One Fell off the Roof

This critical incident was prepared by the author to be used as a discussion point in an international/global marketing

Introduction

Oh, Mon Dieu! He fell off the roof! This is a refrain that has echoed across building and roofing repair sites around the world.. A worker climbed up a “makeshift scaffold” and fell through good fiber cement board while on the roof (Taffin, Christian, 2011). The court wanted to know who was responsible. His widow wanted to know who was responsible. There were four possibilities, the real estate company who ordered the work to be done, contracting company who was hired to coordinate the repair work, the subcontractor company who was the employer of the dead man or the dead man himself. As a company which intended to expand into other countries where business practices should have been expected to be different from the home country and each international/global expansion strategic plan, what differences in the business/cultural/social environment should have been considered? Are there ethical universals that should have been considered as guidelines for best business practices?

Background

In France, if the worker is provided with a safe environment or suitable safety equipment and he does not use it, then it is the worker’s fault. If the equipment that was provided was in poor working condition and the worker decided to use it anyway, then the worker was partially responsible for his own death. If the, the building plan not drawn according to code – then the real estate company would have been at fault. If the safety equipment was not provided, then the general contractor would be at fault. If the building site was not properly cleaned or the materials being used were not correct for the intended purpose, then the subcontractor would be at fault. The widow was desperate to find out if there were going to be any settlement or death benefits coming to the family. Unfortunately, according to French law, the worker was equally liable as the real estate owner, the contractor and the sub-contractor. It was the experienced worker’s fault that he climbed a rickety scaffold to work on the poorly made and broken roof.

In the U.S., when a worker has fallen and been injured or killed, there are stricter laws and regulations by the U. S. federal government. The same fall in the U.S. would not have been the worker’s fault according to the Center for Construction Research and Training ([www.cpwr.com](http://www.cpwr.com)). The condition of the worksite and the training for the worker was the responsibility of the employer. That means that the owner, the contractor and the subcontractor have had to become very involved in the creation of a safe work site and making sure that workers have had work site training. No worker would be expected to climb an unsafe scaffold and if he had climbed that scaffold, the contractor or sub-contractor would have been liable for damages due to a lack of safety training for the worker. The widow and children would have received a sum of money to help with expenses.

The situation that created the opportunity for disaster could have visited any business that was building a new building or having the roof repaired on the existing building. What has always been different was the type of preventive measures that had been taken and what were the responsibilities of the business operations involved. Underlying the understanding of the accidents in each country were the domestic laws in place. An international company, as an outsider, might have been held to higher standards based on ethical/cultural universals. This is especially true for a company that is expanding from the U.S. Becker says that as far back as the 1200’s, there were cultural/ethical universals that placed the preservation of life and society at its core. Velasquez and Rostonkowski found that people of every nation were bound by “certain fundamentals of wrong and right” and that adult reasoning had given every adult the ability to be “aware of those fundamental moral principle” (1985 as cited by Becker and Fritzsche, 1987).

In addition, globalization has been a transformational process and has created an awareness of cultural similarities and differences globally (Maklouf, 2014).

France has become more open to globalization efforts over the past 10 years. There has been growth in the emphasis on international trade with China, Germany and the U.S (Meunier, 2010). With that increased acceptance of international trade, an increased awareness of ethical universals has come to be a factor in business decisions, particularly for the new foreign based companies.

The Challenge

In an international marketing class, the focus was on expansion outside of the domestic country and into at least one other country. In doing so, there were all the issues of choosing the best product to send to that foreign country, what supply chain intermediaries to use, what type of pricing to use, in sum, all of the usual marketing decision points to be considered. But there was more. The legal and social/cultural issues had to be considered before tripping into the countryside with a light heart, ready to sell products to villagers who needed what your company had made. For a company that manufactured bottled goods, there was a vast difference in the amount of responsibility for the injured or dead roof worker depending on whether the company had expanded into the U.S. or into France.

A firm that expands from the U. S. into other areas of the globe has often been held to higher standards in commerce. Becker and Fritzsche (1987) found that U. S. managers have been more concerned with ethical and legal questions while French managers have been more concerned with keeping business going. In this situation, the differences in business procedures and legal liability of the firm in regard to safety standards have been shown to be very different between France and the U. S. What standards should a global company follow? What guidelines might there be for a company that has been looking to expand internationally?

References

Becker, H., & Fritzsche, D. J. (1987). A comparison of the ethical bahavior of american, french an.*Columbia Journal of World Business, 22*(4), 87. Retrieved from <http://search.proquest.com/docview/216426530?accountid=12258>

Center for Construction Research and Training, 2014, [www.cpwr.com](http://www.cpwr.com)

Meunier, S. (2010). Globalization, americanization and sarkozy's france.*European Political Science: EPS, 9*(2), 213-222. doi:http://dx.doi.org/10.1057/eps.2010.2

Rabot, Sophie 2014, “L’homme était suspend à son harnais,” *LeCourrier de Fourmies*, [www.lobservateurdelavesnois.fr/article/30/01/2014](http://www.lobservateurdelavesnois.fr/article/30/01/2014).

Taffin, Christian, 2013, “Un ovrier fait une chute mortelle d’un toit,” www.sudouest.fr/2011/09/21/un-ovrier-fait-une-chute-mortelle-d-un-toit-504810-1391.php.