



Case Study Answer Key for the Instructor

When the Boss Doesn't Like Her

and

Real Sales or Wishful Thinking?

Case: When the Boss Doesn't Like Her

What Is the Ethical Issue?

Anna is being pressured by her boss to write a negative performance appraisal about Janet as documentation to justify Janet's termination. Anna believes Janet is a good employee who has always been willing to correct problems that may occur with her work. To date, Janet has never received a negative performance appraisal.

Who Are the Stakeholders?

- Anna, office manager and Janet's supervisor.
- Janet, receptionist.
- Justin, facility manager of Grocery Warehouse.
- Grocery Warehouse, the organization.

What Are the Possible Courses of Action?

- Anna could write the negative appraisal and prepare the necessary paperwork for termination as requested by Justin.
- Anna could attempt to talk Justin out of terminating Janet.
- Anna could try to mediate between Justin and Janet.
- Anna could go over Justin's head and talk to his supervisor.
- Anna could contact HR at headquarters for intervention.
- Anna could refuse to complete the appraisal.
- Anna could complete the appraisal but find no instances of poor performance.
- Anna could do nothing, hoping that when Justin returns from vacation, he will change his mind and back down from terminating Janet.
- Janet could be moved to another area where she does not come in contact with Justin.

Pros and Cons Associated with Each Possible Course of Action

- *Anna could write the negative appraisal and prepare the necessary paperwork for termination as requested by Justin.*

- If Anna goes along with Justin, she will probably never be comfortable with this solution. She knows Janet is a good employee who should not be terminated. Terminating an employee simply because “the boss does not like her” could bring allegations of wrongful discharge. At the very least, it creates a negative work environment where all employees are insecure about their jobs and there is no respect for management.
- *Anna could attempt to talk Justin out of terminating Janet.*
 - Anna should focus the discussion on Janet’s behavior in an attempt to sway Justin from his perception. She has probably already tried to talk to Justin, however, and he may have already made up his mind.
- *Anna could try to mediate between Justin and Janet.*
 - Anna could suggest this, but as with talking Justin out of the termination, if his mind is already made up, he may not be open to mediation.
- *Anna could go over Justin’s head and talk to his supervisor.*
 - It sounds as though Justin is a poor manager and may have issues that his supervisor and the organization should be concerned with. However, going over the boss’s head always carries risk, and it may present more risk than Anna is willing to take.
- *Anna could contact HR at headquarters for intervention.*
 - This is probably the best alternative. However, as with contacting Justin’s supervisor, there is risk for Anna. Bringing headquarters into the problem exposes Justin as a poor manager, and even when this situation is resolved, Anna may never be able to work well with him again.
- *Anna could refuse to complete the appraisal.*
 - This is unlikely to resolve the issue and will only generate hostility from Justin. This could have repercussions for Anna because she may be accused of insubordination for refusing to follow Justin’s instructions.
- *Anna could complete the appraisal but find no instances of poor performance.*
 - If there truly is no poor performance on the part of Janet, this may be the only honest thing Anna can do. However, if Justin is determined to find “poor” performance from Janet, he will not be pleased by Anna’s positive assessment.
- *Anna could do nothing, hoping that when Justin gets back from vacation, he will change his mind and back down from terminating Janet.*
 - This alternative also carries significant risk for Anna. This problem will probably not go away when Justin returns from vacation. If Anna has done nothing while he is gone, Justin may be angry, and Anna’s job may be at risk. If Justin has no problem writing a fictitious performance appraisal to fire Janet, he could certainly do the same with Anna.
- *Janet could be moved to another area where she does not come in contact with Justin.*
 - This might be a solution, but there may be no other area where Janet could work. Also, if Janet likes her present position, she may not want to move and may feel that she is being punished when she has done nothing wrong. That may open the door for legal problems down the road. If Justin is truly determined to get rid of Janet, he will not be satisfied with this alternative.

Case: Real Sales or Wishful Thinking?

What Is the Ethical Issue?

In response to pressure from headquarters to make the quarterly sales numbers, Marty is going to ask Robert to submit fictitious sales orders. Working from a wheelchair, Robert takes longer to call on customers, and his sales are generally the lowest in the department. Some in the company believe a person in a wheelchair should not be in warehouse sales, and they may use Robert's lower sales numbers to justify moving him out.

Who Are the Stakeholders?

- Robert, salesperson for Warehouse Supply.
- Marty, sales manager for Warehouse Supply and Robert's boss.
- Frank, vice president of sales for Warehouse Supply and Marty's boss.
- Warehouse Supply, the organization, particularly the owners or stockholders who are responsible for paying sales bonuses.
- Other sales staff and employees who may be eligible for bonuses.

What Are the Possible Courses of Action?

Responding to pressure from Frank, Marty could insist that Robert write up false sales orders, reminding Robert that he is a low man in the pecking order and that he probably wants to keep his job.

Robert could comply by submitting orders for Quality Retail, even though he has not yet received a purchase order or confirmed sales from Quality.

Robert could refuse to write false orders.

Robert could make a discrimination claim based on Marty's threats to his job and his protected status under the Americans with Disabilities Act (ADA).

Marty could stick with the actual sales numbers and take the heat from Frank.

Marty could shift around Warehouse Supply's customers, giving Robert the lousy accounts and squeezing him out when his sales slip even further.

Marty, Robert or both could contact HR or their organization's ethics officer regarding pressure to falsify sales numbers.

Pros and Cons Associated with Each Possible Course of Action

- *Marty could put pressure on Robert to write up false sales, reminding Robert that he is a low man in the pecking order and that he probably wants to keep his job.*
 - Entering false sales for purposes of keeping the numbers up to make bonuses is dishonest, fraudulent and grounds for termination. Readjusting the numbers next month does not alter the fact that the organization (stockholders in particular) has been tricked into paying bonuses that were not earned. Later manipulation of sales numbers just intensifies the problem and perpetuates the dishonesty. Threatening employees with termination if they do not go along is unethical and never appropriate.
- *Robert could submit orders for Quality Retail even though he has not yet received a purchase order or confirmed sales from Quality.*
 - If Robert agrees to do what Marty has asked him to do, he will probably justify his actions as simply doing “what the boss wants.” There is a lot of pressure on him to go along. His job is on the line, and if he turns in higher sales numbers, however false they may be, he too earns a bonus.
- *Robert could refuse to write false orders.*
 - Robert could refuse, but refusal puts him in a vulnerable position with his job at risk. Even if he keeps his job, his relationship with Marty is forever altered.
- *Robert could make a discrimination claim based on Marty’s threats to his job and his protected status under the ADA.*
 - Robert has a right to expect accommodations because of his disability, but whether he really has a claim of discrimination is up to the courts to decide. If there are reasonable minimum sales requirements that all sales staff must meet, then Robert, too, must meet the minimum requirements. As with all employees, if he is unable to meet the minimum, even with accommodation, his job is at risk based on performance. If either Marty or Frank threatens Robert’s job because of his wheelchair use, he may very well have a valid claim for discrimination.
- *Marty could stick with the actual sales numbers and take the heat from Frank.*
 - This is the ethical thing to do. However, there is enormous pressure on Marty to make the numbers. Remember, even Frank is getting pressure from upstairs. In many organizations, sales numbers affect bonuses all the way to the top. To many, Marty’s refusal may indicate that he is not a team player, and usually, when you’re off the team, you’re also out of a job.
- *Marty could shift around Warehouse Supply’s customers, giving Robert the lousy accounts and squeezing him out when his sales slip even further.*
 - Marty should be honest with Robert about his low sales numbers. Perhaps Robert needs training or some further accommodation to help him increase his sales numbers. It could be that customer distribution is already inequitable across the sales staff and Robert has most of the smaller accounts that generate low sales. If so, Marty should readjust customers to ensure that accounts are equitable across the board. Attempting to squeeze out a poorly performing employee sends a strong negative message to other employees, and when the employee in question finally quits, the organization had better prepare for a lawsuit based on constructive discharge.

- *Marty, Robert or both could contact HR or their organization's ethics officer regarding pressure to falsify sales numbers.*
 - YES! There should be some avenue in the organization where employees can report ethics violations. There may be an ethics officer or ombudsperson in the HR department who helps employees deal with difficult issues and ensures that ethics policies are carried out properly and that appropriate discipline is applied. This is a tough one because Frank's comments indicate that unethical pressure is coming from the top.