Part I

Take Care of Yourself

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When Morals Become Ethics

Your Beliefs Become Your Behaviors

Whatever we want our children to be, we should become ourselves.
—Carl Jung

A gentleman stood up in one of my citywide seminars in Knoxville, Tennessee, that many University of Tennessee students were attending. He announced that he was "only speaking to the young people in the audience" and went on to tell the story below. I'm so glad he did:

> I had just graduated from college and had my first job with an oil company in Oklahoma City 25 years ago. Jobs were scarce at the time, and I especially needed mine because my wife was pregnant. My boss called me into his office one day and gave me two envelopes—one with a round-trip ticket to Phoenix, the other with $10,000 in cash. He told me to fly to Phoenix and give the envelope to the chief of a Native American reservation in the area. I don't know

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where I got the nerve at the time, but I remember asking him "why?" He replied, "We are trying to buy the oil rights of his reservation."

To this day, I can tell you the suit I was wearing, the color of my shirt and tie, and how my knees were wobbling. I mustered up my courage and replied, "Then, this is a bribe?" My boss immediately responded, "No, no, no—this is just the way we do business!"

Now, I had a choice, and it turned out to be the choice that framed my future business career. In a slightly shaky but firm voice, I replied: "Then, I can't do that."

I can't remember my boss's exact words, but they were something to the effect of "my way or the highway." And I never did figure out if, in that moment, I was fired or I quit! Regardless, I was on the street.

After a good amount of time and trauma, I eventually found another job in the banking industry. I am now executive vice president of (a major bank) in Knoxville.

I am telling this story to you young people out there for two reasons: First, I don't care how old you are, you can stand up for what you believe is right. And, second, every ethical decision I had to make in my career from that point on was easier to make!

The applause seemed to go on and on.

This man probably didn't get up in the morning on the day that he refused to deliver the bribe and declare, "Today, I will stand my ground and behave in an ethical way." His decisions came automatically from within—from his moral compass, the internal guidance system that pointed toward what was right and away from what was wrong. In short, his *moral beliefs* directed his *ethical choices*. He learned early on in his professional life that "doing the right thing" means making the difficult choice even when there is a steep price to pay, or even when no one at all—except you—would ever know the difference.

A Few Definitions

Before we proceed, I want to share my definitions for *values*, *morals*, and *ethics*. These terms are commonly used interchangeably since they

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each provide behavioral rules. However, you have to appreciate their distinctions to understand why good people sometimes behave badly. So let's split a few hairs:

Values by themselves are not a matter of good versus bad, moral versus immoral, or ethical versus unethical. Our values are personal; we choose and assign to them varying degrees of importance. Not all are equal, and they change as we grow and encounter various life experiences. Some of our values might be qualities like comfort, stress, accountability, friendship, security, honesty, stability, achievement, status, autonomy, loyalty, competition, cooperation; it's a long list. But whatever values we choose, those that are most important to us are essentially what define us.

Morals are the principles of a person's character that are deemed "right" or "good" according to a community's standards. We learn morals when we are very young, and they do not change. *Ethics* describes the social system—like your office—in which those morals are applied. Ethics usually refers to a set of rules or expectations that are accepted by a group of people, whereas a person's morals stay private. A useful way to think about how morals and ethics relate is this: We *accept* our morals and *choose* our ethics based on our values.

These distinctions allow us to talk confidently about social, medical, office, company, and professional ethics, but not about moral or immoral people. We cannot know another person's moral code; however, we can observe a person's ethical behavior. When we refer to another person as moral or immoral, we impose our moral standards on them and presume that we know their internal character, their innate "goodness" or "badness." We're better off simply saying that someone is ethical or unethical, based on whether we observe their behavior to be aligned to our group's accepted code of conduct.

What Do You Think?

I attended a holiday party a few weeks after Bernie Madoff's Ponzi scandal erupted in New York City. A gentleman came up to me and posed this question: "Nan, I sit on the board of trustees of a prestigious college on the East Coast. A few months ago, the college received a huge monetary gift from Madoff. The money is currently in the bank but has not been allocated to any particular branch of the college yet. Can we keep this money?"

I started to give my standard disclaimer, as I often do: "I'm not an attorney, nor am I a licensed CPA . . ." when he interrupted me with, "I know you're not, but you're an ethicist. I would like your opinion on what we should do!"

I looked him right in the eye and replied, "It's not *your* money!"

Well, to say he went "ballistic" would be an understatement. He peppered his justifications at me at rapid pace: "We were given and accepted the money in good faith" and "We are totally innocent in the Madoff scheme." His defensive diatribe went on so long it brought to mind Shakespeare's line: "Methinks you doth protest too much!" Why was he even asking me the question in the first place if he had no doubt about what he should do?

When he finally ran out of steam, I caught two attorneys who are friends of mine by the sleeve, brought them over, and asked the gentleman to ask them the same question. He did, and both of them immediately responded: "It's not *your* money, so you have to give it back!"

We discussed at length how this was a unique ethical dilemma because the money had not yet even been allocated to a particular branch of the college (it was just sitting in the bank). My attorney friends both said if the funds had been already spent, you *could* argue it was too late to do anything. However, there was a clear choice in this case. This was also a great example whereby the gentleman was justifying keeping the money because "We're not doing anything illegal." But was it the *right* thing to do?

Fast-forward a few months. I was chatting with a golfing friend, Andy Weiner, about this very subject, when he shared the following story with me. Andy was serving as a board member of Faith's Lodge, a Minnesota-based charity that supports families facing the loss or severe illness of a child. At their annual fund-raising event, Andy said the chair was standing at the podium ready to close out the evening when "a nice-looking gentleman in formal business attire took the stage and told the story of losing his son—and then handed him a $25,000 check!" Andy added, "We were all elated. What a wonderful way to wind up our fund-raising year!"

Four days later, the man who presented the check, Tom Petters, was arrested for heading a "mini-Madoff" Ponzi scheme. (Petters has since been sentenced to 50 years in prison.)

I asked Andy, "What did you do?" He replied, "We immediately had an emergency board meeting via e-mail and we *unanimously* voted to return the check." Andy looked me right in the eye and said, "Nan—it wasn't *our* money!"

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Are There Morals We All Agree Upon?

Yes. There is a short list of *universal moral principles* that appears to be accepted by all religions, cultures, and societies:

- Empathy
- The ability to distinguish right from wrong
- Responsibility
- Reciprocity
- Commitment to something greater than oneself
- Self-respect, but with humility, self-discipline, and acceptance of personal responsibility
- Respect and caring for others (the Golden Rule)
- Caring for other living things and the environment

While each culture may label and express these universal moral principles in slightly different ways, you can look for them anywhere and you'll find that common moral sense is always the same.

Ethics, then, is a *system of moral values.* We all start with universal moral principles and, as we mature, choose our most important values based on our upbringing and social networks. If our morals and values are in alignment, we can relate to others in an ethical way. We can also look at ourselves directly in the mirror while shaving or tackling bed hair in the morning. Even Mickey Mouse used to say, "You have to be *yourself!*"

While it's difficult—nearly impossible—to change another person's morals, their values may be negotiable, and this is where hope for the Ethical Office lies. If we can align our coworkers to a commonly accepted code of ethical behavior—that is, our professional ethics—our ethical dilemmas will disappear, and productivity will go through the roof!

Growing Up Ethical

Where do our morals—these "generally accepted standards of goodness and badness in conduct or character"—actually come from? It is widely thought that we do not choose our morals, but rather learn them and accept them from our culture—some combination of our parents,

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teachers, religious leaders, media, coaches, friends, and experiences—at a very young age, hence our societal imperative that children receive sufficient care and nurturing. In the words of James Baldwin, "Children have never been very good at listening to elders—but they have never failed to imitate them."

I once sat with radio talk show host Danny Bonaduce in his New York City studio for a live interview. You may recall Danny, at a young age, as the little red-haired, freckle-faced actor who played the banjo on *The Partridge Family* TV show. Danny took our workplace ethics conversation seriously, but he also teased me (and his listeners) with questions such as: "Nan, I don't make much money here, so what if I take the dictionary home and keep it for my kids? Is that ethical? What if I just take the Scotch tape home every now and then? Is that ethical? Everyone does it—what's the big deal?" Ms. Ethics (me) kept responding to his questions, "No, Danny, that's not ethical." Finally, at one point, with a twinkle in his eye, he replied with frustration, "You remind me of my TV mom—Shirley Jones! She never let me get by with anything, either!"

I told Danny *he* reminded *me* of one of my favorite cartoons featuring a little boy who was suspended from school for stealing pencils. His father was driving him home and scolding him all the way: "Johnny, how can you possibly be suspended from school for stealing pencils?" In the last cartoon frame, the papa says, "What do you do with all the pencils I bring home from the *office?*" It certainly makes one think.

However we come by them, our morals provide the context, or framework, for our actions. These are our most fundamental beliefs—our core values. These are the principles and values we have internalized. We make moral decisions without a lot of thought because they are based on the principles in which we believe most deeply. Morals are a part of who we are—our internal guidance system.

In order to live happily and at peace with ourselves, we have to live in ways that are congruent with our morals. For us to work happily and productively, we need to share common ethical standards with our coworkers. Therefore, we encounter a classic ethical dilemma when the ethics in the office are at odds with our personal values. And the larger the gap, the greater your level of stress. That's what makes the discussion of what the Ethical Office is, and how to build one, so essential to the quality of your professional life. You have the power to *choose* whether to behave in ways that are congruent with your values and morals, and you have the power to *act* to influence the group's ethics.

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Acting on what you believe is "right" creates a positive and productive workplace, whereas acting in opposition to what you know is "right" causes discontent, low esteem, angst, frustration, pettiness, and—surprise, surprise—low productivity. I have observed this time and time again in my consulting work and have found that an ethical workplace outperforms an unethical (or ethically conflicted or confused) workplace every time.

But Aren't Laws Sufficient?

Unfortunately, no. Laws are the minimum, essential requirements that maintain social order. They apply to everyone and are attractive because they are actually written down. However, conforming to a standard that is merely the minimum for behavior is hardly an achievement.

Laws are poor substitutes for ethical awareness and conduct at work for two reasons: First, you cannot possibly codify all aspects of the interpersonal relationships that comprise an office environment. If someone in the workplace is going to treat someone else unfairly, he will find a way to do it. Second, it is possible to satisfy the letter of the law even while still committing an act that most reasonable people would consider unethical or immoral. It may be technically legal to accept a gift from a supplier, but does that make it the right thing to do?

Still, it's tempting to use a simple, minimal legal standard for our conduct. When called to account for our questionable behavior, how many of *us* would hide behind the flimsy statement, "I did nothing illegal," or "What I did was perfectly legal," as if legality equals "rightness."

Let's sum it up in reverse order.

Legal standards are the minimal standards that provide the outer boundaries of conduct ("If you go beyond this point, you risk going to jail"). They tell you what you *cannot* do, but provide no positive guidance about what you *should* do. Workplaces that are guided solely by the law tend to be negative, petty, and mean-spirited. We, of course, must comply with the law, but it's not enough.

Ethical standards are the next step up. Ethical conduct is the set of behavior standards established for, chosen, and accepted by a group of people working together in the same place, group, or profession. There may be differences among corporate, professional, office, and personal ethics, depending on your situation.

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Values are the bridge between morals and ethics. They are personal, variable, and adaptable. They carry no "rightness" or "wrongness" in and of themselves, but they must be aligned to morals and ethics to avoid dilemmas and the accompanying stress.

Moral conduct implies the highest standards of conduct guided by universal principles. If the law is the minimal standard, and ethical standards a reasonable expectation, then a moral code is the highest personal standard.

In short, the law tells you what you *should not* do, ethics tell you what you *should* do, and morals tell you what you should *aspire* to do.

This way of thinking explains why and how there can be several acceptable answers to ethical dilemmas. While I certainly don't want to suggest that you lower your standards, I must tell you the truth. Sometimes the best you can do in the practical world is to choose the answer closest to your personal values. They define who you are, and the closer you are to your "true" self, the happier and more satisfied you will be at work. Each of us has to make choices about keeping things confidential, respecting coworkers, telling the truth, and so on—choices that routinely test who we are and what we stand for.

We Grow Ethically as We Mature (Thank Heaven)

People will continue to grow ethically as long as they continue to be challenged. One of my favorite stories about maturing is the father who devised a method of disciplining his young son. Whenever the boy was naughty, he had to drive a nail in the fence. Whenever he was good, the boy was allowed to remove a nail. Simple rules, right? One day, the boy noticed that the fence was all full of holes and looked bad. He remarked about this to his father and said, "I can take the nails *out*, but I can't remove the holes" (an important observation). His dad was wise to point out that, although we may balance our mistakes with good deeds, sometimes the mistakes still leave their mark.

This potential for predictable moral growth is the *single best hope* for building a more ethical office environment. Questioning and discussing the ethical dilemmas that take place in the office prompts everyone who participates to move a little further toward their next stage of development.

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So there *is* hope! The ethical dilemmas you are thrashing out this year with your supervisors, peers, and coworkers are actually helping people grow, which hopefully means you will not have to deal with the same dilemmas next year. There's still no guarantee that your boss will "see the light" and stop submitting bogus expense reports on her own; after all, she has her own set of values. But as you learn to identify and handle these dilemmas better, your boss's ethics might even improve a bit (albeit often at a glacial pace)!

Fortunately, we have choices about how to handle our ethical dilemmas, which means we have some power over what happens to us professionally. Good thing, too, because dilemmas, by definition, defy simple, black-and-white decisions. We'll see this recurring theme time and again in this book because the decision you make depends on the given situation's unique circumstances.

I received the following letter that presents a classic dilemma, which pits moral standards against job obligations:

> Dear Nan:
>
> I am a legal assistant to a high-profile attorney who often takes on controversial cases. I love my job because it's never boring and challenges me daily. My boss's new client is an abortion clinic in our city; he is defending the clinic in a malpractice lawsuit. I am a staunch pro-life supporter and campaign often for candidates of my persuasion and, for that reason, I do not want to support my boss in this case. I know that if I have to do so, my personal feelings will prevent me from doing a good job. Do I have the right to refuse? And, if so . . . how do I do it?
>
> —Elenita in San Antonio, TX

I know my seminar attendees struggle with this situation because the room is always split on this particular issue. The conundrum is: You are not being asked to do anything illegal, immoral, or unethical; you are simply being asked to do your job! But you are struggling with the question: Can I keep my personal morals out of the job—and do I have a right to express them? Again, you have a choice.

Keep in mind that you have been hired to do your job, and one of your responsibilities is to support your boss in his or her job. You haven't been hired to pick and choose which part of your boss's

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responsibilities you wish to support. What if your boss were defending a child abuser? *That* case would kick us all in the stomach. Legal assistants who are familiar with these dilemmas remind us that, when you join a law firm, you accept two principles: (1) everyone has the right to a vigorous defense, and (2) everyone is innocent until proven guilty.

This woman's options were as follows: She could do her job while trying to separate her emotions about her personal morals from her performance. She could also talk to her boss about the situation, explain her objection, and express her concern about being able to perform at top level. If she works for a large law firm, perhaps they can find another assistant to work on this case and/or hire a temp to do so (both of which are, unfortunately, costly solutions). If it is a small law firm, neither of these solutions may be an option. This assistant may be fortunate to have an understanding boss who will make an adjustment for her, or this may quickly become a nonperformance black mark in her next review. She may even be fired on the spot. All of these outcomes are legal, and she would have no recourse. But, again, everyone has the right to say "no" to anything—and the price you may pay for not being able to separate your personal beliefs from your job responsibilities may be too high for you. Then again, it might be a price you are willing to pay. Only you can decide.

Phew. Whoever said these jobs were easy?

We All Have Regrets

Jean was a Midwestern secretary who worked for the fund-raising arm of a nonprofit operation. Her specialty was planned gifts, and the executive she worked for was an attorney. Her organization encourages donors to seek their own attorney's counsel for document preparation during the estate planning process. One particular donor, who procrastinated in having her will made out, was, according to Jean, "sort of coerced into signing a will we made out for her." Jean's boss asked her to prepare a will for the elderly woman to sign and put their organization in it for $50,000, which she did, and "we became beneficiaries of this gift." At her boss's request, Jean destroyed all evidence "that we drew up the will." She was also instructed to have "no memory of this situation." Jean claimed to have a good relationship with her boss and that she "always did what he asked." Despite the fact that she knew at the time that what she was doing was wrong, she went ahead and followed her boss's instructions. The elderly woman died,

and Jean's organization received its gift accordingly. However, Jean will forever have regrets that she did not object to her boss's request. She also realizes now that, if the family ever contested the will, "I could be taken into court for questioning." Jean considers this to have been a substantial ethical, moral, and legal lapse in her judgment.

Mark was chief operating officer of an engineering firm. He told me that he once "sat in the CEO's office while the CEO ranted, raved, and scolded (complete with expletives) one of my subordinates!" He added, "I knew this was verbal abuse of the worst kind, and yet I did nothing about it." Mark confessed to me, "Today, I would have stood up, told the CEO I would handle this myself, and made a fast exit with my employee in tow." He added that while he knows this would have made the CEO furious, he would have sat down with him later and explained how this kind of behavior falls into the hostile environment slot of harassment guidelines and the like. To add to Mark's regret for not defending his employee at the time, he told me he also lost him to a competitor shortly thereafter. And, as he said, "I can't blame the guy for leaving."

A woman named Julie told me she was an executive at a privately owned industrial firm. Her boss, the CEO, was a staunch supporter of a particular presidential candidate and party, and Julie happened to be supporting the opposition. The CEO often held fund-raisers at his home, which, according to Julie, he "expected his executives to attend and, if they could not attend, to at least write a personal check to the candidate." In addition, a few weeks before the national election, he "brought in posters of his candidate for each of us to put up in our private offices and also handed out bumper stickers." Julie said while all of this made her furious, she wanted to "remain in good stead with my boss . . . so, I plugged my nose and put up the poster but could not go so far as the bumper sticker."

To this day, Julie regrets not standing up for her rights as a citizen. She claims (with 20/20 hindsight—we all have it) that she should have informed the CEO of the fact that it's illegal for an employer to foist his/her ideology, religion, and/or political beliefs on employees. His behavior qualified as employee intimidation, and he was creating a hostile work environment. To make it worse, she said, "I know he would have listened to me because he respected me and we had a great rapport." Julie also believes that, had she stood up to him, she might have saved the company from the resulting exodus of employees. Like several others, Julie left the company shortly thereafter.

Both Mark and Julie told me they did nothing in these circumstances because they needed their jobs. Mark said he was always "one

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paycheck away from serious cash flow trouble," and Julie was a single mom who constantly worried about her kids' welfare. Mark and Julie represent the kind of everyday heroes from whom we can all learn something. They both are individuals who obviously think about "doing the right thing," feel strongly about their principles, and actually have the intestinal fortitude to walk the talk—at least among their peers, most of the time. Yet even they were not beyond intimidation. There are many of us who have experienced similar situations when we felt we had to do something we knew was wrong.

Andrea, the secretary in Lauren Weisberger's popular book-turned-movie, *The Devil Wears Prada*, faced a classic dilemma as well. She was working for the-boss-from-hell in the New York fashion industry and was staying only because the boss promised to give her a recommendation that would be her entrée into any fashion publication she chose thereafter—if she could hang onto her job a little while longer. However, even if she survives, she has to decide if "the job that a million other women would kill for is worth the price of my soul." In the end, she decides it is not worth it, but it's a choice she must grow into on her own. There are countless professionals out there who can relate all too well to Andrea's story.

Should We Lower Our Standards to Make Our Lives Easier?

As we grow more mature ethically, we often find ourselves under pressure to relax our own standards when we're told by way of justification, "Everyone does it." However, it's always perilous to lower your own standards, as it may put you on the first step of a slippery slope. Perhaps no one has ever more clearly expressed this danger than German philosopher Goethe, who once spoke these powerful words: "We *become* that which we tolerate!"

It's Up to You

While the decision to do the right thing may be difficult, it's really not complicated. Either you do or you don't. But if you compromise your integrity by opting to take the unethical route for yourself, you can expect to feel badly about the decision later on. Remember the boy we met earlier in the chapter who put the nails in the fence and

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pulled them out later? The holes were still there. The deed could not be undone.

We have all had that pit-in-our-stomach feeling when we caved to something we knew we should not have. But recognizing this is half the battle. The other half is acknowledging we will do better next time and appreciating the fact that our moral growth is an ongoing process.

In the chapters that follow, we'll explore the values most relevant to employees in the workplace and the ethics that support them. I predict that you will feel more and more confident and empowered to be the agent of ethical change in your office. I can't wait!

> *One's philosophy is not best expressed in words; it is expressed in the choices one makes . . . and the choices we make are ultimately our responsibility.*
>
> —Eleanor Roosevelt, U.S. First Lady (1933–1945)