

Research Methods and Professional Practice

June 2022

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« Collaborative Learning Discussion 1

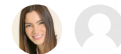


Doug Leece

Initial Post

13 days ago

3 replies



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Max violated multiple code of conduct principles including BCS 2f, 4d, 4e and 3a as well as ACM 1.1, 2.2 and 1.5. Both Max and his manager Jean could also be charged with workplace harassment offenses under Canadian labour laws (Government of Canada, 2015). Unfortunately, Max and his manager Jean, should not expect serious consequences if they choose to ignore the matter.

Section 148 of the Canada labour code imposes fines and incarceration for workplace health and safety violations for physical consequences like injury or death but excludes workplace harassment, defined in paragraph 125(1)(c) (Government of Canada, 2022). The I.T. profession is not licensed, therefore ACM or BCS disciplinary actions are limited to expulsion (Abbot, 2005) and unlikely to affect future employment prospects for either party (Cotton, 2020).

Despite public transparency or stakeholder consideration statements, most organizations don't appear to prioritize ethics (Aluchna, 2015). ACM code of conduct sections 3.2, 3.3 and 3.4 advocate organizational leadership pursue and enforce ethical behaviour policies in the workplace (ACMa, 2022), yet reports of harassment are not declining (Government of Canada, 2021). Additionally, ACM leadership principle 3.1 requires leadership give the public good due consideration, yet a recent global survey of 100 C-level data and analytics leaders revealed 78% of respondents felt ill-equipped to assess the ethical implications of artificial intelligence (AI) systems and resolution is not currently an executive priority (Corinium, 2021). Although government regulators willingly litigate for offenses against the public good, large technology companies seem willing to pay and continue unethical practices (Braun, 2022).

Approximately 500,000 people are registered with computing and security professional bodies such as BCS (BCS, 2021), ACM (ACMb, 2022), ISACA (ISACA, n.d.) and ISC2 (ISC2, n.d.) yet the global ICT workforce is estimated to be greater than sixty million (Sava, 2022). Although the ethical guidelines presented by both ACM and BCS are commendable, extremely low representation within ICT and inconsequential disciplinary actions mean true change to technology ethics matters will need to be driven by employment legislation.



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Reply

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3 replies

1



Post by **Taylor Edgell**
Peer Response

8 days ago

Hi Doug,

You have created a good summation of the BCS code of conduct principles that have been broken, as well as applicable laws to your own region. I looked at the same case study, so I found your insight to be interesting.

I do have some slight disagreement in relation to your statement "Unfortunately, Max and his manager Jean, should not expect serious consequences if they choose to ignore the matter". I am not well versed towards Canadian law, but I do believe there may be some consequences under the UK law. Under UK law Max's behaviour can be seen as harassment as there is evidence of him discriminating against a person based upon the protected characteristic of a person's gender (UK Gov, n.d). From this I would be of the understanding that if the matter is ignored by Max and his manager this could potentially be extremely negative for them both legally and from a reputational perspective. Initially, if discrimination is found to have occurred by an employment tribunal, an initial fine of £49,300 in the top band can be awarded for injury of feelings. Additional awards can also be given to the injured party in relation to aggravated damages (Citizens Advice, n.d).

Although I agree that disciplinary actions by organisations such as BCS and ACM, such as expulsion, may have a limited effect I do not think the reputational aspect should be under considered. Even though punishment can be limited in a legal perspective business and company turnover can decrease due to poor public perception over events such as these. There have been various sections of research that show "that social responsibility influences a firm's market valuation" (Bramme & Pavelin, 2006).

I think it should also be noted that above all else "Organisations have an ethical responsibility to provide employees with a safe workplace" (Al-Saggaf & Ceric, 2017), so case studies such as



these helps highlight the importance of legal protections to ensure organisations are meeting their ethical responsibilities.

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Reply

2



Post by **Alice Villar**

Peer Response 2

4 days ago

Hi Doug,

Thank you for your engaging and well-researched post. I have a few observations about the consequences of dysfunctional behaviors in the workplace. Research indicates that at least 70 percent of U.S. employees are not working optimally at their jobs. Leaders and managers sometimes fail in their role as visionaries and facilitators, resulting in a dysfunctional workplace. It is important that such behaviors are dealt with swiftly as dysfunctional behaviors can lead to detrimental consequences. (Rozell, 2015)

A common definition of bullying is a repeated and prolonged pattern of exposure to negative acts by an individual or group (Vartia, 1996). This includes a range of behavior, such as verbal threats, criticism, withholding information, ostracization, ridicule, and deliberate overloading of work. Research has shown that exposure to bullying in the workplace can impact dissatisfaction (Tepper, 2000); can reduce psychological well-being by increasing anxiety, stress, depression, anger, and helplessness; and create psychosomatic problems such as increased insomnia, stomach and back problems, and chronic



fatigue (Keashley, 1998). Organizational costs include higher absenteeism and employee turnover, lower commitment, lower productivity, and less extra-role behavior (Robinson, 2008)

Dysfunctional behavior at the workplace negatively affects the overall organizational performance, leading to declining productivity, increasing job dissatisfaction, higher turnover, and higher levels of work-related stress, which in turn can damage the overall organizational performance. (Ramzy et al., 2018) As Brown & Leigh (1996) observed in their studies, organizations' positive work environment helps and motivates employees to enhance their performance due to their satisfaction with their jobs. Employees' high involvement and commitment levels to their efforts, energy and time are fulfilled when they feel that the surrounding environments of their organizations are meaningful, psychologically safe; supportive and at the same time empowering them to express their views freely and share decisions.

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Reply.

3



Post by **Doug Leece**
Summary Post

now

Appreciation to Taylor Edgell for identifying UK law does include three financial compensation bands for employment tribunal awards (Edgell, 2022) related to injury to feelings and psychiatric injury, it prompted additional research but ultimately lead to a depressing conclusion.

The description of the bands does not include example criteria, only qualitative terms such as “less serious” and “most serious” (Employment Tribunal, 2022) so we can only speculate on amounts to which someone like Diane might be entitled. Despite extensive searching, actual settlement amounts or frequency were not located, only a UK public policy website indicating the average settlements are reported to be approximately 5,000 pounds (Citizens advice, 2022). Additionally, the costs of any settlement are born by the employer, not the employee that committed the offense (DavidMorris, 2021), therefore even a significant upper band fine would not be paid by either Max or Jean. Either of those people could subsequently be fired by the research facility although the details of the matter would not be disclosed to any future employers so long term impact is unlikely.

I concur with Alice Villar’s response that dysfunctional workplace behaviour negatively impacts organizations (Villar, 2022) and can attest from personal observation supporting corporate security forensic investigations that very little is often done to remediate this damage if the alleged perpetrator is sufficiently high enough up the organizational hierarchy or viewed as a valuable asset. In addition to the backlash many fear experiencing by challenging any employment matter (Detert & Burris, 2016), let alone potential legal issues, mean this behaviour will be difficult to curtail.

I continue to maintain that ethical codes are good for the computer industry and worth abiding by, but they will not curtail behaviour of someone who chooses to ignore them.

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