

Title:

Technology And The Whistleblower

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1006

Summary:

As the meeting comes to a close, your boss smirks with an self assured arrogance. He then says that you should seriously consider his offer, because he has it on good authority, that there may be a very localized downsizing in your department. Wouldn't it be nice to smirk back and just say "no thanks".

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Article Body:

As the meeting comes to a close, your boss smirks with an self assured arrogance. He then says that you should seriously consider his offer, because he has it on good authority, that there may be a very localized downsizing in your department. Wouldn't it be nice to smirk back and just say "no thanks".

This scenario plays out more often then most people realize. With all of the recent business and government scandals there were a lot of people who knew that books were being cooked, laws being broken and the health of the public being put at risk, just to keep profits high and investors content. Many people felt that there was nothing they could do against powerful executives and corrupt bureaucrats. The credibility of a low level employee compared to that of a 'successful' corporate executive is a huge hurdle to overcome. Also, corporate lawyers are there to defend the company, even from internal hazards. So, once a person decides to speak up, they must be prepared to have their credibility brutally attacked and the onslaught of legal preceding from an all-star team of corporate lawyers.

Just the thought of legal proceedings can stop a person from making the ethical choice. It's easy for people to be vilified by their employer, at which point the credibility of the person speaking out is destroyed. How is possible for a single person to fight a company or government with infinite resources? Many

years ago, it was practically impossible. However, the "digital revolution" may have changed the balance of power. For a "whistleblower" to be effective they need proof of wrong doing and a method to communicate those issues to the public. The availability of compact electronic devices such as digital audio recorders and digital cameras allow an individual to document many of the issues and bring the power back to the whistleblower.

The first piece of technology that should be in every whistleblowers repertoire is a digital audio recorder. These devices are so small that they can be put in a shirt pocket without being noticed. Once you decide to "blow the whistle" you should start recording all of your conversations. Keep a log of the items discussed, so that you can refer to the appropriate recording when needed, otherwise you can spend hours going back over the content. The best part is that these devices are not expensive. A digital voice recorder costs about \$100, or many times MP3 players have a microphone built into the device, so they can be used to record conversations.

Another device that is very handy is a voice modem with telephone recording software. This will allow you to, hook up your phone, and record any conversations that occur over the phone. If you get fired before you have all the evidence, sometimes telephone conversations, with the people in power, can help to document important facts, because people very rarely think they are being recorded and say things that they probably should not have.

Make sure you check your local laws regarding conversation recording. In most places it is legal to record with one-party consent. One-party consent means that if you are involved in the conversation, you do not need to notify the other parties that you are recording the conversation. In Canada, one-party consent is the law. In the United States it is a little more complicated, as some states have their own regulations. You can refer to this recording law chart (<http://www.snakeoil.ca/docs/recordinglaw.html>) to determine what laws affect you. If in doubt, speak with a lawyer.

The third device every whistleblower should have is a digital camera. Many times the violations are in manufacturing or packaging, which could be a public health concern. These can be very hard to document and prove, since the paper records may be manipulated. A picture says a thousand words though, and will help authorities uncover doctored documents. When taking pictures be very cautious as most companies prohibit camera's on their premises. Many cell phones are now equipped with digital camera's, so they are easier to conceal. Take as many pictures as you can and try to prove the date you took them. Some camera have a date stamp feature, even though this is easy to manipulate. The best option is to take a picture of the daily newspaper beside the offending subject. This is

very hard for lawyers to argue against and disprove that the violations did occurred on that particular date.

The last piece of equipment needed is a computer. When the authorities begin investigating your complaint, you will need to produce your evidence such as documents pointing to the issues. Most corporations are moving towards a paperless environment, which means that these documents will only be accessible by a computer. The other important part your computer plays, is to backup all of those images and audio recordings. Make sure your computer has a CD writer or DVD writer. Take these backups and put them somewhere secure, like a bank deposit box.

One area of concern is the removal of corporate documents from the office. This can violate many legal agreements you may have signed. If you are worried about this, there is a very simple solution. Backup all of the evidence files at work and stash them somewhere in the office. In the ceiling or in duct work is a great place. Basically, anywhere nobody ever looks. When it is time to produce these documents, simply tell the authorities that you have stashed them in a safe place at the office. The evidence is kept safe and you haven't violated any agreements, a win-win situation.

In the future, companies may begin banning digital devices from the workplace for the exact reasons being discussed here. However, if we are persistent, it may go the other way and corporate behaviour may change, which is the ultimate goal of being a whistleblower. The days of "plausible deniability" and "disgruntled employees" are disappearing quickly.