

## On Parole Teaching Notes

### *What Are the Relevant Facts?*

1. The company for which Mary Ellen is a personal manager is strong on affirmative action.
2. Luke Pearson, after having served seven years for homicide, has been working in the company for several months.
3. By the parole officer's account, Luke has a history of brutally assaulting people that he has met at work.
4. Luke did not complete the question concerning criminal history on the application form.
5. Had proper follow-up occurred, Luke might still have been offered the job.

### *What Are the Ethical Issues?*

1. How can Mary Ellen protect the welfare of all employees without engaging in discriminatory hiring practices?
2. Does the company have an obligation to protect its employees from potentially life threatening situations?
3. To what extent is Mary Ellen responsible for taking action or informing others of the situation?

### *Who Are the Primary Stakeholders?*

- Mary Ellen
- Luke Pearson
- All employees of the company who know (or who are known by) Luke
- Stockholders of the company

### *What Are the Possible Alternatives?*

1. Fire Luke because of application irregularities.
2. Inform the Director of Personnel, and let him/her make the decision
3. Tell Luke to report in to his parole officer.
4. Do nothing.

### *What Are the Ethics of the Alternatives?*

- Ask questions based on a "utilitarian" perspective (costs and benefits). For example:
  1. Which possible alternative would provide the greatest benefit to the greatest number? How would costs be measured in this vignette? How much value should be placed on (a) the right to equal employment opportunity and on (b) providing all employees with a relatively safe work environment? Do the benefits of being true to the spirit of employment policies outweigh the potential danger to employees that this situation implies?
- Ask questions based on a "rights" perspective. For example:
  1. What does each stakeholder have the right to expect?
  2. Which alternative(s) would you not want imposed on you if you were Luke Pearson? Mary Ellen? Other mail room employees?
- Ask questions based on a "justice" perspective (benefits and burdens). For example:
  1. Which alternative distributes the benefits and burdens most fairly among the stakeholders?
  2. Which stakeholders carry the greatest burden if Mary Ellen does nothing?

### *What Are the Practical Constraints?*

1. As a manager in the personnel department, Mary Ellen must consider the legal ramifications of any actions that she undertakes in her official capacity.
2. Mary Ellen probably does not have the authority to fire anyone in the organization without having due cause and involving others in the decision.

### *What Actions Should Be Taken?*

1. What actions should Mary Ellen take?
2. Which alternative would you choose if you were in her position? Why would you make that choice?
3. Which ethical theories (Utilitarian, Rights, Justice) make the most sense to you as they relate to this situation?