BELGIUM CAMPUS

IT LAW AND ETHICS

ETHICS AND THE IT PROFESSIONAL





WHAT ABOUT THE IT WORKER?

What are the ethical considerations for someone working in IT?















IT WORKERS



EMPLOYERS

EMPLOYERS

PROFESSIONAL RELATIONSHIPS IT WORKERS MUST MANAGE

THE IT WORKER AND THEIR EMPLOYER

Who are these people and what do they have in common?

Vera English

Joseph Macktal

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EMPLOYERS

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THE IT WORKER AND THEIR EMPLOYER

IT workers often have the skills and knowledge to abuse systems or enable others to do so. **Software piracy** (the act of stealing software that is legally protected) is often an issue where the Business Software Alliance (BSA) needs to step in. The BSA represents the world's largest software and hardware manufacturers.

TRADE SECRETS

This is information, generally unknown to the public that a company has taken strong measures to keep confidential. Think of the KFC & Coca-Cola recipes.

WHISTLE BLOWING

is an effort by an employee to attract attention to a negligent, illegal, unethical, abusive, or dangerous act by a company that threatens the public interest.

Companies might retaliate, therefore whistle-blower protection exists.



PROFESSIONAL RELATIONSHIPS IT WORKERS MUST MANAGE

THE IT WORKER AND THEIR CLIENTS

A software development contract

A client approaches your software development company to develop an app and website for them.

Before embarking on this journey, you will need to draw up a contract that stipulates how your relationship will work. What should this contract include?

TYPICAL ITEMS INCLUDED IN A SOFTWARE DEVELOPMENT CONTRACT

Privacy and confidentiality

What information is considered confidential, what can be stored by developer after conclusion of the project.

Pricing and billing

Provide exact fees and clearly state how, when, and where billing and payment will occur. Attach a payment schedule to the contract.

Intellectual property transfer

Who has ownership of the source code, designs, patents, copyright, and trade secrets.



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TYPICAL ITEMS INCLUDED IN A SOFTWARE DEVELOPMENT CONTRACT

Warranties and liabilities

Include an inventory of 3rd party code and guarantee no backdoor access. Also reject any liability for losses due to software use.

Project time and cost

Decide on fixed or flexible cost structure as well as development stages, deadlines, and milestones.

Services description and scope

Clearly outline client requirements: specific features, number of revisions, source code repositories, software used, and maintenance required.



PROFESSIONAL RELATIONSHIPS IT WORKERS MUST MANAGE

THE IT WORKER AND THEIR CLIENTS

Contracts need to be iron-clad but it is hard to predict for every eventuality. Some of the things that can go wrong include misrepresentation and breach of contract.

MISREPRESENTATION

Misrepresentations are false statements of truth that affect another party's decision related to a contract. There are 3 types of misrepresentation.

INNOCENT MISREPRESENTATION

Innocent misrepresentation is a false statement of material fact by the defendant, who was unaware at the time of contract signing that the statement was untrue.

NEGLIGENT MISREPRESENTATION

Negligent misrepresentation is a statement that the defendant did not attempt to verify was true before executing a contract. This is a violation of the concept of "reasonable care" that a party must undertake before entering an agreement.

FRAUDULENT MISREPRESENTATION

Fraudulent misrepresentation is a statement that the defendant made knowing it was false or that the defendant made recklessly to induce the other party to enter a contract.

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CONFLICT OF INTEREST

This is a situation in which a person can derive personal benefit from actions or decisions made in their official capacity.

BREACH OF CONTRACT

Breach of contract occurs when one party fails to meet the terms of a contract. Misrepresentation can also cause breach of contract. This occurs easily since IT projects can change often.

SUPPLIERS

PROFESSIONAL RELATIONSHIPS IT WORKERS MUST MANAGE

THE IT WORKER AND THEIR SUPPLIERS

Consider a business that does network installation, security consultancy, software development, or cloud hosting. What kind of supplier would these businesses need?

When it comes to software, companies buy licenses to use the software. There are several types.

PERPETUAL LICENSING

The customer purchases the software once and is allowed to use it forever.

SUBSCRIPTION-BASED LICENSING

The customer can use the software or service for as long as they pay the subscription fee. e.g. Netflix

FEATURE-BASED LICENSING

The customer purchases and pays for certain features. ERP software often uses this model.



THE IT WORKER AND OTHER IT PROFESSIONALS

Why was the creator of Sonic the Hedgehog arrested?



THE IT WORKER AND OTHER IT PROFESSIONALS

Professionals often feel a degree of loyalty to other members of their profession. They also have an interest in their profession because how it is perceived, affects how individual members are viewed and treated. One issue is CV inflation.

Another ethical issue that can arise is the inappropriate sharing of corporate information. Because of their roles, IT workers may have access to corporate databases of private and confidential information that could be sold. This confidential information could also lead to insider trading.

CV INFLATION

A common ethical problem that can arise among members of the IT profession is CV inflation which involves lying on your CV. This is often because employers do not check up on claimed qualifications.

INSIDER TRADING

If you purchase or sell stocks on the stock exchange using confidential information, it is known as insider trading. For example, if you know your company will purchase another company and, based on this, you invest in the stock market. This information is not public yet and you gain an advantage.



SOCIAL MEDIA

What are the main social media sites? What is the main purpose and audience of each site?
What about sites aimed at more niche markets?
What are the advantages and disadvantages of social media?

Facebook user data is incredibly valuable. It includes a person's age, location, and gender.
This is perfect for advertisers who can then tailor their ads accordingly.





SOCIAL NETWORKING

Social networking is not a new concept. Social networks refer to a complex set of relationships describing social structures.

On the internet though, a social networking site aims to make an online community of users. It breaks down barriers created by time, distance, and cultural differences.



POPULAR SOCIAL MEDIA SITES



Facebook

2.9 billion users

Twitter

450 million users

Tik-Tok

1 billion users

Instagram

2.2 billion users

LinkedIn

875 million users

Reddit

430 million users

THE USE OF SOCIAL NETWORKS TO IMPROVE CUSTOMER SERVICE

A happy customer tells a few people, an unhappy customer tells everyone. Most large companies have social media managers to monitor public sentiment and to catch issues before they escalate.

THE USE OF SOCIAL NETWORKS IN THE HIRING PROCESS

Employers can and do look at the social networking profiles of job candidates when making hiring decisions. It is recommended that job-seekers ensure their social media is appropriate and/or private.



SOCIAL NETWORKING ETHICAL AND LEGAL ISSUES

On the right are a few internet-related issues. What ethical responsibility, if any, do the providers of internet services have? What is reasonably expected from companies such as Meta, Google, Apple, Vodacom, etc?

IDENTITY THEFT

CYBERSTALKING

CYBERBULLYING

MENTAL HEALTH



University of Pittsburgh School of Medicine, United States

Adolescents described both positive and negative use of social media. Positive use included searching for positive content (i.e., for entertainment, humor, content creation) or for social connection. Negative use included sharing risky behaviors, cyberbullying, and for making self-denigrating comparisons with others. Adolescents described three types of use in further detail including "oversharing" (sharing updates at a high frequency or too much personal information), "stressed posting" (sharing negative updates with a social network) and encountering "triggering posts."

University of California, San Francisco.

The overall impact of social media on chronic disease was variable, with 48% of studies indicating benefit, 45% neutral or undefined, and 7% suggesting harm. Among studies that showed benefit, 85% used either Facebook or blogs, and 40% were based within the domain of support.

SOCIAL MEDIA RESEARCH





University of Cadiz, Spain

The prevalence of health misinformation was the highest on Twitter and on issues related to smoking products and drugs. However, misinformation on major public health issues, such as vaccines and diseases, was also high.

Johns Hopkins University School of Medicine

This study's findings suggest that the use of certain social media and photo editing applications may be associated with increased acceptance of cosmetic surgery. These findings can help guide future patient-physician discussions regarding cosmetic surgery perceptions, which vary by social media or photo editing application use.

SOCIAL MEDIA RESEARCH



University of Bochum, Bochum, Germany

Passive use of social media, which involves using it primarily to consume content that's produced by others, is more strongly associated with mental health issues than active use of social media, which involves using it to actively engage with others. This can be attributed to passive use of social media generally being more likely to provoke social comparisons and envy, among other things.

University of Beirut, Beirut, Lebanon

Descriptive analysis on social media detox revealed that most students reported a positive change in mood, reduced anxiety and improved sleep during and in the immediate aftermath of the detoxification period. These preliminary findings show that 'social media detoxification' is a phenomenon understood and used by university students to moderate their social media use.

SOCIAL MEDIA RESEARCH







DISCUSS

Procter and Gamble (P&G) is one of the largest company's on earth. They own, among others, the brands Head & Shoulders, Pantene, Olay, Oral-B, Pampers, Gilette, Vicks, and Old Spice. Their main advertising avenue used to be soap operas. P&G was an early sponsor and producer of daytime radio and TV dramas—for which the term soap opera was coined. In 2010, after 53 years, they pulled the plug on their soap opera, mostly due to the success of their internet-based advertising. Their Old Spice adverts were a huge success.

- Should the success of a social networking marketing campaign be measured simply by an increase in units sold? Why or why not?
- 2. What key arguments might have been used to convince P&G marketing executives to drop their long-running use of soap operas and replace them with social network advertising?



DISCUSS

For people living with chronic health conditions (one that is persistent and long lasting, such as arthritis, asthma, high blood pressure, cancer, or HIV/AIDS), social networking can play an important role. A 2017 national telephone survey of 3,001 adults found that 37 percent of Internet users living with a chronic health condition have gone online to find others with similar health conditions and to share experiences and seek information.

- Do research and try to find social networks that are designed for people who suffer from alcohol, drug, or gambling addiction. Are there additional potential ethical issues for social networking sites targeted at those suffering from an addiction? Write a brief paragraph or two summarizing your findings.
- 2. What issues might arise trying to discuss with your primary care physician an experimental treatment or drug you discovered on a social network? How might you be able to broach this topic without upsetting your physician?



ETHICS AND AI

If you were a software developer working on an AI, what ethical and legal issues do you anticipate?



ETHICS AND AI

Some ethical issues concerning



Lack of transparency

Al tools are complex



Neutrality

Al bias prevents true objectivity



Privacy

What/whose data is used as the AI learns?



Autonomy

Sufficiently advanced AI might go rogue.



Employment

Many occupations are at risk.



Weaponization

Al can be devastatingly effective



ETHICS AND AI

Which of the ethical theories you studied do you think should apply to how Al functions in the context of decisionmaking?



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