COSMOS®
Navigate the Compliance Universe

Ethikos Volume 35, Number 2. March 25, 2021
Ethics policies in an age of distrust

By Andrew T. Wampler

Andrew T. Wampler (awampler@wwmgs.com) serves as Deputy General Counsel at Ballad Health, located in Johnson City, and as Of Counsel at Wilson Worley PC, located in Kingsport, Tennessee, USA.

The world is changing in profound ways, and the trust and support that workers have had for their employers has shifted, and not necessarily for the better. Part of that is attributable to employers who have focused on the bottom line and prioritized that focus over loyalty. The shift is also tied to the fact that employees have greater access to the job market; workers become aware of job openings more than in the past, and the stigma of moving to new opportunities is gone. In fact, some employers look for workers who have jumped to multiple positions out of a belief that such changes display initiative and flexibility. Workplace positions and people are more fungible than they have been in decades.

That shift, along with changes in communication methods and styles, has created an employer–employee relationship that has become more adversarial than it may have been at other times; at the least, it is more disconnected and/or formal. As a result, loyalty has suffered, and what employees are willing to tolerate or accept in the workplace is changing, greatly affecting the culture of an organization.

No longer can companies assume workers will have solely the organization's best interests at heart. In addition, social mores are shifting, and there are increasingly disparate views of what is acceptable, like with dress codes and the nature of interactions with superiors, for example. What may have been unthinkable 40 years ago can be commonplace now.

For these reasons, setting lines of what is acceptable behavior both internally among colleagues and externally in dealing with others is more important than ever. Those lines should be set with an eye to how they define the overall workplace culture.

The (over)spreading of information

When setting standards for the organization's culture, consistency—handling similar issues in similar ways—is a necessary part of the equation and critical to the way information passes. With cell phones in every pocket and recording devices for video and audio readily available, actions and communications are frequently documented, and workers become increasingly aware of how issues are handled.

Though email is ubiquitous and is used for nearly all business activities, it can't guarantee consistent messaging or handling of a situation. While too many business leaders assume that email serves as a conversation between two people or a small group, that is not the reality. It can be forwarded, saved, altered, and intercepted. Unintentional distribution to numerous people is common and can happen with the push of a button. I have been involved in litigation in which witnesses confided that they never considered how emails could be transmitted or how they might be interpreted out of context or by different readers.

Social media adds another troubling component to the equation, as a well-placed posting can hit thousands of screens in a very short time. The damage done by those communications can be lasting: studies show that

individuals trust consumer reviews and comments much more than advertising or company marketing efforts.[1] Issues that were handled discreetly on a small scale in years past can now explode onto the scene both inside and outside the organization.[2] What formerly was discussed and addressed, or even ignored, in the human resources department or at a water cooler can be fodder for attack in multiple forums and have a long-term, tarnishing effect on an organization's reputation.

This document is only available to subscribers. Please log in or purchase access.

Purchase Login