Business Its Legal Ethical and Global Environment 12th edition Jennings Solutions Manual

SKU: 9780357447642-SOLUTIONS

Instructor Manual

Jennings, BLEG 12e, 9780357447642

Chapter 2: Business Ethics and Social Responsibility

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Table of Contents

Purpose and Perspective of the Chapter

If we were to make a list of the headlines of the past 20 years, we would realize that we have been through two stock market and economic collapses and sports scandals that involved underinflated footballs, trash-can pounding as signals for batters, payoffs to the parents of athletes by athletic agents and athletic-wear company representatives, and performance-enhancing drugs in too many sports to list. Auto manufacturers falsified car emissions through software programs, a national bank had 3.5 million fake or unauthorized customer accounts, and physicians and pharmaceuticals worked together to create record levels of opioid addiction. Parents paid millions to have their children's ACT scores inflated or get them placed on university athletic teams without even playing a single sport. Bernie Madoff brought us the largest Ponzi scheme in the history of the world. FIFA, the world soccer organization, was engaged in bribery and corruption all over the world. There is even a book, *Cheaters Always Prosper*, with helpful tips. Need new tires? Rent your model of car and just switch your tires to the rental and *voila*! You have new tires.

What happened to ethics? Is doing business just a matter of lying and getting away with it? Does anybody really care about ethics in business now? Has society drifted, and is business conduct just a reflection of changing ethical norms? What does it mean to be ethical in our lives and in business? This chapter discusses these questions and answers several others: What is ethics? How does ethics affect me? What is business ethics? Why is business ethics important? What ethical standards should a business adopt? How do employees recognize ethical dilemmas? How are ethical dilemmas resolved? How does a business create an ethical atmosphere?

Cengage Supplements

The following product-level supplements provide additional information that may help you in preparing your course. They are available in the Instructor Resource Center.

- Transition Guide (provides information about what's new from edition to edition)
- Test Bank (contains assessment questions and problems)
- Solution and Answer Guide (offers solutions, answers, and feedback)
- PowerPoint (provides text-based lectures and presentations)

Learning Objectives

The following learning objectives are addressed in this chapter (see PowerPoint Slides 2-1 and 2-2):

LO 1 Define ethics and give examples of ethical dilemmas.

LO 2 Explain and give examples of ethical standards and theories.

LO 3 List the categories of ethical dilemmas and give examples for each category.

LO 4 Explain the models used for resolving ethical dilemmas.

LO 5 Describe the obstacles we face when trying to make ethical decisions.

LO 6 Develop a list of arguments to convince a business of the importance of ethics.

LO 7 Explain how the absence of business ethics in a business can be destructive.

LO 8 Give examples of how the commitment to business ethics can help a company achieve long-term success.

LO 9 Explain the components of an ethical culture.

LO 10 Explain how a business can create an ethical culture.

LO 11 Discuss why corruption exists in international business and its resulting harms.

LO 12 Explain why simply adopting another country's customs can be risky for a business.

[return to top]

Key Terms

- **Ethical standards**: a set of accepted rules of conduct that governs society
- **Moral relativism**: a system that establishes ethical standards according to the situation in which the dilemma is faced; also known as situational ethics
- **Natural law**: a system of moral standards that forms the basis for all human conduct
- **Positive law**: codified laws that establish standards for ethical behavior

[return to top]

What's New in This Chapter

The following elements are improvements in this chapter from the previous edition:

- Updated introduction and new introductory quotes; replaced content with new opening Consider 2.1.
- Section 2-1c, updated stats in For the Manager's Desk/A State of the Union on Academic Ethics on cheating.
- Section 2-2, added the Houston Astros cheating to the Ethical Issues on sports.
- Section 2-3d, replaced content in Consider 2.3 with new content on pharmaceuticals and physicians and conflicts of interest.
- Section 2-4b, new Exhibit 2.1 with examples of headlines on company conduct.
- Section 2-6a, new Ethical Issues on employees gaming their Fitbits to meet movement goals in their companies and earn extra compensation or reduced health insurance premiums.
- Section 2-7a, new For the Manager's Desk on the Bathsheba syndrome to replace the "Parable of the Sadhu" along with a new Consider 2.5 contrasting the life of William Wilburforce with those of the business leaders covered in the Manager's Desk.
- Section 2-7, deleted the Ethical Issues on responses to Mt. Everest climber health issue responsiveness.
- Updates throughout the chapter include discussions of Boeing, Turing pharmaceuticals, Uber, and Theranos, and additional recent ethical lapses.
- The ethical culture portion (section 2-9) is restructured to include more about ethical infrastructure and the basics of compliance, as even small- and medium-sized companies must now have formal compliance programs. The Business Strategy on Ethical Cultures was deleted.
- Section 2-9a, updated text and Business Planning Tip for the latest DOJ guideline revision.
- Updated international ethics discussion in section 2-10 and update to corruption index in Consider 2.6.

[return to top]

Chapter Outline

Use opening ***CONSIDER 2.1*** to pique students' interest.

2-1 What Is Ethics? (See PowerPoint Slides 2-3, 2-4, and 2-5)

LO 1: Define ethics and give examples of ethical dilemmas.

- ✓ Examples
  - ➢ VA employees falsifying the length of patient wait-times
  - ➢ Turing increasing drug prices by 5,000%
  - ➢ Underinflated footballs
  - ➢ Uber charges

2-1a "It's Just Not Right!"

- Seeing two movies for the price of one by sneaking in
- Failure to tell the clerk that you got too much change
- Writing a fake review because your boss wants you to
- Going back to pay for the laundry detergent that was on the bottom of your cart
- Do I disclose to clients that I am selling off the investments I am trying to get them to buy?

2-1b Normative Standards: How We Behave to Keep Order (See PowerPoint Slides 2-6, 2-7, and 2-8)

- Societal expectations
- For example, taking cuts in line and not waiting your turn, adultery, cheating on a test

2-1c Line-Cutting and Ethics

- The unwritten laws that we have developed for our interactions with each other
- Waiting your turn is a societal expectation
- Cheating on a test is not a crime, but it does violate societal standards
- Adultery is referred to as cheating—not a crime in most states, but it is perceived as a breach of trust
- Honesty and fairness in our interactions with each other

2-2 What Is Business Ethics? (See PowerPoint Slide 2-9)

LO 2: Explain and give examples of ethical standards and theories.

✓ Three Layers (See PowerPoint Slide 2-10)

- Basic values (honest, keeping promises)
- Notions of fairness (how we treat others)
- Issues related to community, environment, neighbors

2-2a Ethical Standards: Positive Law and Ethics (See PowerPoint Slide 2-11)

- Positive law is codified law
- The problem is that some conduct may not rise to the level of criminal conduct
- Acquittals do not mean that there was ethical conduct

2-2b Ethical Standards: Natural Law and Ethics (See PowerPoint Slide 2-12)

- Moral standard is established
- Individual moral standards differ
- Debate over sources of moral standards
- Evaluate moral standards and conflicts as new data appear

  Example: Employee loyalty versus knowledge of employer's wrongdoing

2-2c Ethical Standards: Moral Relativism and Ethics (See PowerPoint Slide 2-13)

- Situational ethics
- Bribery is illegal in most countries, but cultural standards have taken hold and it is an accepted and largely unprosecuted crime
- Stealing bread when you are starving

2-2d Ethical Standards: Religion and Ethics (See PowerPoint Slide 2-14)

- Religious beliefs or divine revelation (Bible, Koran)
- Those standards are the ethical standards

2-3 What Are the Categories of Ethical Dilemmas? (See PowerPoint Slides 2-15, 2-16, and 2-17)

LO 3: List the categories of ethical dilemmas and give examples for each category.

2-3a Taking Things That Don't Belong to You

Example: Pens to postage to embezzlement; music from the Internet (downloading copyrighted materials—movies, songs)

2-3b Saying Things You Know Are Not True

Example: Blaming others for your slipups; sales promises not honored

2-3c Giving or Allowing False Impressions

Example: Refer students back to the movie ads quoting reviews selectively to give the false impression that the reviewer likes the movie; "All songs by 'Original Artists' example"

2-3d Buying Influence or Engaging in Conflict of Interest

2-3e Hiding or Divulging Information

Example: In contract negotiations, failure to reveal important/material information; with employees, revealing private information

2-3f Taking Unfair Advantage

Example: Capitalizing on another's inexperience; hotels and Wi-Fi blocking

2-3g Committing Acts of Personal Decadence

Example: CEOs and government leaders having affairs with employees

2-3h Perpetrating Interpersonal Abuse

Example: Harassment

2-3i Permitting Organizational Abuse

Example: Child labor issues, low wages

2-3j Violating Rules

Example: Follow procedures for finances because of internal control issues—work to change rules, don't violate them; the student who did not follow the rules in the Yale lab

2-3k Condoning Unethical Actions

Examples: Disclosing problems and confronting violators—mention Lehman and Volkswagen examples

2-3l Balancing Ethical Dilemmas

Examples: Google and balancing the freedom to have information with the Chinese government's censorship of the search engine and limitations on access for its citizens; South Africa and the decision to do business

2-4 Resolution of Business Ethical Dilemmas (See PowerPoint Slide 2-19)

LO 4: Explain the models used for resolving ethical dilemmas.

2-4a Blanchard and Peale (See PowerPoint Slide 2-20)

- Is it legal?
- Is it balanced?
- How does it make me feel?

2-4b The Front-Page-of-the-Newspaper Test (See Exhibit 2.1 and PowerPoint Slide 2-21)

- How would the story be reported?
- Use an objective and informed reporter's view

- Warren Buffett's warning to employees
- Financial institution headline: "What were they smoking?"

2-4c Laura Nash and Perspective (See PowerPoint Slide 2-22)

- How would I view the problem if I sat on the other side of the fence? (Jack-in-the Box and *E. Coli*)
- Am I able to discuss my decision with my family, friends, and those closest to me? (William Aramony and United Way)
- What am I trying to accomplish?
- Will I feel as comfortable over the long term as I do today?
- Forces managers to examine additional perspectives

2-4d The *Wall Street Journal* Model (See PowerPoint Slide 2-23)

- Compliance
- Contribution (Herman Miller and Eames Chair)
- Consequences

2-4e Other Models (See PowerPoint Slide 2-24)

- Categorical imperative, the Golden Rule, etc.
  - Are you comfortable in a world that uses your standards?
  - Discuss "The Golden Rule"

2-5 Why We Fail to Reach Good Decisions in Ethical Dilemmas (See Exhibit 2.2 and PowerPoint Slides 2-25, 2-26, and 2-27)

LO 5: Describe the obstacles we face when trying to make ethical decisions.

2-5a "Everybody Else Does It"

2-5b "If We Don't Do It, Someone Else Will"

Example: Paying to use someone else's subway pass

2-5c "That's the Way It Has Always Been Done"

Example: New Orleans Saints bounty program

2-5d “We’ll Wait until the Lawyers Tell Us It’s Wrong”

Example: Derivatives—legality does not determine morality

2-5e “It Doesn’t Really Hurt Anyone”

Examples: Freeway rubberneckers, health insurance claims and rising premiums

2-5f “The System Is Unfair”

Example: Cheating does not improve the system

2-5g “I Was Just Following Orders”

Example: Prisoner abuse in Iraq

2-5h “You Think This Is Bad, You Should Have Seen …”

Example: 35-day month was a lot worse than what we’re doing now

2-5i “It’s a Gray Area”

Example: HP and the pretexting

2-6 Social Responsibility: Another Layer of Business Ethics (See PowerPoint Slide 2-28)

✓ Friedman Perspective

- Only answer to shareholders
- Social responsibility takes money from shareholders
- Should only undertake a project if it benefits the business; pollution control for attracting workers is not for the community

2-6a Ethical Postures for Social Responsibility

- ✓ Shareholders—want profits
- ✓ Employees—want safe and secure jobs

  Dilemma: Does a company risk short-term profits by shutting down to install safety equipment?

- ✓ Community—wants plant's economic base but does not want its environment destroyed

  Dilemma: Should a company shut down to install state of the art scrubbers on its plant?

- ✓ Ethical Postures and Business Practice

  Whose interest does a corporation serve? What is the best way to serve that interest? (see Exhibit 2.3 and PowerPoint Slide 2-29)

- Inherence (See PowerPoint Slide 2-30)
  - Serve shareholders
  - Serve shareholders best by only looking out for shareholders
  - Friedman view

    Example: School tax issue—would only get involved if it affected the company directly

- Enlightened self-interest
  - Manager is responsible first to shareholders but serves them best by being responsible to the larger society
  - Business value is enhanced if it is responsive to society's needs

    Examples: Employers resolving child-care issues for employees, employers advocating lifestyle changes to improve health (costs more initially, but in the long run cuts down on medical costs and lost workdays)

- The invisible hand (see PowerPoint Slide 2-31)

- Manager believes the larger society should be served but does that best by serving shareholders first
- Do not become involved in political or social responsibility issues—allow others to handle issues and they will comply

Example: Would continue to make profits for the company, so employees would be paid well and they would solve the child-care dilemma themselves; Pepsi and its decision to go to India

- Social responsibility
  - Manager should serve the larger society
  - Become involved in all types of political and social issues
  - Encourage managers to be involved

2-7 Why Business Ethics? (See PowerPoint Slides 2-32 and 2-33)

LO 6: Develop a list of arguments to convince a business of the importance of ethics.

2-7a Personal Accountability and Comfort: Business Ethics for Personal Reasons

2-8 Importance of Ethics in Business Success and the Costs of Unethical Conduct (See PowerPoint Slides 2-34 and 2-35)

LO 7: Explain how the absence of business ethics in a business can be destructive.
LO 8: Give examples of how the commitment to business ethics can help a company achieve long-term success.

- ✓ Short-term profitability through "ethical shortcuts" can contribute to a firm's demise
- ✓ Executives feel ethical behavior strengthens a firm's competitive edge
- ✓ Johnson & Johnson example of Tylenol recall earned the company high respect and higher earnings in spite of high cost and gave it immunity from scrutiny; be sure to update with the new material included about Tylenol's conduct in trying to avoid a recall by having agents go around

and buy up the defective Tylenol; note that we have to be ever vigilant and can't stand on our laurels and past conduct

✓ Costs of Unethical Behavior (See PowerPoint Slide 2-36)

- Defense contractors and current reputation
- Consumer boycotts over Nestlé's infant formula marketing programs in Third World nations; Nestlé's inability to sell new formula products because of the 20-year-old incident
- Tylenol and the recall of $100 million in inventory
- BP
  - Failure to smart-pig the oil pipelines
  - Saving money and not realizing safety issues
  - Production and profits down
  - Taking years to recover trust and market capitalization
  - Add discussion of pattern in Deepwater Horizon spill
- GM and the faulty switch
  - Notice within company
  - Failure to take action

FOR THE MANAGER'S DESK: THE TONY BENNETT FACTOR (Use PowerPoint Slide 2-37): Ask the students to list the factors the firms that paid dividends for 100 years have in common.

2-8a Ethics as a Strategy (See PowerPoint Slide 2-38)

- Affords opportunity for planning and ability to answer social needs and cultural changes; use Blue Bell and Boeing examples
- Creates goodwill between business and the community; absence of goodwill can be costly

2-8b The Value of a Good Reputation

- Illegal or unfair conduct stays in the public mind

- Difficult for firms to recover financially—Salomon's lack of recovery

2-8c Leadership's Role in Ethical Choices (See Exhibit 2.4 and PowerPoint Slide 2-39)

- Ethical choices are a form of voluntary regulation
- Remedying problems before regulation is put into place
- Examples of abuses (poor ethical choices) that led to regulation
  - Credit disclosure
  - Johns-Manville and asbestos
  - The subprime lenders being regulated now (see PowerPoint Slide 2-40)
  - Self-regulation by music industry to avoid censorship of artists
  - Self-regulation on tamper proof would have helped

2-9 Creation of an Ethical Culture in Business (See PowerPoint Slide 2-41)

LO 9: Explain the components of an ethical culture.
LO 10: Explain how a business can create an ethical culture.

2-9a Ethical Infrastructure: The Basics

- Federal Sentencing Commission (see PowerPoint Slide 2-42)
  - Code of ethics
  - Training
  - Anonymous reporting
  - Follow-up
  - Board action
  - Self-reporting and investigation
  - Sanctions
  - Officer involvement

BUSINESS PLANNING TIP: Walk through the components of having an effective code of ethics.

2-9b Ethical Culture: Encouraging Employees to Speak Up

Reporting Lines: An Anonymous Ethics Line for an Ethical Culture

2-9c Ethical Culture: Dodd-Frank and Sarbanes-Oxley (See PowerPoint Slide 2-43)

2-9d Ethical Culture: The Tone at the Top (See PowerPoint Slide 2-44)

- Hotlines for reporting violations
- DuPont and its ethics bulletins
- Sarbanes-Oxley requires these components in an ethics program following collapses of WorldCom, Enron, etc.

2-9e Ethical Culture: Developing an Ethics Stance (See PowerPoint Slides 2-45 and 2-46)

- Setting parameters for personal and business behavior
- Setting tone of tolerance or intolerance for behavior

2-9f Ethical Culture: Being Careful about Pressure and Signals (See PowerPoint Slides 2-47 and 2-48)

- Intense competition/issues of survival
- Managers making poor judgments
- Employees with no personal values
- Avoiding the either/or conundrum
- Be careful about pressure and signals
    - Goals
    - Quotas
    - Signals

2-10 Ethical Issues in International Business (See PowerPoint Slides 2-49 and 2-50)

LO 11: Discuss why corruption exists in international business and its resulting harms.
LO 12: Explain why simply adopting another country's customs can be risky for a business.

2-10a Customs, Laws, and Adjustments in International Business

- Cultures, laws, and standards vary

    - Issues of bribes, grease payments, and culture-related gifts
    - Problems of economic development where bribery is common

        - Additional costs
        - Lack of trust
        - Basic assumptions underlying economic model of capitalism don't exist and make investment more difficult

- Business must decide whether to operate under one uniform set of standards

Use Exhibit 2.5 and PowerPoint Slides 2-51 and 2-52 to discuss a possible model for uniform standards.

2-10b Economics, Ethics, and Stability

1. Discuss varying cultural issues. Example: bribes versus *guanxi*
2. Discuss the problems companies face when they have different standards.
3. Discuss the issues of economic development and standards of living.

✓ Discuss Exhibit 2.6 and PowerPoint Slide 2-54 and the Delicate Balancing of the Four Legs of Capitalism

- ➢ Corruption in any breaks down investment
- ➢ All four must be honest for markets to function

BIOGRAPHY—CHESLEY "SULLY" SULLENBERGER: PREPARATION FOR THE MOMENT WHEN SOMETHING GOES WRONG

Discuss the components of preparation and the fact that all of the issues, problems, and potential costs have to be part of employee thinking in order for them to be prepared when they face an ethical issue.

1. Preparation: The Formal Ethical Infrastructure
2. Preparation: Studying the Missteps

[return to top]

Additional Resources

Supplemental Readings

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[return to top]