**Portfolio Activity**

University of the People

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# Abstract

Ethical decisions should be based on ethical values and legal regulations. This paper focuses on the ethical and legal dilemma Tony faces and discusses two actions he might take and their consequences compared to each other. In addition, it will explain the importance of ethical and legal action, identify the ethically and legally appropriate choices, and explain the ethical lens for those choices.

## Identify the ethical and legal issues in the two decision scenarios in the case.

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| Action | Positive Implications | Negative Implications |
| Tony falsifies the data and approves the test. | * Tony's company can fulfill its contracts with major cell phone companies. * Tony's company increases revenues. * The cell phone company retains hundreds of jobs. * Tony's company could win more contracts based on this performance. | * Both companies could be legally liable for product liability if the product poses a danger to consumers. * Data fabrication damages the company's reputation and stock price. * The company risks being sued for damages due to a breach of contract. * Tony loses credibility and possibly his position or job. |
| Tony refuses to falsify data and does not approve the phone's release. | * Tony complies with professional ethics and acts with integrity. * He prevents the company's reputation and stock price from falling due to regulation violations. * He can protect public safety and consumers. * Tony may gain credibility by preventing risks. | * Breach of contract raises compensation. * Hundreds of jobs could be lost. * Tony will lose credibility and may have to take responsibility by resigning. |

## Discuss the importance of ethical and legal behavior in the context of Tony's ethical and legal dilemmas.

From the article, we can read that Tony feels psychological resistance to accepting tampering. However, Tony should first consider his ethical and legal behavior. Ethics is not the same as emotion. Ethics provides a standard for right conduct, and the law provides a framework for implementing that standard. Furthermore, ethics is not the same as obeying the law. Because laws can deviate from ethics, relying solely on the law to act can be an ethical misstep (Velasquez et al., 2021). In Tony's case, following the law is important, but acting ethically is even more important.

Tony is required to uphold his professional ethics. Tony's role is to make release decisions for products, and approving a product that does not meet regulations violates his professional ethics. Fabricating data is legally and ethically unacceptable, and Tony should follow the law and act honestly. Product regulations are in place to protect consumer safety, and violations may result in legal action. Tony putting users at risk on behalf of the company is inconsistent with putting its and its business partners' companies at risk. The same goes for business ethics. Companies should follow legal regulations and put consumer safety first.

The actions of this major cell phone company are an act of undue pressure against Tony, which constitutes misrepresentation of products and abuse of a superior position. This request raises legal issues, and Tony should categorically reject it to avoid any legal risk. The market will likely impose severe sanctions against a company's lack of ethics. As stated in CSR, companies should be socially responsible, and social responsibility is precisely acting ethically (Ethics Unwrapped, n.d.). By upholding its ethical standards and taking the right actions, Tony can improve its corporate ethical standards and fulfill its social responsibility.

## Identify and explain the ethically and legally sound choice. Which ethical lens is employed to perceive the dimensions of Tony's choice?

**Action 1: Tony falsifies the data and approves the phone for release.**

**The Rights Lens** is an ethical perspective that emphasizes the rights of individuals and companies. Now, Tony has the right to choose his actions. For example, if the regulations for a product are practically harmless to the user, set more than 30 years ago, Tony may feel ethically entitled to tamper with the data. However, a right is a justified claim against another, and the "justification" of a claim depends on some standard acknowledged and accepted by the claimant and society in general (Velasquez et al., 2014c). In this example, Tony has no right to tamper with the data because regulation is that standard.

**The Utilitarian Lens** is an ethical perspective that focuses on the consequences of actions and balancing good and evil (Velasquez et al., 2014b). Suppose one can be certain that the product violating the regulation is unlikely to cause scientific harm. In that case, protecting hundreds of jobs may be a rational choice. However, given the damage to the reputations of the two companies and the risk of litigation, this choice is not rational. The Markla Center for Applied Ethics states that there are difficulties in making utilitarianism a moral decision because of the difficulty in predicting and comparing the various benefits and damages (Velasquez et al., 2014b).

**The Care Ethics Lens** is an ethical perspective that emphasizes relationships between people (Velasquez et al., 2023). In this example, Tony might first want to improve his relationship with the president of the telephone company in front of him. He might also consider it morally valuable to maintain relationships with hundreds of employees. An interesting explanation from the Markla Center for Applied Ethics states that care ethics sometimes allows for violations or exceptions to the rule. On the other hand, it also states that this theory, based on emotional and physical dependence on others, creates obligations and motivations (Velasquez et al., 2023). No matter what actions Tony feels obligated to perform, the moral perspective that the care ethic lens requires is based solely on personal feelings and not on legal provisions. Therefore, the care ethic lens would not be an appropriate perspective.

**Action 2: Tony refuses to falsify the data and does not approve the phone for release.**

**The Justice Lens** is an ethical perspective that emphasizes fairness and equality (Velasquez et al., 2014a). In this example, let us discuss equality from the consumer's perspective. Suppose two consumers purchase products A and B that meet certain technical provisions. If, in fact, only product A met the technical requirements, these consumers would no longer be equal. Thus, any action that impedes equal choice is an injustice. For Tony to refuse to falsify the data would be doing justice to the safety of the consumers. Following legal stipulations is also important for fairness. From a justice perspective, Tony's actions are ethically and legally righteous in this example.

**The Common Good Lens** is an ethical perspective that focuses on the interests of society as a whole (Velasquez et al., 2014d). This lens would be most appropriate for this discussion. In this example, Tony's refusal to falsify data protects the safety of consumers and the interests of society as a whole. Even more than hundreds of jobs could be adversely affected by the product's release if falsification is discovered. Thus, from The Common Good Lens, Tony's actions are the right thing to do to protect the interests of society as a whole.

# Conclusion

Surprisingly, the law and ethics are not on the same page. Moreover, our emotions can also prevent us from acting ethically. Ethics differs from emotion, law, religion, culture, and science (Velasquez et al., 2021). Ethics provides a standard for right behavior, and the law provides a framework for implementing that standard. The ethics lens provides an important perspective from which individuals and organizations choose their actions. Since every lens has different value systems, choosing the best lens depending on current circumstances, appropriate predictions, and comparisons are important. In Tony's case, the most relevant perspectives are the justice and common good lenses. A Framework for Ethical Decision Making should follow certain steps as in this assignment: 1. Identify the issue. 2. Review the facts. 3. Evaluate multiple actions. 4. Select and implement the action. 5. Evaluate the results and correct them as necessary. These steps will help ensure proper, continued ethical decision-making.

**Word count: 1328**

**References**

Ethics Unwrapped. (n.d.). Corporate Social Responsibility - Ethics Unwrapped. Retrieved on Nov 16, 2024, from https://ethicsunwrapped.utexas.edu/glossary/corporate-social-responsibility

Velasquez, M, Moberg, D, Meyer, M, Shanks, T, McLean, M. R, DeCosse, D, Andre, C, Hanson, K. O, Raicu, I & Kwan, J. (2014a). Justice and Fairness. Retrieved on Nov 19, 2024, from https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/justice-and-fairness/

Velasquez, M, Moberg, D, Meyer, M, Shanks, T, McLean, M. R, DeCosse, D, Andre, C, Hanson, K. O, Raicu, I & Kwan, J. (2014b). Calculating Consequences: The Utilitarian Approach - Markkula Center for Applied Ethics. Retrieved on Nov 18, 2024, from https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/calculating-consequences-the-utilitarian-approach/

Velasquez, M, Moberg, D, Meyer, M, Shanks, T, McLean, M. R, DeCosse, D, Andre, C, Hanson, K. O, Raicu, I & Kwan, J. (2014c). Rights - Markkula Center for Applied Ethics. Retrieved on Nov 18, 2024, from https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/rights/

Velasquez, M, Moberg, D, Meyer, M, Shanks, T, McLean, M. R, DeCosse, D, Andre, C, Hanson, K. O, Raicu, I & Kwan, J. (2014d). The Common Good - Markkula Center for Applied Ethics. Retrieved on Nov 19, 2024, from https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/the-common-good/

Velasquez, M, Moberg, D, Meyer, M, Shanks, T, McLean, M. R, DeCosse, D, Andre, C, Hanson, K. O, Raicu, I & Kwan, J. (2021). A Framework for Ethical Decision Making. https://www.scu.edu/ethics/ethics-resources/a-framework-for-ethical-decision-making/

Velasquez, M, Moberg, D, Meyer, M, Shanks, T, McLean, M. R, DeCosse, D, Andre, C, Hanson, K. O, Raicu, I & Kwan, J. (2023). Care Ethics - Markkula Center for Applied Ethics. Retrieved on Nov 18, 2024, from https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/care-ethics/care-ethics.html