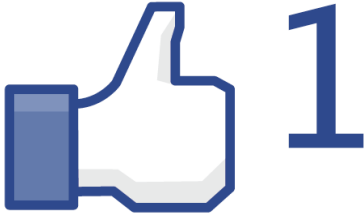


Beyond Borders

Unit #3: Summative Journal Facebook Case



KEY LEARNING GOALS:

A note from Mr. Parsons...

Sometimes the actions of one employee can have a major impact on the organization. At the end of this activity I hope you can identify the unethical issues presented in this case.

You should also be able to identify positive course of actions for situations such as the ones presented in this case.

Curriculum Expectation

Evaluate the impact of issues related to ethics and social responsibility on the management of organizations.

Explain the relationship between a person's attitude (e.g., commitment to job, personal biases) and her or his behaviour in the workplace (e.g., quality of performance, absenteeism; engaging in practices that reflect racist, sexist, or homophobic attitudes).

April 2, 2012

I hereby resign

Dear Mr. President:

Thank you very much for honouring me with the position of Director of Software Development. I value your trust and have enjoyed my first two months on the job immensely. You have a world-class team and are executing on a daring vision. It pains me to tell you this, however I am forced to resign my position as Director and from here on, I must cheer your team from a distance.

The situation is simple. As you doubtless recall, the new COO has issued a new set of employment contracts. The legalities of arm-twisting employees into signing a new employment contract when they already had a contract with the firm is her responsibility, I'll just have to trust her when she says we can fire anyone without notice if they refuse to agree.

One of the new terms is that every prospective new hire allow their manager to "shoulder surf" as they browse their Facebook or better still, to voluntarily log their manager into their Facebook account. If I recall correctly, she claims that we have the obligation to do a "background check" on prospective hires. I'm extremely vague on the correlation between faux-promiscuous sex or drinking and employee performance, but as she is a seasoned veteran, I have to trust her when she says that things like this overrule my judgment as to who is and who isn't fit to be a programmer in our employ.

I was willing to go along with things and see how they panned out. But today something went seriously wrong; I have been interviewing senior hires for the crucial tech lead position on the Fizz Buzz team, and while several walked out in a huff when I asked them to let me look at their Facebook, one young lady smiled and said I could help myself.

She logged into her Facebook as I requested, and as I followed the COO's instructions to scan her timeline and friends list looking for evidence of moral turpitude, I became aware she was writing something on her iPad.

"Taking notes?" I asked politely.

"No," she smiled, "Emailing a human rights lawyer I know." To say that the tension in the room could be cut with a knife would be understatement of the highest order. "Oh?" I asked. I waited, and as I am an expert in out-waiting people, she eventually cracked and explained herself. "If you are surfing my Facebook, you could reasonably be expected to discover that I am a Lesbian. Since discrimination against me on this basis is illegal in Ontario, I am just preparing myself for the possibility that you might refuse to hire me and instead hire someone who is a heterosexual but less qualified in any way. Likewise, if you do hire me, I might need to have your employment contracts disclosed to ensure you aren't paying me less than any male and/or heterosexual colleagues with equivalent responsibilities and experience."

I got her out of the room as quickly as possible. The next few interviews were a blur, I was shaken. And then it happened again. This time, I found myself talking to a young man fresh out of University about a development position. After allowing me to surf his Facebook, he asked me how I felt about parenting. As a parent, it was easy to say I liked the idea. Then he dropped the bombshell.

His partner was expecting, and shortly after being hired he would be taking six months of parental leave as required by Ontario law. I told him that he should not have discussed this matter with me. "Oh normally I wouldn't, but since you're looking through my Facebook, you know that already. Now of course, you would never refuse to hire someone because they plan to exercise their legal right to parental leave, would you?"

What could I say? I guess we have another hire whether he's qualified or not. Here's the bottom line: My ability to select the best candidates for our positions has been irreparably compromised by looking into their private lives. I've been "tainted" by knowledge of their sexual orientation, illnesses, religion, political affiliations, and other factors that expose us to anti-discrimination legislation. We can't even claim that the employee improperly disclosed these matters to us, as we are the ones initiating the investigation of their private doings. Worse, I cannot manage these people once they're hired. I would be diffident about censuring them or passing them over for advancement for fear of incurring a lawsuit that would be a distraction to our business and damaging to our reputation as fair employers.

Therefore, please consider this my formal resignation. The COO does not tell me how to write software, so I will not tell her how to set HR standards, but I suggest that you review this policy and ask whether it is truly in the company's interest to indiscriminately dig through a candidates' private life. Either that, or we should move to a jurisdiction where we have zero exposure to legal consequences for discrimination.

Yours very truly,
Reginald Scott Braithwaite

Case Study Questions:

1. Identify the Ethical Dilemma in this case.

(Write a statement - should offer a choice in the course of action - one paragraph)

2. Do you believe that organizations should be permitted to view social media to assess their employees? Why or why not?
3. How would an organization perceive you if they were to gain access to your facebook account?
4. Is it Ethical for Facebook to share your likes/dislikes/wants/etc. with companies for the purpose of market research? What information is ethical to share, what is not ethical to share? Why? Read the information below before answering this question. Do you see any ethical issues in this policy?

This information was taken from the Facebook privacy information:

Other information we receive about you:

- We receive data about you whenever you interact with Facebook, such as when you look at another person's profile, send someone a message, search for a friend or a Page, click on an ad, or purchase Facebook Credits.
- When you post things like photos or videos on Facebook, we may receive additional related data (or metadata), such as the time, date, and place you took the photo or video.
- We receive data from the computer, mobile phone or other device you use to access Facebook. This may include your IP address, location, the type of browser you use, or the pages you visit. For example, we may get your GPS location so we can tell you if any of your friends are nearby.
- We receive data whenever you visit a game, application, or website that uses [Facebook Platform](#) or visit a site with a Facebook feature (such as a [social plugin](#)). This may include the date and time you visit the site; the web address, or URL, you're on; technical information about the IP address, browser and the operating system you use; and, if you are logged in to Facebook, your User ID.
- Sometimes we get data from our advertising partners, customers and other third parties that helps us (or them) deliver ads, understand online activity, and generally make Facebook better. For example, an advertiser may tell us how you responded to an ad on Facebook or on another site in order to measure the effectiveness of - and improve the quality of - those ads. We also put together data from the information we already have about you and your friends. For example, we may put together data about you to determine which friends we should show you in your News Feed or suggest you tag in the photos you post. We may put together your current city with GPS and other location information we have about you to, for example, tell you and your friends about people or events nearby, or offer deals to you that you might be interested in. We may also put together data about you to serve you ads that might be more relevant to you.
- When we get your GPS location, we put it together with other location information we have about you (like your current city). But we only keep it until it is no longer useful to provide you services.
- We only provide data to our advertising partners or customers after we have removed your name or any other personally identifying information from it, or have combined it with other people's data in a way that it is no longer associated with you. Similarly, when we receive data about you from our advertising partners or customers, we keep the data for 180 days. After that, we combine the data with other people's data in a way that it is no longer associated with you.

Sources:

<http://raganwald.posterous.com/i-hereby-resign>

<https://www.facebook.com/about/privacy/your-info#inforeceived>