible for a mistake.

13 **SHOWING MERCY**

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



Questions to Consider

As with anything, there are a number of considerations to take into account before deciding to intervene. The following are some concerns to keep in mind:

Are you the right person to intervene?

There's probably somebody in your organization with the responsibility for the area where inappropriate conduct is occurring. Try to get the issue into their hands.

Can you solicit help?

There may be mentors, advisors or others in the organization who can help you navigate through the many concerns and alternatives. Solicit their help and advice.

Is there an urgency that causes you to act now?

If injury, damage or catastrophe have a likelihood of happening unless you intervene right now, you must act fast. But for the majority of dilemmas, it is prudent to wait, observe and consider alternative courses of action. If you are in a leadership position, it is prudent to act as soon as you observe poor behavior to coach the employees in the moment. If you allow the behavior, even for a short time, you might send a message that poor behavior is acceptable.

Does your intervention cause you to act unethically?

Often, we learn of inappropriate behavior or circumstances through confidential communication.

Disclosure of the confidential information would breach that confidence. In these situations, the ethical consequences need to be weighed and compared.

Will intervention fix the problem permanently?

Temporary fixes are not the objective. Try to correct situations in a manner that they will not recur.

Risks

There are a number of pitfalls to avoid when you see that something is wrong. Consider the following:

- **Not acting or remaining silent.**
- **Acting without information. First gather all the pertinent facts. Remember there are often more than two sides to a story.**
- **Communicating harshly. Fact-based communication can be objective, not accusatory.**
- **Demonizing the wrongdoers. That's most often unnecessary.**
- **Ignoring expertise. Seek the advice of the experts and weigh their advice, but make your own decision.**

The most common risk of intervening is that some will not look kindly on you for accusing others. Despite that risk, those in leadership have a duty and obligation to intervene because they establish the culture. If you observe off-color jokes, profanity or disrespect, you must step in and let those employees know their behavior is unacceptable. Set the example.

Unhealthy Favoritism

Supervisors show favoritism. It's natural. If the special treatment is based on work performance and is applied fairly, it could create a very

positive work environment where all employees are motivated to perform. For instance, if an employee is given a flexible schedule so she can attend her husband's surgery and that same flexibility is available to others with similar circumstances, that's fair. But if the favoritism is arbitrary, that is not fair.

If you observe unfair favoritism and it is frequent or egregious, speak-up. With the right culture, you can make such observations directly to the supervisor. Without the right culture, you may have to use the human resource function, a mentor or even a compliance hotline dedicated to report unfair behavior. Intervention will require facts and tact, but usually the intervention will improve the situation.

In Summary

Most of those who intervene feel badly because they are accusing others. They may be criticized and they wonder how the organization will react. For that reason, there is a tendency to run away from ethical dilemmas or hide. Don't run from these situations! They are clear opportunities to let everyone know about your character and integrity. Be proud of yourself for doing what is right and proactively trying to improve the ethical culture and reputation of your organization. ★



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