

TRUST, BUT CLARIFY TEACHING NOTES

I. INTRODUCTION

The Trust, but Clarify e-case is designed to help students understand when and how to speak up when they feel that something about a situation at work isn't right. The e-case consists of two parts:

1. A nine-minute mini-documentary featuring the real story of Heather, a young employee who is put into a precarious situation by an unscrupulous supervisor; and
2. A 10-minute learning module that helps students understand the nuances of Heather's situation, and to develop an ethical framework they can use when they are confronted with an ethical dilemma.

II. RECOMMENDED COURSE ADOPTION PLAN

It is recommended that instructors assign both components of the e-case as an out-of-class-assignment in which students are required to watch the mini-documentary and complete the learning module. The learning module contains two reflection questions which should take students 30-40 minutes to complete. The total time needed to complete the e-case is approximately 50-60 minutes.

At the next class meeting following the assignment of the e-case, instructors should debrief students about the following:

- Whether they believe there was anything Heather could have, or should have, done to prevent her supervisor from misusing her credit card
- Whether they believe Heather should have spoken up sooner than she did
- Whether they believe the fear Heather felt was warranted or whether she may have made the situation bigger than it was
- How they believe they would have handled the situation and whether any of them can relate to it

III. TRUST, BUT CLARIFY MINI-DOCUMENTARY NOTES

Heather is an account manager at a marketing firm in the Midwest. The story she tells is a true account of a situation she experienced with a former supervisor. Only her first name is used in the mini-documentary at her request.

IV. TRUST, BUT CLARIFY MINI-DOCUMENTARY TRANSCRIPT

Narrator

Trust is an important part of any relationship, including relationships between supervisors and co-workers.

And while trust is important, it is also important to ask questions if you are being asked to do something and, either the reasons are unclear, or if what is being asked of you does not feel like the right thing to do. This is the situation in which Heather found herself.

Heather

It was, I think, a Monday morning, and I was driving out into the suburbs to work and received a text from my boss asking if she could borrow my credit card and that her identity was stolen. I said, "Of course." It wasn't very uncommon for my team to maybe use her card or my associate to use my card for signing up for services that our team might need. So I figured it was kind of along those lines. I didn't really think much of it. I got my card back later in the week.

I was at one of my best friends' wedding shower and received another text message from my boss asking again, "I might need to use your credit card again, where are you, can I come get it?" And so I thought that was a little bit out of ordinary, but didn't really know how to say no. She ended up coming to meet me at where I was to borrow my card again.

It definitely was weird. It definitely felt a little strange, but I just felt very uncomfortable with asking why she was using my credit card.

I felt uncomfortable because she was my boss; she was my mentor. She was someone I trusted. And I think I just wasn't sure how to question her.

So, Monday I got an email saying that you have new expenses to review. I logged into our system and noticed the charges that had been placed the prior week and those charges were definitely not company related. They were, you know, 900 dollars, which is a lot I think if you're not traveling or going on a trip. And so [it] just raised a lot of red flags with her purpose for using my card obviously. It wasn't work related, which I kind of figured it was. She led me to believe that.

And that's kind of when it started to ring a bell that things were definitely off.

Narrator

Although Heather's company allowed employees to, at times, use their company card for personal charges, Heather began to feel concerned about why her boss would borrow her card for a use that was exclusively personal and not at all work related.

Heather

I sent her messages, text messages, to ask her how I was going to expense it. Initially, she said you'll expense it and she'll work it out with finance. She kind of changed things and said that the way you process it will be different — you'll check it as personal, and then she'll just pay me. And so that's the moment when I kind of took a step back and said, "Wait, so these are going to come out of my paycheck and then you're going to write me a personal check?" It started to get kind of confusing and worrisome.

So then she was off work on a personal vacation with my credit card. And the following Monday those charges came and those charges were even more alarming because they were related to the vacation — resort fee and rental car. The amounts were even higher and at that point I didn't even feel comfortable asking her. I didn't know how to handle it.

So I started to talk to some mentors in my old role that kind of shed light on the severity of the situation. If I do submit [the charges] as personal charges and go along with it, that I could be colluding with her. That is not a good place to be in, so I was encouraged to report it.

After I realized the severity of the situation, the amount of the charges, and that I was essentially involved, I think that's when I started getting scared. You know, feeling guilty. I felt a lot of guilt because I didn't ask enough questions like, "Why — why do you need my company card?" So many things were going through my head, but I just was almost too scared to ask for maybe — confrontation — or just questioning your boss in a light that, you know, you're kind of opening up their...flaws in a way or personal financial issues potentially.

So, it was just kind of that feeling of, "Why did I give her my card again, did I put myself in this position?" Or...just a lot of doubt and confusion. Trying to always be the optimist and people pleaser and it was just — I was stuck in this really tough spot between someone that I thought I could go to and trust and then at the other end of it, it was someone that had manipulated me.

It was really tough. I didn't really know what to do exactly. It took me a couple of days to really digest the whole situation. I finally met with another prior boss who, as soon as he started hearing me explain the story, he was very concerned and ended up meeting with our legal department. That's when it became an investigation.

Narrator

Heather's company performed a thorough and confidential investigation of the credit card charges. During the investigation, Heather was asked to provide printouts of her text message exchanges with her boss showing the requests to use her credit card.

Heather

I definitely felt like I was betraying her; part of me feels bad for her because of that. But ultimately, the other side of that, is me going against myself, and that's not something that I can live with.

Narrator

The investigation concluded that Heather's boss had violated company policy and misused her authority. The individual was terminated.

Heather believes that her company handled the sensitivity and confidentiality of the situation well, and that she was supported throughout the process. She has this lesson to share with others.

Heather

If you come across something — if you're involved in a situation that doesn't feel right, trust that feeling. And don't try to undermine it. What I found helpful was when I talked with friends, my fiancé, that kind of really put it into perspective as to what could actually be going on. And, what are the underlying issues...what could happen in the future if this were to continue. When you're in a weird situation, you kind of are focusing on that present moment. What really helped was when I would explain it to other people not involved in this situation. Hearing their reactions...made me not justify it.

V. TRUST, BUT CLARIFY LEARNING MODULE TRANSCRIPT

There will likely come a time in your career when you find yourself facing this dilemma: something doesn't seem quite right, and you are unsure about whether or not you should speak up. Perhaps it will be because you are asked to do something that feels wrong. Or, maybe it will be because you witness colleagues or superiors engaging in actions that appear to be unethical or illegal. What will you do? Will you go along? Will you ignore what you see and hope that the situation works itself out? Or will you say something? How will you decide? And if you decide to say something, what will you say and to whom will you say it?

If, right now, you are thinking, "That's a lot of questions," you are right. But it pales in comparison to the rush of questions that may overtake you when faced with such a dilemma. Knowing how to handle an ethically questionable situation properly is a matter of preparedness.

Like most people, Heather wasn't prepared when she found herself in the middle of a situation that didn't seem right to her. The request from her supervisor seemed normal at first. But as time progressed, it became clear that the request was anything but normal. Deciding how to handle the situation left Heather feeling confused and afraid, but eventually, with input from others, she settled on what to do.

LEARNING OBJECTIVES

In this learning module, we will use Heather's story to illustrate when and how to speak up at work. We will examine the importance of asking questions, seeking guidance, and pre-planning how you will handle ethically questionable situations. We will also explore how an ethical framework such as the Daniels Fund Ethics Initiative Principles can serve as a guide to help you both evaluate a situation and determine the best course of action.

KNOWING WHEN TO SPEAK UP

In Heather's experience, lending one's credit card to one's team members to cover work-related expenses wasn't an unusual occurrence. Her staff borrowed her card on occasion, and *she* had borrowed her supervisor's card in the past. So when Heather's supervisor asked to borrow her credit card and provided a plausible reason for why she was unable to use her own, Heather reasonably assumed that the request was work related. Because there were no red flags at this point, Heather had no reason to inquire about the purpose behind the request.

That wasn't the case the second time her supervisor asked to borrow her credit card.

Video Clip — Heather

I was at one of my best friends' wedding shower and received another text message from my boss asking again, "I might need to use your credit card again, where are you, can I come get it?" And so I thought that was a little bit out of ordinary, but didn't really know how to say no. She ended up coming to meet me at where I was to borrow my card again. It definitely was weird. It definitely felt a little strange, but I just felt very uncomfortable with asking why she was using my credit card. I felt uncomfortable because she was my boss; she was my mentor. She was someone I trusted. And I think I just wasn't sure how to question her.

The second request, coming so soon after the first, and the urgency with which her supervisor sought to gain access to the credit card, left Heather feeling that something was awry. But she didn't know what, if anything, to do about it. It was the realization that her supervisor's use of her company credit card had been personal, coupled with the request that she pay for those charges out of her paycheck, which convinced Heather that she needed to act. She was now seeing multiple red flags, and her gut reaction was telling her that what was happening was wrong. Even still, she was uncertain about what to do next.

ASKING QUESTIONS

Should Heather's first step have been to question her supervisor about the use of her company credit card? There isn't a single right answer to this. As noted earlier, there didn't appear to be anything to question the first time Heather received the request. The second time, the request seemed suspicious, but other than an uneasy feeling, Heather didn't have much else to go on.

Asking questions when the reason for a request is unclear, or when the request seems to go against ethical or legal norms, is a good idea. If a situation feels wrong, it probably is, and asking questions can help to clarify any misinterpretations you may have, or it may confirm that what you are feeling is valid.

Even so, asking questions can be difficult to do.

Video Clip — Heather

After I realized the severity of the situation, the amount of the charges, and that I was essentially involved, I think that's when I started getting scared. You know, feeling guilty. I felt a lot of guilt because I didn't ask enough questions like, "Why — why do you need my company card?" So many things were going through my head, but I just was almost too scared to ask for maybe — confrontation — or just questioning your boss in a light that, you know, you're kind of opening up their...flaws in a way or personal financial issues potentially. So, it was just kind of that feeling of, "Why did I give her my card again, did I put myself in this position?" Or...just a lot of doubt and confusion.

Fear of confrontation is not uncommon. And, because people often fear confrontation, they avoid asking questions in situations where exposing the wrongdoing of others can result in negative repercussions. This is especially true in the workplace. Sometimes the fear of confrontation and negative repercussions is overblown and sometimes it isn't. Our emotions can negatively impact our decision making and can lead us to decide to do the wrong thing or to do nothing at all. Seeking the perspective of others can help us to remain grounded in the reality of the situation while we determine the best course of action to take.

SEEKING FEEDBACK FROM OTHERS

Heather's instincts led her to seek feedback from friends and former supervisors about the situation in which she found herself. People she spoke with, both outside of the company and within it, all told her the same thing: what your supervisor is doing is wrong. Those who worked at the company added another element: not only is it wrong, but also you are at risk because it looks like you are colluding with your supervisor to defraud the company.

Using trusted individuals as sounding boards can be invaluable when we are uncertain about whether we need to speak up or how to do it. Their feedback and guidance can be very beneficial to helping us sort out valid

concerns from those that may be irrational, as well as to helping us to look at all aspects of the situation while putting together the best plan of action.

PRE-PLANNING YOUR RESPONSE TO ETHICALLY QUESTIONABLE SITUATIONS

While it isn't possible to know in advance what ethical dilemmas you will face in your career, you can still develop a plan that can help you to successfully resolve those dilemmas when they appear. There are two key elements to such a plan. First, you need an ethical decision-making framework (or personal code of conduct) that can help you to determine when a situation may require you to speak up. And second, you need a list of trusted individuals who can serve as your sounding board to help keep you grounded in the reality of the situation and help you to determine the best plan of action.

An ethical decision-making framework provides a consistent standard against which you can measure your actions and the actions of others, to determine whether they are aligned with the ethical behavior to which you are committed. It's a good idea to anchor your decision-making framework to a set of core principles which will ensure that you are applying a standard that is constant across all situations and not one that shifts or is situation-specific. An example of an effective, ethical decision-making framework is the Daniels Fund Ethics Initiative Principles.

The Daniels Fund has outlined eight principles for ethical decision making. These principles are based upon the tenets which Bill Daniels, a successful businessman and pioneer of the cable television industry, lived his life. The Daniels Fund Ethics Initiative principles are:

- **Integrity** – Act with honesty in all situations
- **Trust** – Build trust in all stakeholder relationships
- **Accountability** – Accept responsibility for all decisions
- **Transparency** – Maintain open and truthful communications
- **Fairness** – Engage in fair competition and create equitable and just relationships
- **Respect** – Honor the rights, freedoms, views, and property of others
- **Rule of Law** – Comply with the spirit and intent of laws and regulations
- **Viability** – Create long-term value for all relevant stakeholders

Once you develop your ethical decision-making framework, you should share it with your trusted advisors. Doing so will strengthen their ability to best advise and guide you when you are confronted with an ethical challenge.

REFLECTION 1

Had Heather been aware of the Daniels Fund Ethics Initiative Principles, she may have been able to use them to help her navigate this difficult situation. Much of the stress and fear she experienced was the result of the uncertainty she felt about whether she was dealing with an ethical issue, as well as whether she needed to take action. Identify the ways in which the actions of her supervisor violated these principles and crossed the ethical line.

Answer Notes for Instructors

Below are brief talking points the instructor may use to help guide and/or stimulate student responses.

Ways in which Heather's supervisor violated the Daniels Fund Ethics Initiative Principles include:

- **Integrity** – Heather's supervisor misled her about the purpose for using Heather's work credit card. Her supervisor's use of Heather's card was in violation of the company's credit card use policy.
- **Trust** – By misleading Heather about how she intended to use the credit card, the supervisor betrayed Heather's trust. By using the card in a way that violated company policy, Heather's supervisor also violated the trust the company placed in employees who were given credit card privileges.
- **Accountability** – The e-case doesn't go into detail about whether Heather's supervisor accepted responsibility for her actions or whether she attempted to deny her actions once confronted. However, by asking Heather to claim the charges were personally hers, the supervisor was shifting her responsibility to Heather and thereby not behaving in an accountable manner.
- **Transparency** – Similar to the above, Heather's supervisor was avoiding being transparent by asking Heather to claim the charges were hers.
- **Fairness** – The relationship Heather's supervisor created with Heather was neither equitable nor just. The supervisor used her higher position to take advantage of Heather. She leveraged her position and expected that Heather would comply with her requests because she was Heather's superior.
- **Respect** – The supervisor's behavior was devoid of respect for Heather. Not only did she misuse her authority over Heather, she also put Heather's job at risk by involving Heather in her scheme.
- **Rule of Law** – While no laws were broken, the supervisor clearly violated company credit card use policies. She was fully aware that her use of the card violated policy, which is why she attempted to obscure her use by having Heather claim that the charges were hers.
- **Viability** – Had it gone unchecked, the supervisor's behavior would have negatively impacted Heather and the company.

REFLECTION 2

Create a personal code of conduct — using the Daniels Fund Ethics Initiative Principles — that describes how you can apply them in your life. A personal code of conduct is a statement that embodies the ethical principles to which you are committed. An example of a personal code of conduct based on the Daniels Fund Ethics Initiative Principles could be something like:

*I believe that **Trust** is paramount in all relationships. I am committed to being worthy of the trust placed in me in each of the roles I hold in life. Being worthy of that trust (trustworthy) means that I will be **Accountable** in all of my decisions. I will be **Transparent**, never intentionally seeking to hide or obscure the truth. I will work to ensure that my actions promote and uphold **Fairness**. I will **Respect** the right of others with whom I share this world to build a healthy and peaceful life for themselves — free from unnecessary and unjust complications created by me. I will comply with the **Rule of Law**, not just the letter, but also the spirit, recognizing that abiding by the former and ignoring the latter is behavior that is unworthy of the trust that is placed in me. I will strive to imbue my actions and ideas with long-term **Viability** by ensuring that they create value for all who are impacted by them. I will choose to live my life in this manner because I believe that **Integrity** is one of the key ingredients in happiness — my own and that of everyone around me.*