

# Dear Mr Ethicist ...

## *Questions for Mr Ethicist of the New York Times*

1. Recently some people objected to Amazon.com's giving sales commissions to Intifada.com. Amazon relented, canceling this arrangement, while preserving similar deals with more than 50,000 Web sites. While I abhor the Intifada, I worry about encouraging companies to choose business relationships contingent on politics. Is it censorship or just good business? — M. D., Washington.

(3) 1: don't be persuaded by public opinion but stand up for what you believe in

2. In past national elections, a political party asked my wife, a popular Brazilian actor (her nightly soap operas are seen in many countries), to be its TV spokeswoman, a highly paid job. The problem: their politics could not be farther from hers. She claims it is not she who would represent the party, but a persona she'd create. (She wouldn't give her name or make first-person statements.) I say she'd be widely recognized. If they ask her this year, should she do it? — Sean McIntyre, Rio De Janeiro, Brazil.

(3) 2: One can't have the cake & eat it too

3. I attend an Ivy League university where students are graded on a curve. During a midterm, the student next to me was copying answers from my paper. Because a higher score for her would mean a lower grade for me, I intentionally wrote some incorrect answers, waited until she handed in her test booklet and then changed my answers to the correct ones. Was this wrong? — Brenna Tinkel, Philadelphia.

(25) 3 : stand by what you believe in 3: Cheating is wrong , but two wrongs don't make a right 3: Do unto Others 3: Get to the root of the problem 3: Caveat Emptor vs. Two wrongs don't make a right! 3: Honesty is the Best Policy and what goes around come around ... 3: Justice 3: My own sense of fairness 3: Two wrongs don't make a right 3: Two wrongs make a right 3: Winning through sabotage is wrong 3: the courage to tell others

4. **Is it ethical to call your competitors posing as a potential customer in order to get information? Most of the information is available to anyone who calls; we're simply not identifying ourselves as the competition. — Joel O'Neill, San Francisco.**

**(21) 4: Competitive rules 4: Do unto others as you would have them do unto you 4: Freedom of information 4: Everybody is a potential customer 4: If the information is freely available, it can be used. 4: My own sense of fair play 4: Obtaining public information is not a crime 4: Survival of the Fittest 4: The onus is on your competitor to tightly secure its own sensitive information 4: an attempt to uncover information which is publicly available 4: available to anyone who calls 4: whether or not it is acceptable to knowingly mislead people ?**

5. I discovered that my supervisor routinely reads employee e-mail. Legal issues aside, is this ethical? I can understand doing so if a crime is suspected, but not as a matter of routine. It feels like a violation of my privacy. What do you think? — Anonymous, New York.

(21) 5: One can't have the cake & eat it too! 5: Individual's right to Privacy 5: Principle of confidentiality 5: Privacy is a human right 5: Privacy violation 5: Property rights and risk management 5: Respect privacy. 5: The workplace is a place of business 5: There is more stupidity than hydrogen in the universe, and it has a longer shelf life. — Frank Zappa 5: a breach of privacy. 5: illegitimate means to access information 5: respect the privacy of others 5: the extent to which your employer controls your privacy in the workplace

6. **A senior manager with a consulting firm, I often interview job candidates. My role is both to evaluate them and to “sell” them on our firm, a place I’ve grown less enamored of. In fact, I’m seeking other employment. What do I tell candidates who ask my opinion of the firm? If I tell the truth, I harm my firm’s chance to land them; but a lie is unfair to the candidate. And I can’t avoid doing the interview. — Anonymous, Mass.**

**(12) 6: Deceived jobseekers will not deliver the best possible performance for the company 6: Agent-Principle relationship; one man’s meat is another man’s poison 6: Honesty is the best policy 6: Omission of information is not a lie 6: One must place one’s duty before all other considerations**

**7. I work for a small company that provides editing services. Recently I was told to hire freelancers in India for less than half what we pay domestic freelancers. I have been forbidden to tell my freelancers about the plan. My associates have discussed quitting en masse. What is the morally correct thing to do? — K.H.**

**(7) 7: Don't mess with the invisible hand 7: Economic reality and the nature of employment contracts 7: Silence is Golden 7: Respect local norms**

- 8. My 11-year-old son confessed to selling his completed homework to classmates. He earned approximately \$10 a week doing so. I have discouraged this business, referring to his behavior as a form of cheating, but my husband finds it entrepreneurial. How should I handle this family conflict? — R.E., New York.**

**(16) 8: Compromise can produce situations that benefit all participants 8: Purpose of Homework; Willing buyer willing seller 8: Is it okay for an older person to do the same 8: Learn to walk before you run 8: Promoting cheating is not ethical. 8: School must be a learning environment for everyone 8: Teach a man to fish ... 8: The act reduces overall benefit and value 8: There is good in every action 8: no ethical problem here.**

9. **My job interview at a magazine was going great until the interviewer, who is Asian, said that she could not hire me because then three of the four people on her staff would be Asian. She added that her editorial department tests beauty products for all types of people, so she wanted someone of another race to try these products. She then told me not to tell anyone what she had said. Some lawyers I have spoken to feel I would not benefit by going to court. And fighting back in other ways might thwart my future in this field. What should I do? — Anonymous, New York.**

**(2) 9: pragmatism, and charges of racial discrimination are often distorted**

**10. My stockbroker executes trades for the private client accounts of a nationally known and highly successful mutual-fund manager. My broker will often tell me what stocks the fund manager is buying for those private accounts. Should he be offering me this advice? Is it O.K. for me to listen? — Anonymous.**

**(11) 10: Insider trading is illegal. 10: No one can earn a million dollars honestly. — William Jennings Bryan 10: Private information obtained through trust should be kept private unless potential harm exists through the withholding of such information 10: The broker should not betray the trust of his clients,**

**11. My firm received an appealing resume, so we scheduled an interview. Then we learned that the job seeker was working for Company X, a fact omitted from his resume. My boss is a board member of Company X and a close friend of the founder. We immediately canceled the interview, explaining that we would not want to poach a Company X employee. Should my boss tell his friend that one of his employees is doing a job search? — L.G., New York.**

**(14) 11: Business in Confidence — Insider Trading 11: Hear it straight from the horse's mouth 11: Honesty is the Best Policy 11: Ignorance is not an excuse 11: Job seekers are best placed to determine who the best employer is for them 11: Pre-emptive decisions and confidential information 11: Privacy has to be respected. 11: whether personal or business life has the priority**

**12. I've been offered a job at a questionable law firm. I'd only be working on civic-minded pro bono cases, not the dicier corporate accounts that pay the firm's bills. Should I take the job? — L.A., New York.**

**(7) 12: Be true to your beliefs. 12: One's principles should not be compromised at any cost. Associating oneself with a disreputable firm will result in one's own bad reputation 12: Work for companies whom you truly believe in 12: choice, and lack of integrity within the corporate decision makers**

**13. My husband, a systems engineer, was trying out software that monitors employee Internet use where he works. In one mode, this software reports only the types of sites visited by members of a department — shopping, news, research, etc. In another, it lists sites visited by specific employees. While testing the software, my husband discovered that a key member of the firm visits a lot of sex sites. What should he do with this information? — J. Johnson, Georgia.**

**(8) 13: Be equally just to all 13: Practicality and risk management 13: Unless the activity is actually illegal, then segregation of ethical and technology responsibilities is necessary. 13: Zero tolerance of inappropriate behavior**

**14. I recently received a job offer, which I orally accepted. When I approached my current employer with my resignation, he made a counteroffer. I now wish to remain with my current employer. Is it correct to revoke my acceptance of the original offer? — Anonymous**

**(15) 14: All is fair in love, war and business 14:  
Competitive reality 14: Honesty is the best policy 14: If  
you make a promise you ought to keep it 14: Stick to your  
word and keep your promises**

**15. My friends and I ardently oppose the war in Iraq on both moral and political grounds. Would it be ethical to invest in oil futures, believing the war I oppose might increase their value? I say yes: my money would not finance anything directly war-related (as an investment in Northrop Grumman might), and these futures represent oil from places like Nigeria and the North Sea, not Iraq. My friends say such an investment would be war profiteering. I don't have money to invest; but if I did, would it be right? — Andrew Miller, New York.**

**(8) 15: Avoid hypocrisy 15: Do not be too moral, you may cheat yourself of life. (H. D. Thoreau) 15: Oil is a source of moral and political abuse 15: Preventing War 15: idiocy and a reminder of reality both political and economic 15: the correctness of using personal philosophy to guide business decisions?**

**16. As I was dropping a memo on a colleague's desk, I glanced — inadvertently, I promise — at her computer and saw my name. It was an e-mail to our boss attributing the failure of a recent project to me. That was a rash overstatement, but how can I defend myself without acknowledging my inadvertent e-mail read?**

**(7) 16: Approach the problem in a creative way 16: Don't repeat the same mistake twice 16: Honesty is the best policy**

- 17. I am on the board of a hospital raising funds for a necessary extension. A local businessman with known ties to organized crime has offered a substantial donation. Should we take the money? — S. Wagner, Stamford, Conn.**

**(20) 17: Bad reputation follows those that keep bad company 17: Business should not be conducted with known criminals 17: Dirty money 17: Do not accept dirty money 17: Don't get involved with crime. 17: Ends do not justify the means and a hospital is a symbol of society. 17: Power has only one duty - to secure the social welfare of the People 17: a simple cost benefit analysis 17: ends do not justify the means, and steward of a good cause 17: the ends justify the means**

**18. A friend of mine was turned down for a job at my company because, according to the grapevine, his references did not speak highly of him. Now I'm in a quandary. I want to tell my friend to rethink his referees, but they most likely believed their comments were confidential. Also, I worry about my obligation to my company and to the law. Should I talk to my friend? — Anonymous, New York**

**(7) 18: Do unto others, as you would have them do unto you  
18: There's a spectrum here**

**19. After eight weeks on strike, after most of my union colleagues returned to work under threat of being replaced, I, too, crossed my own union's picket line. I'm still struggling with my actions. I was required to join the union (it was a closed shop). I came to view the leadership as incompetent and just plain wrong. When I tried to dissent, I was hooted down. In the meantime, I was in real danger of losing a job I held dear. The "moral" position seemed to be to stick with the union; but is it not moral to decide for oneself when one disagrees with one's representatives? — R.H. Detroit**

**(3) 19: is up to the individual to decide his own responsibilities**

**20. The unions that represent actors in television commercials are on strike. I work at a recording studio, not party to the strike, that has been hired for sessions using non-union actors. This makes me squeamish, to say the least. I have friends on both sides of the conflict, including many producers from small ad agencies. I could refuse to participate in non-union sessions, thus alienating my boss. I could call the union and it would picket my studio, but that could imperil the livelihood of my boss and my producer friends. Or I could do nothing. What do you suggest? — Brian Hallas, Brooklyn**

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**21. I am a recruiter for a temp agency. Many companies that use us practice nationality-, sex-, age- or race-based discrimination. I can cooperate, making me personally guilty and legally liable. I can dispatch applicants solely on ability, knowing they are not welcome. Or I can cease to deal with such clients, forfeiting revenue. Is there a positive alternative to simply leaving the industry? — Anonymous, N.C.**

**(2)**

**22. Company policy allows me a certain number of vacation weeks per year. My manager, in an effort to be generous (or liked), offered me an extra week — but I am not to mark it on my time sheet. Do I take his offer, since he indulges in an extra week himself, or follow company policy? — Anonymous.**

**(8) 22: live within the spirit of the rules of Company**

**23. When I was an administrative assistant, my boss interviewed a candidate for a job. The next day, while my boss was out of the office, the candidate called and told me that she had inadvertently sent my boss an e-mail that contained information not intended for my boss and that may have jeopardized her chance of getting an offer. She pleaded with me to delete this e-mail before my boss saw it. Should I have? — R.J., New York.**

**(9) 23: A question of loyalty 23: Consider the long term consequences of your actions 23: Golden rule and loyalty 23: Honesty is the best policy 23: no man can serve two masters 23: privacy and loyalty in the workplace 23: the right to control our communications and the messages we send**

**24. Over a recent dinner, two close friends, copywriters for an ad agency, told my wife and me about their forthcoming pitch to a major company. My wife, who also works in advertising but for a different agency, kept quiet during this story and failed to tell our friends that her agency is pitching the same company. Should she have said something? May she withhold the conversation from the folks at work? — Anonymous, New York**

**(8) 24: Golden rule, disclosure of conflict of interest and prioritisation of responsibilities. 24: Loose lips sink ships 24: My own reason of legitimacy 24: Not quiet Chatham house rules 24: Stupid is as stupid does — Forest Gump**

**25. I manage a group of sales reps. While traveling from Baltimore to Manhattan, one of them was led to a line of cabs by a person she thought worked as a greeter for Penn Station. When she was about to get into a cab, she was robbed of \$80 by the “greeter.” Is the company responsible for reimbursing her since she was robbed on company time? — Chuck Errig, Baltimore**

**(9) 25: Don't be ridiculous 25: Honour fiduciary duty towards your employees 25: Individuals have to take responsibility for their own actions 25: you are responsible for your own negligence**

**26. The university where I teach has a problem with grade inflation. I recently discovered that my grades are considerably below the average given in my department. Should I raise my grades(to be fair to my students, whose grades will be comparatively lower than they deserve), even though that contributes to grade inflation (which gives most students grades that are higher than they deserve)? — Peter Kugel, Cambridge**

**(2) 26: Don't use your students as a means for attacking grade inflation 26: You should not compromise your judgement for the sake of conformity**

**27. We recently hired a handyman to do some work around our house — light carpentry, drywall, paint, etc. He did a great job, and we recommended him to friends. A few weeks later, our handyman said he owed us \$50 for referring him. Is it ethical to take this payment and future ones as we refer him again? My husband says yes, I say no. (We bet \$50 on your answer — if I win the bet, I'll split it with you.) — Lynne Goldsman, Atlanta**

**(15) 27: As long as the referral information is not misleading, it is not unethical. 27: Cash should not be accepted as compensation for a referral based solely on job satisfaction 27: Honourable intentions are definitely worth fifty dollars 27: Kickbacks are not appropriate 27: Take steps to ensure monetary gain does not cloud your better judgement 27: What goes around comes around ...**

**28. On a trip to Ghana with a church group, I went to buy some souvenirs. My fellow travelers encouraged me to haggle, but I felt it would be uncool when the original price was significantly lower than it would be here in the States. More important, we were in a third-world country where the average daily income is less than a dollar a day. Should wealthy people haggle with the poor for lower prices? — André Middleton, Brooklyn**

**(10) 28: Adherence to cultural norms and poorly considered consequences of monetary carelessness 28: Culturally sensitive shopping 28: Don't feel guilty for the world 28: He won't sell it if it loses him money 28: Put the boot on the other foot 28: When is Rome do as the Romans do? or a penny saved is a penny earned???? 28: When you are in Rome, do as Rome does — Haggle**

**29. I occasionally traffic in Persian carpets. A fellow came over about one I'd advertised for \$130. He offered \$160 — evidently he remembered the \$175 price of another carpet and was trying to bargain. I accepted, and we each felt we got a great deal. My housemate, Dave, says, "No harm, no foul." My wife thinks I ripped the guy off. Counsel? — J. C., California**

**(12) 29: Everyone here is a winner 29: Honesty is the best policy 29: Long run reputation 29: No harm no foul 29: justice — treat all fairly and distributing the risks and benefits equally 29: trading reality -- caveat emptor**

**30. I am a state-certified mediator and arbitrator. Recently I mediated a serious dispute to the satisfaction of both parties. One of them, an American-born Japanese businessman, offered to send me a special fish, prepared for eating, as a token of appreciation. I humbly refused the gift as a violation of my code of ethics. He was hurt by my rejection of his Japanese custom, meant only to express appreciation. Was I wrong? — Abraham Best, Lauderhill, Fla.**

**(10) 30: Beware Japanese men bearing fish 30:  
Communicate the policy beforehand. 30: Culture and  
legislation 30: Taking bribes is unethical 30: local cultural  
differences that should be respected**

**31. A close friend and I are looking for work. I came across an ad for a position and applied for it without consulting my friend, knowing that he was already applying for a job at the same place. Now that I've been offered the position, I'm certain it is the same one my friend applied for. Should I offer to decline it in the hope that this will increase his chances of getting it? I made no effort to consult with him before applying for it initially. — Anonymous, New York City**

**(3) 31: Being close friends does not exclude being competitors in the job marketplace 31: Respect your own interests as well as those of others**

**32. Our son wants to sell his 1975 Cadillac and buy a truck for work. He has been doing construction in a rough part of town and has had numerous offers from obvious drug dealers. Guys run up to him offering cash on the spot. This will likely get him the best price, but is it ethical to sell the car to drug dealers? — Bob Johnson, Hendersonville, N.C.**

**(1)**

**33. As a frequent golfer, I often find other people's balls in various corners of a course. I sometimes take these balls to the lone driving range here in Manhattan — known for its exorbitant prices — and hit them there, in effect giving them perfectly good golf balls while evading their rip-off ball fees. Am I stealing or donating? — Billy Bloom, New York**

**(2)**

**34. My company fired a critical senior person on a project I was assigned to. Without him, the project could not proceed. A few days later, at a meeting with the client, my colleague said that this person was ill. I was embarrassed but kept silent. When I asked my supervisor about this, she said that she hadn't told my colleague to lie, just to say the fired employee was unavailable. Ethical? — Dan Colquhoun, Toronto**

**(4) 34: Intentional distortion of facts that are likely to be importance to the client 34: Prospective bad news must be told in advance to manage expectations 34: Speaking out of turn.**

**35. I am an American posted to Vietnam, where pirated movies on DVD are cheap and ubiquitous, and legitimate copies are nearly nonexistent. Would it be ethical to purchase pirated DVD's if I also join a monthly unlimited-rental service like Netflix? Living where I do, I cannot use any of its services, but enrolling would let me pay the movies' rights-holders for their work. — Ben Moeling, Hanoi, Vietnam**

**(4) 35: It is necessary to adapt its consumption mode to the local market conditions. 35: Thou shalt not steal**

**36. I'm looking for an apartment. If I take an apartment priced below what I can afford, I take it away from someone who can't afford a more expensive one. If I take a more expensive one, I contribute to the upward pressure on prices for all apartments. Do these choices cancel out, or is there a preference? — Ilya Shlyakhter, Cambridge, Mass.**

**(3) 36: Self interest**

**37. A good friend said he had to do volunteer work for his business-school degree. He had little time and so, in exchange for a letter saying he had done the appropriate hours, he wanted to donate money to an event I was organizing — he wanted to give \$1,000 to buy Christmas toys for children with cancer. When he gave me the form to sign, it was not from his school — he'd lied about that — but from law enforcement. I'd have to affirm that he'd done community service required by his drunk-driving suspension. Should I sign? If I don't, must I give back the money as he demands? — Anonymous, Chicago**

**(4) 37: Do the right thing 37: Let the arrogant little b\*st\*rd rot in jail 37: practice what you preach**

**38. My husband works for a store that urges sales associates to promote credit cards with an annual rate of 21 percent. He considers it unethical to push this card on poorer people who cannot pay off the balance promptly. He suggests the card only to customers who spend a lot, although he processes an application for anyone who asks. He says he's refusing to victimize poor people; I say he's making unwarranted assumptions about people's best interests: discounts come with the card. What do you say? — J.M., Washington**

**(6) 38: Do as you would be done by. 38: Individuals are the best judge of what is good for themselves 38: Misplaced assumptions 38: is lazy, and behaving unethically towards the firm.**

**39. I am an executive of a small marketing firm that has been hired to develop advertising for a political campaign I strongly oppose. The owner of the agency knows my beliefs and admits to having similar ones. However, he doesn't feel we can afford to walk away from this business. Is there a way to reconcile my personal and heartfelt beliefs with my allegiance to my company? — Anonymous**

**(5)**

**40. I work for an executive search firm whose clients increasingly request diverse slates of candidates in regard to sex and ethnicity, something our company supports. Our lawyers say it would be illegal for our company database to identify candidates' ethnicity or sex. However, nobody would know if I kept my own list of outstanding diversity candidates. Would it be ethical to do so if my intent were to make sure that we do not omit diverse qualified candidates for a job search? —**

**Anonymous**

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**41. A friend and I disagree about an investment he wants to make. It involves buying (at a discount) the life insurance of terminally ill individuals who want proceeds from their policies before their demise. My friend sees this as helping the “victim” receive funds now. I see it as making money from someone’s death. You? — Stanley Farb, Jeffersonville, Pa.**

**(12) 41: A contract between two willing parties 41: He’s offering these people more choice 41: It is a general popular error to suppose the loudest complainers for the public to be the most anxious for its welfare. (Edmund Burke, 1729) 41: My own sense of right 41: a willing buyer and selling at arms length, there is no problem. 41: benefit both parties 41: simply a variant of financial factoring 41: voluntarily? If it is, it’s mutually beneficial**