

Ethics in Information Technology, Fifth Edition 9781285197159

Chapter 2

Ethics for IT Workers and IT Users

Self-Assessment Questions

1. d. all of the above
2. IT staff of the
3. stop the unauthorized copying of software produced by its members
4. True
5. Fraud
6. Compliance
7. d. all of the above
8. internal audit department
9. b. Certification
10. True
11. Negligence
12. professional code of ethics

Discussion Questions

1. **Would you rather be known as a person of modest means with an impeccable ethical character or as an unscrupulous person of wealth? Why?**

Students' answers will vary. Some of them may say that they would rather be known as a person of modest means with an impeccable ethical character. They might prefer this, since they would have a clear conscience and act in a professional manner in all their dealings.

2. **How do you distinguish between misrepresentation and embellishment of one's professional accomplishments in order to win a contract to complete a major project? Provide an example of an embellishment that would not be considered misrepresentation.**

Embellishment (résumé inflation) is the addition of false information to one's resume in order to appear more attractive to business interests, while misrepresentation is the misstatement or incomplete statement of a material fact. Students' examples will vary. If the misrepresentation causes the other party to enter into a contract, that party may have the legal right to cancel the contract or seek reimbursement for damages.

3. Do laws provide a complete guide to ethical behavior? Can an activity be legal but not ethical?

Laws do not provide a complete guide to ethical behavior. They do not provide principles and core values that are essential to a particular occupation. Although some activities are considered legal, they may not meet the ethical standards set forth by a company. Students' examples will vary.

4. In filling an open position in a U.S.-based IT organization, do you think that preference should be shown for qualified candidates from the United States over qualified candidates from foreign countries? Why or why not?

Students' answers will vary. Some of them could say that they would prefer qualified candidates from the United States fill the open positions in a U.S.-based IT organization. They might reason that it would enable easier communication when the IT team is onshore.

5. Does charging by the hour encourage unethical behavior on the part of contract workers and consultants?

Students' answers will vary. There is the possibility that contract workers may be tempted to inflate their billable hours.

6. Describe a situation in which there could be a conflict of interest between an IT worker's self-interest and the interests of a client. How should this potential conflict be addressed?

Students' answers will vary. One example would be project delays. An IT worker or the project manager would be reluctant to share status information with the client that could cause further complications. However, these issues can be eliminated by intimating the clients about the project status, concentrating on getting the project back on track by resolving issues in a timely manner, and be transparent with the clients as well.

7. Should all IT professionals be licensed or certified? Why or why not?

Students' answers will vary. Most of them will say that licensing and certification should be the requirements for IT professionals as it offers benefits to the professionals and their employers and/or clients. Possession of a license or certificate is proof that the professional has achieved a certain level of education and experience. It gives the prospective employer and/or client an objective measure of the professional's ability, and it helps improve the level of respect and trust given by the general public.

8. Go to two or more of the Web sites identified in Table 2-3, and read the code of ethics found there. What commonalities do you find among the IT professional codes of ethics that you

read? What differences are there? Do you think there are any important issues not addressed by these codes of ethics?

Students' answers will vary. Some of them may say that a commonality between the code of ethics of Institute of Electrical and Electronics Engineers Computer Society (IEEE-CS) and Association of Information Technology Professionals (AITP) is that confidential information should not be disseminated to a third party. IEEE-CS lists out responsibilities toward colleagues that have not been stated by AITP. Students could say that individuals who violate the code of ethics are not punished satisfactorily.

- 9. You are caught in the middle of a dilemma. You have been subpoenaed to be a witness in a work-related sexual harassment case involving your boss and a coworker. On many occasions, you heard your boss make statements to this employee that could be interpreted as sexual advancements. Your boss has made it clear that he will make things difficult for you at work if you testify in favor of the employee. You could choose to testify in a manner that would make it appear that your boss was not serious and that the employee was overreacting. On the other hand, it was clear to you that your boss was not joking with the employee and that he was harassing her. What kind of repercussions could there be if you testify in favor of your coworker? Would you be willing to risk those repercussions? Does it really matter if the case is dismissed because of your testimony?**

Students' answers will vary. Some of them could say that they would be inclined to testify in support of their coworker who was being harassed. This would be the ethical thing to do in the current situation regardless of the threats from the boss. As a repercussion, the boss could assign more work or give negative reviews. However, if the boss is unfair, the employee can approach someone superior to the boss to tackle the problem. If the students have a strong sense of ethics, it would really matter to them if the case is dismissed because of their testimony.

- 10. What is the difference between breach of contract and material breach of contract? In a breach of contract dispute, what recourse can the nonbreaching party take?**

Breach of contract occurs when one party fails to meet the terms of a contract. However, a material breach of contract occurs when a party fails to perform certain express or implied obligations, which impairs or destroys the essence of the contract. When there has been a material breach of contract, the nonbreaching party can either: (1) rescind the contract, seek restitution of any compensation paid under the contract to the breaching party, and be discharged from any further performance under the contract; or (2) treat the contract as being in effect and sue the breaching party to recover damages.

- 11. Under the Foreign Corrupt Practices Act, under what conditions is a bribe not unlawful? Explain, and provide an example.**

The Foreign Corrupt Practices Act (FCPA) makes it a crime to bribe a foreign official, a foreign political party official, or a candidate for foreign political office. However, a bribe is not a crime if the payment was lawful under the laws of the foreign country in which it was paid. Students' examples will vary.

What Would You Do?

1. Students' answers will vary. They can say that the ethical thing to do would be to note the sales for the current quarter. The student could reason that even though a slump in the market can be predicted in the next quarter, it was not a substantial reason to hold off showing the sales till the next quarter.
2. Students' answers will vary. They can say that this situation could pose to be a problem in their current workplace. For this reason, the best option would be to send out an email marked to all their real estate clients from another account stating that henceforth all emails should be directed to the other account. This way, a number of issues could be mitigated without affecting either job.
3. Students' answers will vary. They can offer to review the résumé before getting it to the right person and putting in a good word. As a friend, it is their responsibility and obligation to let him know that his résumé seems inflated. They could explain to him that if he does not have documentation to prove his certification claims, he should leave the information off the resume. They could offer to help him rewrite the résumé so that he is reflected in the most positive way without exaggerating his accomplishments.
4. Students' answers may vary, but the most important thing is to be fair and impartial. If they do not feel that they can do this, then they should remove themselves and appoint someone else to do it for them, citing a conflict of interest. Otherwise, they should treat the CEO's daughter as any other candidate—fairly and with respect. If they do end up offering her a position, offer her the same salary that is normally offered to all entry level IT staff.
5. Students' answers will vary. In most cases, students should consider this as a bribe. They could express their appreciation but explain that it was not their intention to receive this gift. They could then offer to reimburse the money or politely decline this offer.
6. Students' answers will vary. It is very important that the consultant spells out, in writing, what his role is in the negotiation process. What will he exactly do? What are the advantages of using a consultant? Once the students learn as much as possible, they should then convene a meeting with their superiors on the course of action that should be taken.
7. Students' answers will vary. They would have legitimate concerns about résumé inflation and

whether the certifications are being overvalued. Certifications are a great way to demonstrate knowledge, but cannot always take the place of experience. Although experience can be ‘inflated’, it is difficult to fake a certification if asked to provide proof. They should ask their boss if they might include two or three of the top candidates with over 5 years of experience but who do not list certifications on their résumé. The students could then select 10 candidates, write to them asking what (if any) Cisco certifications they possess, and ask them to provide proof of each certification. This way, they can balance the list of candidates with experience and certifications (and they will know that the candidates have not inflated their resumes with certifications they do not really have) and hopefully come out with at least one that they would like to hire.

Cases

Case 1: Whistle-Blower Claims Accounting Shenanigans at SuccessFactors

1. Students’ answers may vary. Some of them might say that the whistle blower would get hurt as there was no merit found for the allegations made regarding weak accounting controls.
2. Students’ answers may vary. Some of them might say that the management should encourage the reporting of non-GAAP financial measures to investors. This is because the manner in which non-GAAP measures are defined and calculated differ from company to company. And, presenting a non-GAAP financial measure will help investors and stakeholders—both internal and external—understand whether the company is functioning consistently and is being as transparent as it should be.
3. Students’ answers may vary. Some of them might say that the management should encourage an examination conducted by an outside law firm that could help ensure that improper accounting does not take place.

Case 2: IBM and the State of Indiana Involved in a Breach of Contract Dispute

1. Students’ answers may vary. Some of them may say that the fact that IBM encountered problems with their contract with the Indiana FSSA should in no way preclude them from proposing new solutions for a state social service system.
2. Students’ answers may vary. Some of them might reason that the new systems installed by IBM substantially reduced fraud. IBM did do something right and this way Indiana was able to hire new employees. For this reason, it would be fair to pay IBM employees overtime for fixing problems that were associated with the new system.
3. Students’ answers may vary. Some of them might agree with the ruling stating that every new system does have its own flaws in the beginning. However, as long as IBM was in the process of

rectifying these glitches, everything was on track.

Case 3: When Certification Is Justified

1. Students' answers may vary. Some of them might say that organizations and vendors can ask candidates to design an application to exhibit their skills and core knowledge. This would be a good parameter to assess the candidates' ability to understand and apply concepts that they have learnt as part of the certification program. For instance, Sun Computers requires the completion of programming or design assignments for some of its certifications. Some other vendors plan to accredit academic and professional development courses and to set up a mentoring program.
2. Students' answers may vary. Some of them might say that testable IT knowledge does not translate into quality IT work. IT professionals focus on skills and knowledge related to their current projects and do not have time for certifications. IT professionals need good communication and problem solving skills, as well as perseverance to get the job done well. Certifying bodies should change their programs to take the IT professional's experience into consideration and to also offer hands on training.
3. Students' answers may vary. Some of them might say that certifications can ensure that those certified have core knowledge of their profession and know how to use that knowledge. Certification programs should change in the future to include the proper training, experience, and mentoring needed to better serve the IT community.