



ETHICAL LEADERSHIP  
IN ENVIRONMENTAL HEALTH©

Designed for  
Concordia University of Edmonton  
ENVH 523  
(Spring/Summer 2023)

*General Course Guide: Cohorts P & Q*

Prepared & Delivered by  
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## **PRELUDE**

*This course, consisting of Six [6] Sessions usually runs for two [2] consecutive days on alternate weeks, Wednesdays & Thursdays. There is an exception: **Session 6** will run the week immediately after **Session 5** operating over three [3] consecutive days – Wednesday, Thursday & Friday (July 12<sup>th</sup>, 13<sup>th</sup> & 14<sup>th</sup>).*

*Thursday [Day 12] will be devoted to the **Final Debates** a major part of the cumulative mark for the course. It will be a joint session between the two [2] Cohorts for ENVH 523. Hopefully it will be held in the main open-area in Tegler Hall. As this activity may be quite lengthy, a complimentary lunch will be provided (the prof will contract with the **ENVH Students' Council** to make the arrangements so as to ensure appropriate food options are available).*

*Friday [Day 13] will be devoted to the **Final Case** another significant part of the cumulative mark for the course. Each Cohort will meet at its usual time – at which a unique video case will be shown. Students can begin to craft their responses during the class period, but will have until Thursday, July 27<sup>th</sup> to complete their submission. It is important to note that the response to the **Final Case** must be in the form of a **Briefing Note** which means it can be no more than three [3] pages long, and **bullets** are encouraged.*

*There is one other feature of this course due to the new nature of it's schedule. In order to facilitate the showing of several cases that are full-length movies, in addition (where feasible) to making the film available via **Google Drive**, there will be a **movie night** at a location to be determined. Both Cohorts will attend the same showing. The timing is projected to start at about 5:00 p.m. and light refreshments will be provided during the actual showing. There will be a portion of the Guidebook made available to assist in the **learning moment** and a **Q+A** will be held at the end of the film. **This all will be optional; however, if you wish to attend it will be necessary to register in advance to ensure sufficient food, etc. is available.** The schedule for such events is as follows:*

- *Wednesday, May 24<sup>th</sup>*
- *Tuesday, June 6<sup>th</sup>*
- *Tuesday, July 4<sup>th</sup>*

**SESSION 1: *Aren't We Ethical Enough..?***

**You Don't Know Jack...** from the **Ethics Unwrapped** series<sup>1</sup>  
*Case #1: An Examination of a Leader who slipped and fell...*

{in your designated team – see *Appendix A*– prepare responses to these questions}

*Round Table Conversations*

- Examine the behaviour of Jack and determine where he made critical ethical failures: why you think he did what he did? How did such a successful person (in the words of Professor Prentice) *go off the rails*?

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- Reflecting on Jack's behaviour, identify at least three [3] lessons you learned and explain how you would incorporate these lessons into your professional practice to help ensure you choose an ethical practice and do not make the same ethical missteps or errors.

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- Looking beyond the career aspect of this analysis what does this story tell us that has broader applicability to life outside your profession by connecting to your personal world?

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- Is it possible to suggest any contemporary Canadian leaders who might fit this challenge/description?

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<sup>1</sup> Available at [www.ethicsunwrapped.utexas.edu](http://www.ethicsunwrapped.utexas.edu)

**Unwrapping Some Major Ethical Flaws...<sup>2</sup>**  
{initial preview of special vignettes}

Team A: Consider the concepts of *Framing*...(evident in the film)  
What might be a couple of examples of *Framing* in our own lives to date that we may have seen, witnessed or actually committed ourselves? What was the focus that led to that moment (the *metrics*)? Where did the *blindness* come into play? Was the environment all that *toxic*? Give a couple of examples how an EHO could find her/himself sliding into that same problem.

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Team B: Consider the concepts of *Moral Equilibrium*...(evident in the film)  
Present two or three examples of *Moral Equilibrium* that we might think could happen in our life as an EHO or even student? Where might one begin to *run up a scoreboard re our own self-image*? Does *looking at the good things we do* actually lead to *moral licensing*?

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Team C: Consider the concepts of *Rationalization Bias*...(evident in the film)  
What might be a couple of examples of *Rationalizations* in our own lives to date that we may have seen, witnessed or actually committed ourselves? Or perhaps how can one lead to counteract this, to help mitigate *cheating just a little bit* or *is that really all that dishonest* or *is everyone else doing it*? How do we overcome the importance of the *end result* – *is the cause the real focus*? Give a couple of examples how an EHO could find her/himself sliding into that same problem.

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Team D: Consider the concepts of *Self-Serving Bias*...(evident in the film)  
Identify at least two examples of *Self-Serving Bias* that we might think could happen in our life as an EHO or scientist? How much does *selective memory* cause us to be *less than fair*, are our *minds tricking us into believing*? Does one really use *filters* to promote *self-interest* leading to the idea we are *100% right*?

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<sup>2</sup> Available as part of *In It To Win...*

*Team E:* Consider the concepts of *Overconfidence Bias*...(evident in the film)  
Present two or three examples of *Overconfidence Bias* that we might think could happen in our life as a student or partner or mentor? How do we determine that we are *more ethical than our neighbour* or perhaps just that we are *satisfied with our moral character*? Is arrogance really the trigger?

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*Team F:* Consider the concepts of *Role Morality*...(evident in the film)  
Identify at least two examples of *Role Morality* that we might think could happen in our life as an EHO or Health Researcher? If we aren't yet working in our career, how might this really be something to worry about, this idea of *win for my client* or *give them what they paid for*? Who is your client when you are still a student, and is this important?

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**Presentations...**

So, *what have we learned so far*?

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*Why do you think we started the course this way?*

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In a nutshell what are the Course OBJECTIVES? *It's about getting to better!!*

- 1) *That potential Environmental Health Officer's (EHO's) recognize moral dilemmas and their impact in the worlds of Environmental Health.*
- 2) *To create an experience for those involved in Environmental Health whereby they gain new skills at handling the challenges of ethical decision-making.*
- 3) *Improve an EHO's ability to use the differences in stages of moral reasoning to improve productive working relations with facility operators, politicians, teammates, and others who impact their daily tasks.*

- note #1:* For purposes of this course **the terms *ethical* and *moral* will be interchangeable**. It should also be noted that the purpose of this seminar is not to make you more moral or ethical but to enhance your ability to reason through moral/ethical problems!.
- note #2:* There are three primary formats for holding discussions in the class: ***round-table*** — when each person provides comments, input &/or feedback in an orderly fashion, and at the invitation of the prof; ***crossfire*** — moderated within the group itself, comments and questions will go back and forth among the participants (the prof will only intervene if he determines too few are dominating the process); ***conversation*** — this is directed toward the prof, initiated by questions, queries or concerns raised by group members.
- note #3:* *By the way, brevity is important in this course: think briefing notes not essays, think sentences not paragraphs...*
- note #4:* *the professor has a condition known as ADHD – it may impact the way the course may unfold on any given day (off-ramping) – you may meet clients or work-mates with similar conditions: learn to work with it, not condemn it! (See handout for more background)*

• **Does it even matter why I'm interested in this stuff!?**

I tend to think along the same lines as my professional colleague Peggy Connolly:

*We are confronted on a daily basis with ethical dilemmas...Should a parent leave a sick child alone or stay at home with the child and risk losing the job that provides health insurance? Is it morally permissible to pay protection money to stay in business and provide for one's family? Is it ethically acceptable to create a child to be a donor for another? Whether deliberative or unconscious, satisfying or distressing, decisions about moral issues are ubiquitous in daily life, affecting choices & behaviour in public & private spheres...<sup>3</sup>*

*Intelligent, reasonable and deeply caring individuals hold diametrically opposing & mutually exclusive perspectives. We continue to be challenged to find ways to acknowledge others' perspectives respectfully, and to honour those who hold them, even when it is not possible to accommodate their positions...<sup>4</sup>*

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<sup>3</sup> *Ethics in Action: a Case-based Approach*, Connolly, Peggy et al, Wiley-Blackwell (2009) p.1

<sup>4</sup> *Ibid* p. 1 & 2

*Despite the prevalence of ethical challenges in daily life, few people have had training in moral reasoning...Still, today, although students who enroll in ethics classes may be exposed to ethical theory, they may have limited opportunities for examining its practical application to the complexities of everyday moral situations...<sup>5</sup>*

*Understanding moral issues is difficult. People often fail to recognize moral dilemmas and, when they do, are uncertain how to respond. No single set of ethical principles encompasses all the dimensions & complexities of moral challenges for all people in all places at all times...perceptions of & responses to ethical dilemmas may be skewed by the conflict between moral interests & self interest.<sup>6</sup>*

For those who say there is no time or place in the real world of business, industry and government for the study of ethics (i.e. leave it to all the *do-gooders*), let me ask you then:

- **why not let the restaurant owners simply police themselves and report once a year that they think *all is well*? (As an EHO you would only drop in if they offered you a free meal!!)**
- **why not allow landlords to determine how often they should repair or even clean their apartments along with determining how many people could occupy any given suite? (As an EHO you would only drop by if you were a shareholder or partner in the complex!!)**
- **why not permit farmers to determine when their cattle are causing a problem by watering in a creek with the idea being that they know animals and the land best, so they could send pictures if they thought there was a problem?**

**P.S. one additional thought: this is an *applied ethics* course... (i.e. it's about you working through potential solutions, so you will have to do the work if we are to succeed at all!!)**

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<sup>5</sup> *Ibid* p. 2

<sup>6</sup> *Ibid*

## E-sinc®

### Key First Steps...

*How the marks for this course will be allocated:*

- \_\_\_\_\_ % — **prof** (85%)<sup>7</sup>
- \_\_\_\_\_ % — **peer assessment:** (i.e. for small group/team work, 10%)
- \_\_\_\_\_ % — **self-evaluation:** (i.e. did I meet my own learning goals 5%)

*Each Participant*

### Prepare a mini-bio (on designated page) which includes:

- full name (print in BIG BLOCK letters the name you prefer to be called)
- e-mail address (how you wish the prof to communicate directly to you)
- snail mail (postal) address + phone number (for any mailings the prof may have to make)
- where are you on your *learning journey*? & why?
- what you intend to do with your degree (when you obtain it)?
- what uniqueness(es) will you contribute to this course?

### Complete and submit the DIT-1<sup>8</sup>

*And finally a roundtable conversation...*

- what do we (individually + collectively) hope to gain from the experience of this course?
- *And, provide one [1] idea/characteristic/aspiration you would like to be remembered for? (i.e. your legacy!!)*
- Reminder of the key resources to be utilized during the course, including the required text (**Cowboy Ethics**), access to **Ethics Unwrapped**, the videos made available by the prof via **Google Drive**, the draft of the prof's book (**Getting to Better**) available for download at [www.e-sinclair.com!!](http://www.e-sinclair.com!!)

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<sup>7</sup> **The things that combine to establish the professor's mark?** Participation in the class (5 marks – including regular attendance, how well does prof get to know you & degree to which you are a constructive member of the conversation); team presentation of the assigned *Role Play* (20 marks – 5 by external judge re believability & coherence, does the overall presentation make sense to a practicing EHO - 15 by prof re does it show understanding of *Sinclair prism*, do the stages show progression & resolution); effective participation in the *Crossfire* exercise (10 marks – degree to which resolution is achieved); successful completion of the two components of the final exam – the *Final Debates* (35 marks – 15 from *external judges* & 20 by prof: formal/scoring based on guidance given by the *APPE Ethics Bowl* rubric), and the *individual case analysis* (15 marks – written response to a single video case – shown on Day 12 part of Session 6, due no later than July 28<sup>th</sup> Day 13 – it will be an *open book* exam: briefing note format, no more than three [3] pages, bullets encouraged)!

<sup>8</sup> Assessment tool to determine one's stage(s) of moral reasoning developed by the late James Rest, U. of Minnesota based on the original paradigm by the late Lawrence Kohlberg of Harvard University. The results have no bearing on your grade in this course, but will help you understand the paradigm and how you intersect with it.



**PLEASE PRINT LEGIBLY!!**

Name: \_\_\_\_\_

\_\_\_\_\_ E-Mail

who am I/where have I come from?

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where am I in my *learning journey*? & why?

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what do I intend to do with the degree I hope to gain?

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why do I think a course on ethical reasoning has been included in this professional program?

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for now, what uniqueness(es) will I contribute to this course?

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[**note:** turn this page in to the prof]

**SESSION 2: *The Sinclair Prism of the Kohlberg Paradigm...***

Before we have our one main lecture for the course, let's solve a lingering dilemma:

*Case Study #2: **Family vs. Profession***

*You are a bio-chemist working in the area of environmental health for the National Research Council (NRC) in Ottawa, having obtained both an Honours B.Sc. from U of Calgary, an M.Sc. from U of Saskatchewan, worked for a time with the provincial Ministry of Environment in Manitoba and now are being considered for an educational sabbatical to get your degree in Environmental Health from CUE. You are on summer vacation visiting your brother, who left a very successful career in banking and moved his family into the Selkirk Mountains of B.C. where they have poured their time, energy and entire life savings (\$\$\$) into the recent purchase, renovation and subsequent re-opening of a large, historic resort hotel in a small town renowned for its allegedly curative hot springs.*

*Being a TYPE A personality, you become bored and decide to show their grade six (6) daughter (your niece) environmental health techniques to use in a science fair project. The first task is to test the water in the springs. You learn, much to your surprise, that it is very high in a derivative of strontium, a mineral in this particular chemical form that has recently been suspected to raise the possibility of birth defects when in contact with the skin of pregnant women.*

**Team Challenge**      {assigned groups are found in *Appendix A*}

• ***What do you do with your suspicions?***

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• ***To what extent should family be a factor in your decision?***

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• ***To what degree is the fact your niece is involved an issue?***

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• ***What is your final decision?***

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Prepare a presentation for the full group...

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**Beginning the Search for Better Ethical Reasoning... THE LECTURE**

**(A) Rational Use of Logical Reasons —*Stages in our Critical Thinking***

[for a comprehensive understanding go to the prof's web-site [www.e-sinclair.com](http://www.e-sinclair.com) in the Research Section — read the paper: *Kohlberg through the Sinclair Prism* derived in part from the original paper of Dr. Kohlberg in *The Kappan*, 1971]

*Have We Got the Cart Before the Horse*

**Cognitive-Developmental Approach**

*cognitive* because it recognizes that moral education, like intellectual education, has its basis in stimulating the *active thinking* of the individual about moral issues and decisions.

*developmental* because it seems the aims of ethical reasoning is movement through moral stages.

**A person can NOT get to moral action if s/he is incapable of moral thought.**

**What are the Preliminary Questions?**

- *What is it that makes me think a particular decision is better?*
- *How does a critical decision most consistently get justified when I reflect back on it?*
- *Why do I think I am (or am not) facing an ethical dilemma?*

**The Dewey Concept** {with influences of/from Piaget}

**No Vacuum Here Awareness** {with influences of Ralph Moser}  
**just who might be our influencers & our impacts...**

**Don't Touch ME with that Moral Stuff!!**

**In the end, perhaps what we need to remember most...**

**It's a tool to get us to better Justice & Caring...**

**The Basic Paradigm**

PRE-CONVENTIONAL

**Stage One (1) — the punishment & obedience orientation.** The physical consequences of action determine its goodness or badness, regardless of the human meaning or value of these consequences. Avoidance of punishment and unquestioning deference to power are valued in their own right, not in terms of respect for an underlying moral order supported by punishment and authority (the latter being Stage Four). {This was the fundamental political leadership throughout the main parts of the pandemic.}

**Stage Two (2) — the instrumental-relativist orientation.** Right action consists of that which instrumentally satisfies one's own needs and occasionally the needs of others. Human relations are viewed in terms like those of the marketplace.. Elements of fairness, of reciprocity, and of equal sharing are present, but they are always interpreted in a physical, pragmatic way. Reciprocity is a matter of *you scratch my back and I'll scratch yours*, not loyalty, gratitude or justice: *you get vaccinated, I'll let you out of lockdown!*

CONVENTIONAL

**Stage Three (3) — the interpersonal concordance or good boy/nice girl orientation.** Good behaviour is that which pleases or helps others and is approved by them. There is much conformity to stereotypical images of what is majority or *natural* behaviour. Behaviour is frequently judged by intention — *he means well* becomes important for the first time. One earns approval by being *nice*. {Had we been led at this stage throughout – much different approach: treat the sinc, keep the well going about life.}

**Stage Four (4) — the law & order orientation.** There is orientation towards authority, fixed rules and the maintenance of the social order. Right behaviour consists of doing one's duty, showing respect for authority, and maintaining the given social order for its own sake.

POST-CONVENTIONAL

**Stage Five (5) — the social-contract, legalistic orientation,** generally with utilitarian overtones. Right action tends to be defined in terms of general individual rights and standards which have been critically examined and agreed upon by the whole society. There is a clear awareness of the relativism of personal values and opinions and a corresponding emphasis upon procedure rules for reaching consensus. This is the *official* morality of the government & constitution.

**Stage Six (6) — the universal-ethical-principle orientation.** Right is defined by the decision of conscience in accord with self-chosen *ethical principles* appealing to logical comprehensiveness, universality and consistency. These principles are abstract and ethical (the *Golden Rule*, the categorical imperative); they are not concrete moral rules like the *Ten Commandments*. At heart, these are universal principles of *justice*, of the dignity of human beings as *individual persons*. {Remember my Expo '86 example!}

**Evolution of the Research...**

- stages are *structured wholes* or organized systems of thought; individuals are *consistent* in level of moral judgment the majority of the time; there can be bi-level reasoning too.
- stages form an *invariant sequence*, under all conditions except extreme trauma, movement is always forward, never backward; individuals never skip stages — movement is always up to the next stage; [this is something my research disagrees with!!].
- stages are *hierarchical integrations*, thinking at a higher stage includes or comprehends within it lower-stage thinking; there is a tendency to function at or prefer the highest stage possible; this presupposes well-grounded framework of recognizing & approaching moral dilemmas.

**Not IQ — Yet Structured...**

**The stage or structure of a person's moral judgment defines:**

- **what he finds valuable in each of these moral issues**
- **why he finds it valuable**

However, mature moral judgment is not a sufficient condition for mature moral action. One cannot follow moral principles if one does not understand (or believe in) moral principles. One can reason in terms of principles and not live up to these principles.

- **moral judgment, while only one factor in moral behaviour, is the single most important or influential factor yet discovered in moral behaviour**
- **while other factors influence moral behaviour, moral judgment is the only distinctively *moral* factor in moral behaviour**
- **more judgment change is long-range and irreversible: a higher stage is never lost; moral behaviour as such is largely situational and reversible or *loseable* in new situations.**

**Other Approaches:**

**character education** — the *bag of virtues*

**values clarification** — *no right answer*

In terms of moral discussion, the important conditions appear to be:

- exposure to the next higher stage of reasoning;
- exposure to situations posing problems and contradictions for the individual's current moral structure, leading to dissatisfaction with the current level;
- an atmosphere of interchange and dialogue combining the first two conditions, in which conflicting moral views are compared in an open manner.

- (i) *punishment and obedience* - **fear**
- (ii) *the attempt to make a deal* - **you scratch my back, I'll scratch yours!**
- (iii) *let's try to get along* - **nice person image**
- (iv) *law and order* - **show me the rules!**
- (v) *social contract* - **I have an obligation to you**
- (vi) *universal principles* - **I believe!!**

[Review the *stages schematics*]

In addition to the story about the development of my son, let's look at the stages in terms of the question of **the value of human life**. Here are examples of each stage of reasoning:

Level 1 *The value of human life is confused with the value of physical objects and is based on social status or physical attributes of the possessor.*

Level 2 *The value of human life is seen as instrumental to the satisfaction of the needs of its possessor, or of other persons.*

Level 3 *The value of human life is based on the empathy and affection of family members and others towards its possessor.*

Level 4 *Life is conceived as sacred in terms of its place in a categorical, moral, or religious order of rights and duties.*

Level 5 *Life is valuable in terms of its relation to community welfare and in terms of life being a universal right.*

Level 6 *Belief in the sacredness of human life as representing a universal human value of respect for the individual.*

Once you become comfortable with the various stages and more adept at determining the levels at which others predominately operate from, then you can adjust the level(s) you choose to use when attempting to mediate or resolve a dilemma resulting primarily from the behaviour of others. However should you believe that your own behaviour and/or the thinking that supports it is inadequate or insufficient for the challenges/tasks at hand, then it is incumbent to refine your own level(s) of moral reasoning. If your present disposition is to use level four (4) reasoning, start to reformulate your arguments at a level five (5).

*For personal reflection...*

- **Does this make your decision-making better (in your view)?**
- **Is there more comfort with the rationale?**
- **Does the resultant action(s) more consistently match your thinking?**
- **Do you see an improved articulation of your approach to ethical dilemmas?**
- **Is the moral dilemma more easily recognized?**
- **Ought it to be more readily addressed?**
- **Do you think you would be more effective in moments of crisis?**

P.S. If you wish some additional insights, access *Appendix B* and if you wish request a *ZOOM Conference* with the prof & any of your peers who also wish to participate.

P.P.S. *(Unique Homework Task!!)*

**For a bonus of three [3] marks** prepare a **critique** of the professor's *penultimate draft of Getting to Better* (free to download from [www.e-sinclair.com](http://www.e-sinclair.com))

[This needs to be handed in (either by paper or e-mail) prior to the beginning of **Session 5** for the full three [3] marks – **this assignment will not be graded, the bonus marks are achieved simply for completing the critique!**]

### **Attempting to Apply the Paradigm...**

#### *Case Study #3: Henry's Daughters<sup>9</sup>*

*This case provides additional perspectives on challenges surrounding ethical decision-making. It touches on some of the issues raised in **Ethics Unwrapped** as well as **Cowboy Ethics**.*

*Henry*, sixty-five [65] is a retired but still well-connected automobile executive and sometime lobbyist. He is involved in an academia-industry-government smart highway design called **Sanshands**. The intent is to design & develop an automated highway/auto control system to take over driving from individuals within their cars.

*Laura*, twenty-nine [29] is Henry's older daughter, a professional engineer working as project manager on **Sanshands**. Her recommendations will be considered prior to final adoption of the preferred research project.

*Julie*, twenty-one [21] is Henry's younger daughter, is working as an intern with **Outocar** which is one of two organizations chosen to develop the test pilots (the other firm, **GuideMe**, has retained Henry as a consultant).

The two [2] sisters live together and often talk about their work. As the story unfolds they both see disconcerting actions/activities including excessive influence by **GuideMe** on the key decision-makers and plagiarism by co-workers. Pressures build within government towards choosing **GuideMe** which prompts allegations from **Outocar** that lead to a state senate ethics commission hearing. Two [2] key witnesses are *Laura* and *Henry*.

This story highlights ethical issues encountered by the characters, such as professional relationships, conflicts of interest, favoritism, confidentiality of proprietary info, sexual harassment, and individual privacy. The individuals disagree over the tradeoffs between technical performance, safety, reliability, sustainability, flexibility and cost. They also find that political and social factors can influence technical decisions.

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<sup>9</sup> Film produced by the National Institute for Engineering Ethics, Edward Whitacre College of Engineering, Texas Tech University (2010).



Several ethical observations to note...

- *ethics is an integral and explicit component of ordinary technical and business decision-making...*
- *technically competent, ethically sensitive, reasonable people may have different perspectives on an ethical issue, and can disagree when faced with complex ethical issues...*
- *negotiations resolve some of the conflicts but others remain unresolved – ethical problems should be resolved by rational methods...*
- *codes of ethics and guidance from licensing boards can be helpful in resolving ethical challenges...*
- *it is sometimes necessary to make decisions under pressure with incomplete data, insufficient time and inadequate information...*

### QUESTIONS

#1) Identify the two (2) biggest ethical decisions that need(ed) to be made regarding the first [1<sup>st</sup>] dilemma you recognize...

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#2(a) Regarding the two [2] sisters, there are numerous questions that could be raised but consider these in particular: *was it ethical for Henry to pull strings to get Julie her internship?* and, *was Laura given the project because of her professional talents + work ethic or because of Henry's connections?* (And if so, would this raise a conflict of interest issue?) plus *the cake eating scene* raises what ethical issues?

#2(b) Relate the comments, *keep it in the family, don't rock the boat, and it's just normal business* to the overall ethical challenge(S) of Henry & his daughters

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#3(a) Upon reflection, at the conclusion of the story, what was the real moral problem, and where did it start?

#3(b) What were the good decisions that were made? And why?

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Answer your team's designated question...

#4(a,e) **professional issues:** *to what extent should you consider political factors and social impacts in your decision-making? And, should Laura have said something about Marty's treatment of Warren like she did about the ogling of Julie?*

#4(b) **conflict of interest:** *to what degree was it appropriate for Henry and his daughters to work on the same project, but for different parties? Should Senator Bob have recused himself from the investigative committee?*

#4 (c) **gender issues:** *does the appropriate response to sexual harassment depend on the setting – e.g. whether one is in a situation with one's peers vs. with one's supervisor vs. dealing with a client? Are sexist comments disguised as jokes acceptable? Is it ever permissible for an employee of one gender to put their hand on the shoulder of another employee or compliment an employee of the other gender?*

#4(d) **privacy issues:** *as a matter of interest, does tracking vehicle location cause a violation of privacy? If you knew an individual was illegally dumping environmentally unhealthy waste and a neighbour was willing to attach a GPS device to his truck, to what extent would you use the resultant information to track him down and catch him in the act?*

All Teams Answer Completely:

#5 Provide an assessment of the following characters as to the stage(s) of moral reasoning that they seemed to primarily use:

Henry (father) \_\_\_\_\_ Laura (older sibling) \_\_\_\_\_ Julie (younger sib) \_\_\_\_\_

Senator Bob \_\_\_\_\_ Jeff (DOT Chief) \_\_\_\_\_ Barry (Outocar) \_\_\_\_\_

Warren (DOT engineer – Black) \_\_\_\_\_ Marty (DOT engineer – Latino) \_\_\_\_\_

*Case Study #4: TB & the CDC in Atlanta [Centre for Disease Control]*

An American, after undergoing a preliminary test, appears to have TB. If so, it probably is not a serious case; nevertheless, he is asked to stick close by (i.e. in his city) until more intense testing is analysed and a complete diagnosis is possible. While awaiting the results, the man leaves for a social event in Italy. The CDC's *environmental health division (EHA)* then determines that while a full quarantine might not be necessary they nevertheless, should not have released him so quickly as there is the possibility of infecting others and he may have a serious lapse in his own health and therefore they request that he return to hospital. They cannot locate him.

CDC then discovers he has left the country although they are not sure exactly how (they suspect by airline) and to where they are unsure as well (Italy does not come immediately to mind). They decide to contact all the airlines that fly from Atlanta to Europe and the feedback eventually convinces them that he flew on one (1) of two (2) possible days and likely on one (1) of three (3) possible flights. None of the flight crews, nor central office reservation teams, can confirm exactly where he would have sat if he did go on their flight (these discount airlines did not have reserve seating & their manifests were incomplete).

CDC then decides to make a public announcement requesting that anyone sitting near a white man (of particular dimensions and features) on a recent flight (on these specific days) to either Paris, Dublin or Rome please contact their office. When this doesn't bring forth many clues (and certainly no response from their patient) the question is then raised whether they should request the passenger lists and contact the people directly...

In the interim, information is relayed to media in the prospective locales where the individual might be visiting requesting their assistance in finding him and having him get in touch with CDC. Then the results come back and there is confirmed evidence of a minor health issue although it is not contagious. At the same time they finally make contact with the individual. Arrangements are made for his return...

**Working at your table as a working group, analyse this case according to the questions below and prepare to present to the full group...**

- What (and by whom) are the ethical dilemmas that are raised in this scenario?
- Which is the most serious ethical dilemmas facing the EHA officials?
- Where, if at all, are the airlines facing ethical dilemmas in this scenario?
- Why do you think these dilemmas emerged in the first (1<sup>st</sup>) place?

P.S. Before the next Session, watch *Erin Brockovich* via Google Drive...

**SESSION 3: *Are We Getting Somewhere?***

*Case Study #5: Erin Brockovich – The Movie*<sup>10</sup>  
{refer to *Addendum A* for your designated group}

Sometimes it is not the lawyer that really makes the case — often, in fact, you are going to have to decide yourself:

- are the stakes simply too high? or,
- does the challenge appear too unrewarding? or,
- is this the time that you know you are right, no matter what?

In order to appreciate this, you'll observe a journey by a real person who cared... who believed one's environment should not hurt one's family's health... who wanted to see an environmentally healthier world... no matter what!!

1. What do the initial scenes (job interview(s), court appearance, first scene(s) with her kids) tell (suggest to) you about Erin?

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2. When the lawyer brought up the *wardrobe* issue, what is the moral dilemma and who is facing it?

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3. *Do you have so many friends now, you don't need anymore?* What does this tell you about George the biker neighbour? And, about Erin?

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4. What are your feelings towards Erin during/after the first investigation, after she gets fired, upon being re-hired?

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5. What dilemma(s) is (are) Erin facing at the Water Board office? In the Jensen household?

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<sup>10</sup> Universal Pictures & Columbia Pictures (2000) directed by Steven Soderbergh starring Julia Roberts & Albert Finney. It is available via Google Drive or via attendance at *Movie Night* (June 6<sup>th</sup>)

6. Do you think that Erin is being thorough? Would you take her side (or even stick up for her)? What about the *phone call* after the data gathering?

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7. The need for drawing a *connection* from the local plant to the corporate head office — is this an *ethical dilemma* or simply a political/legal problem? Explain...

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8. What is the dilemma contained within these two (2) interesting statements by Erin?  
*For the first time in my life, people respect me...*  
*Bend my life around what men want & need...*

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9. When Mrs. Jensen asks for a promise, why is she asking? How is Erin responding? Explain what *stage(s)* are evident: for Mrs. Jensen? For Erin? Why?

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10. The following questions recall the Arbitration process...

a) How did they get into this is the first place? And what do you see as a potential dilemma?

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b) What is happening in the evolving situation between the two (2) law firms?

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c) What really seems to be happening at the community meeting? Who is really leading things? How is this beneficial to the cause of environmental health? What stage(s) are displayed, and by whom?

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d) Why is there such persistence at signing the names and what stage(s) are evident? Do you see this as a good strategy that as an EHO you might promote?

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11. Regarding the Charles Embury issue, what do you think is his reason for talking and why does it arise when it does? What stage(s) of ethical reasoning are in play?

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12. Why does Erin's decide to take George with her when she tells Mrs. Jensen the results of the decision? What stage(s) of ethical reasoning are in play?

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13. Explain your reaction(s) in the scene between Masry & Erin at the end when he gives her the bonus cheque! What stage(s) of ethical reasoning are in play?

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14. Where & when in this story do we seem to find most of the moral dilemmas? Why do ethical dilemmas arise in the case? Who, most often, seems to be at the centre? & Why? What stage(s) of ethical reasoning seem most in play?

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15. Where, as an EHO, do you see some potential straightforward solutions? How would you implement them? And what stage(s) of ethical reasoning would you employ?

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16. What lesson(s) can we take from this case study? How might they apply to our career path(s)?

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17. What *stage(s)* do you see Erin operating at? (Cite & validate)

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22. Might understanding different stage(s) have been helpful for Masry in dealing with this entire case? Explain by citing particular moments, and/or individuals...

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*Case Study #6: **Gilbane Gold***

{refer to *Addendum A* for your designated *group person*}

*Synopsis*<sup>11</sup>

*Gilbane Gold* is the name given to dried sludge from the Gilbane wastewater treatment plant. It is sold to farmers as a commercial fertilizer. The annual municipal revenue generated saves the average family about \$300 a year in taxes. Several years ago the city of Gilbane established limits on the discharge of heavy metals to the sewers in order to protect *Gilbane Gold* from the build-up of toxic materials that could end up in the farmer's soil. These limits are ten (10) times more restrictive than Federal limits. However, the limits are based on the concentration of the discharge with no restrictions on total weight of material discharged.

*Z CORP* is a computer components manufacturer, which discharges wastewater containing small amounts of lead and arsenic into the city sewer system. By the current city test standards, the discharge usually meets the allowable levels for heavy metals. However, a newer test, known only to *Z CORP* environmental people, shows the discharge exceeds the city test standards. An ethical dilemma arise within *Z CORP* concerning whether to advise the city of the newer test. Acceptance of the newer test would require additional investment in clean-up equipment. **Tom Richards** is a *Z CORP* environmental engineering consultant who was fired for advocating the new test. Thereafter, **David Jackson**, an engineer working for *Z CORP*, *goes public* with his views. A television media investigation results.

Complicating the situation is the fact that *Z CORP* has just received a contract for five (5) times as many computer modules as they presently produce, albeit at a very thin profit margin. The increased production means five (5) times as much waste will be produced. The discharge concentration can be kept the same by adding five (5) times the amount of water, thus still meeting the existing city standards. The result, however, is that *Gilbane Gold* has five (5) times the amount of heavy metals in it as before. The *Z CORP* vice-president is opposed to changing the test standards as that would require additional investment in wastewater treatment equipment. This could cause *Z CORP* to lose money on the new contract. The VP contends that *Z CORP*'s responsibility is to provide jobs and a payroll and that the city should worry about the environment.

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<sup>11</sup> Excerpted from the **Study Guide for *Gilbane Gold***, National Institute for Engineering Ethics, Texas Tech University (1989)

***Primary Questions (for all group-persons to consider)***

- Have any laws been broken? And, is this even relevant?
- What are the major ethical problems? Where are they linked to technical uncertainties?
- Where are the decision points (moments of critical choice) whereby the situation could have been resolved?
- When, in such moments, should you turn to your professional organization or at least to some of your professional colleagues?

***Background Thoughts (for each group to reflect & utilize as necessary)***<sup>12</sup>

The right course of action is usually clear when it is between *good & evil*. However, it is not unusual for Environmental Health officials to find themselves forced to choose between competing *goods*, rather than between *good & evil*. This scenario brings together the competing *goods* of:

- protection of human health and the environment (regulation and the spirit vs. the letter of the law)
- the quality of life and the welfare of people (jobs & taxes)
- personal integrity (view of self & living up to personal standards)
- free enterprise (profitability and competition in an international marketplace)

***Key Players***

**David Jackson** (young environmental engineer at Z CORP)

**Maria Renato** (Channel 13 Reporter)

**Lloyd Bremen** (farmer, also former commissioner for environmental protection)

**Dr. Winslow Massin** (professor emeritus at Hanover University, School of Engineering)

**Phil Port** (head of Z CORP's environmental affairs department)

**Tom Richards** (environmental engineering consultant)

**Diane Collins** (Z CORP Vice-President: in charge of plant)

**Frank Seeders** (Z CORP head of production)

***Specific Challenges***

Each group will analyse the case from the point-of-view of a particular individual or organization. The final *cross-fire* will attempt to determine what the proper/best/preferred resolution ought to be (and the goal of all teams will be to get to a solution, without the need of an independent mediator). The team that does the most to work towards a resolution and (if different) the team that actually brings the *crossfire* to conclusion will receive a bonus of up to three [3] marks towards the final marks of each participant.

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<sup>12</sup> *Ibid.*



**GG-1: Maria Renato**, Channel 13 Investigator

in addition to the primary questions noted above...

- explain your perception of the degree of fairness in the Channel 13 investigation?
- to what extent did all *sides* get adequate coverage?
- what level(s) of moral reasoning appear to be behind Maria's approach to the ethical challenges?
- in what ways did (or did not) Maria's work contribute to resolution of the major dilemma?

**GG-2: Lloyd Bremen** (farmer & former commissioner for environmental protection)

in addition to the primary questions noted above...

- how proper is it for former officials to get involved in such events after they have retired?
- to what degree might he be a mediative force in this dispute as he both helped write the regulations and now, as a farmer, is a purchaser of Gilbane Gold?
- where might he be helpful to city officials in explaining the long term impacts of their decision-making in regards to encouraging industry while promoting Gilbane Gold?

**GG-3: Tom Richards**, Consultant

in addition to the primary questions noted above...

- assess Tom's ethical conduct with respect to David Jackson?
- ...with respect to *Z CORP*, especially the environmental affairs department?
- ...with respect to Channel 13?
- what seems to be his level(s) of moral reasoning?

**GG-4: David Jackson**, the young environmental engineer

in addition to the primary questions noted above...

- what all might David have done during the development / evolution of this dilemma that could have averted it?
- what is your assessment of whether he should have *gone public* or *blown the whistle*?
- assess his decision to tell Channel 13 his side of the story *off the record* & how is *Z CORP* likely to react?
- what is the advice the *Z CORP* lawyer is likely to give?
- what advice would you give?

**GG-5: Professor Emeritus Winslow Massin**

in addition to the primary questions noted above...

- assess the *helpfulness* as well as the *goodness* of the retired professor's comments & advice?
- discuss the validity of his view(s) extolling a compromise between development and production of new products and the resultant impact on the environment (and by implication, environmental health)
- should the fact he is retired be considered in weighing his value (& even whether he should have been invited for comment at all)?
- what should his advice have been to David?
- what is his seeming level of moral reasoning?

**GG-6: Phil Port, David Jackson's boss**

in addition to the primary questions noted above...

- where was Phil Port's primary allegiance?
- to what extent, and in what instances, could he have facilitated a resolution to the dilemma?
- do what degree is he responsible for resolving the problems *Z CORP* seem to be creating (in other words, is this an environmental challenge or a production challenge or somewhere else??)
- what seems to be his level(s) of moral reasoning?

**GG-7: Senior *Z CORP* Management (basically Diane & Frank)**

in addition to the primary questions noted above...

- assess their conduct from the perspective of a *Z CORP* shareholder / a city taxpayer / a Gilbane Gold user
- what are their primary responsibilities — what are they being paid to do?
- what would be the advantages & disadvantages if they had pursued a policy of *maximum protection of the environment, whatever the cost*?
- because the company is meeting (or comes close to) the letter of the existing discharge law, to what extent does it have a greater responsibility to meet the philosophy or objective behind this law, which is currently flawed because it does not limit the mass of pollutants discharged or require the most advanced analytical technology in measuring toxic substances

*Initial Presentations* [Team Seating will form a large oval – all facing each other]

**GG-2: Lloyd Bremen** (farmer & former commissioner for environmental protection)

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**GG-3: Tom Richards**, Consultant

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**GG-5: Professor Emeritus Winslow Massin**

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**GG-1: Maria Renato**, Channel 13 Investigator

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**GG-4: David Jackson**, the young environmental engineer

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**GG-7: Senior Z CORP Management** (primarily **Diane & Frank**)

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**GG-6: Phil Port**, David Jackson’s boss

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*Cross-fire...*      ***Who is right? Who makes the most sense? What ought to be the final outcome? How can we all get there?***

Please remember: The *cross-fire* attempts to determine what the proper/best/preferred resolution ought to be (and **the goal of all teams will be to get to a solution**. The team that does the most to work towards a resolution and (if different) the team that actually brings the *crossfire* to conclusion will receive full marks in this tasks; others will score according to their degree of contribution, collaboration &/or articulation of perspective. **There will be a maximum time allocation of seventeen [17] minutes for the entire *Crossfire*.**

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*ASSIGNMENT for NEXT SESSION – Team Tasks... (due: Day 8, Session 4)*

Each Team will be assigned a particular case study to turn into a *Role Play*. Each member of the team must play at least one of the characters (additional characters can be added, but such must be relevant to the story and their stage(s) of ethical reasoning must be easily determined at the outset). Each character will have an assigned stage of ethical reasoning at the start of the role play. However, in the resolution of the ethical dilemma(s) at the centre of the story, characters may/should move in their stages of reasoning in order to achieve the desired conclusions.

The role play has to be at least four [4] minutes in length, but cannot be more than seven [7] minutes, in order that the development of a solution is readily apparent to the class without being tedious or confusing. Penalty marks will be assessed for each 20 seconds over or under the above-noted time frame.

*{Professor will give a partial demonstration.}*

***EHO DILEMMAS (demo case) [the food-handler]***

You become aware of an *asymptomatic Covid carrier* food-handler at a fairly up-scale hotel in the downtown core. The job is to specifically plate the food. The banquet is for 1900 people. The food may be contaminated. Should it be thrown out? Or simply served as is?

While reflecting on this challenge, the food manager comes by and offers to buy you a coffee so she can talk to you about another problem she has discovered (she does not know about the above noted issue). She has just discovered that some of the chickens for the banquet had left been on out on a back counter at 10 degrees Celsius for over two hours due to the late arrival of two Assistant Chefs. There is no time to replace these chickens and she is quite confident there was no harm.

You have a strong relationship with a colleague from CUE who now works in another province but you communicate often. She reminds you of your ethics class and that your DIT score suggests you are a Stage Five and suggests you have an image to maintain.

**What do you do?**

*Which is the more serious dilemma? Why?*

*Can you work out any kind of arrangement that would be acceptable to you and the hotel? How?*

- **What stages of reasoning are present here?**
- **Where or how can this be most quickly brought to resolution?**
- **Will this be most effective? and lasting?**

For purposes of the *Role Play* start with the following positions:

- Boss is a strong Stage 4
- Colleague is somewhat more a 3(4)
- The Food Manager is a definite 2

*What stage should the EHO be at the outset? And how does that evolve into a solution at what stage?*

TEAM TASKS:

Step 1 — **Individual Brainstorm....**

(Before joining your designated group {see Addendum C}, re-read your assigned case and then make quick notes on the following questions.)

- what is the moral dilemma?

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- what stage(s) are each of the key individuals at?

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- what stage(s) are you most likely to develop a resolution?

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Step 2 — **Team Preparations**

Note your specific Case & the designated initial Stage(s) of Moral Reasoning of each Character [complete set appears in *Session 4* of this **Course Guidebook**].

Develop a *role play* which starts out with all the characters at very obvious yet different *stage(s) of ethical reasoning* and in a methodical process work through to the resolution of the moral dilemma by bringing the key players to a *common level of reasoning*. The final scenario needs to be credible both in terms of solution and stage reasoning — thus it may be the case that one [1] of the four [4] characters does not become part of the solution because they cannot seem to move off their *primary stage of ethical reasoning* or, if there are five [5], one [1] could be used as a mediator you bring in to achieve a consensus.

- In order to adequately prepare for this task, re-read the Case Study to make sure all generally agreed on the basic facts themselves.
- Having individually completed the *brainstorm* & the *re-read*, determine who should play each character, what the general script might sound like, determine the *stage(s)* each character is going to use during the course of the discussions (from opening comments through to the resolution of the dilemma) and how the final scene (showing the resolution) should unfold demonstrating a common stage of moral reasoning for all participants. [timing of presentation will be between four [4] & seven [7] minutes]

- As the challenge is to role-play potential resolutions to this dilemma. **Go through the process at least three times, each time switching roles** to permit each participant to play at least two [2] of the roles — this may help determine who is most comfortable in arguing the agreed upon stage of that role.
- After completing the practice rounds of the role-play, the small group then develops a joint presentation for the large group and appoints a spokesperson. The presentation should concentrate on the major question (noted above at the end of each dilemma)

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Step 3 — **Team Presentations: *The Role Plays***

{to be held on **Day II** of **Session 4**}

{total potential value of this exercise: **20 marks**}

*(Homework Task!!)*

Read the paper by **Bob Hrasko** (Black Mountain Irrigation District)

**SESSION 4: *Demonstrating Stage(s) of Ethical Reasoning...*****Case Study #7: *Incident at Morales...***<sup>13</sup>  
{check *Addendum A* for designated group}

This film involves a variety of ethical issues faced by a company that wants to quickly build a plant in order to develop a new chemical product to gain a competitive edge over the competition. Potential technical and ethical issues arise from choices of designs, including valves, piping, chemicals, etc. The process to develop the product is designed to be automated and controlled by computer software. The process also involves high pressures and temperatures as well as using chemicals that require special handling.

Because of environmental considerations related to the chemicals used in the process, the company decides to construct their plant in Mexico. Out of this decision arise technical, environmental, financial & safety problems that involve ethical issues.

The central figure, Fred, confronts a number of key moments of critical choice including the use of expensive controls from a company that has an inside connection at the firm, the introduction of environmental health controls that would actually be higher than local requirements, the purchase of pipes & connectors made from stainless steel or a high pressure alloy when marketing pressures require a slightly different product.<sup>14</sup> And perhaps there are cultural expectation as well?

**CAST of CHARACTERS:**

<b>Fred</b>	Chemical Engineer hired by <i>Phaust</i> to design a plant to manufacture a new paint remover
<b>Wally</b>	Fred's supervisor at <i>Phaust</i>
<b>Chuck</b>	Vice-President of Engineering at <i>Phaust</i>
<b>Dominique</b>	Corporate Liaison from <i>Chimistré</i> (parent company in France) to <i>Phaust</i>
<b>Maria</b>	Fred's wife, a compliance litigator for U.S. Environmental Protection Agency
<b>Hal</b>	Market Analyst at <i>Phaust</i>
<b>Jen</b>	Research Chemist at <i>Phaust</i>
<b>Peter</b>	Project Manager of the construction firm that builds the new plant in Morales
<b>Jake</b>	Plant Manager for the <i>SuisseChem</i> plant in Big Spring, Texas
<b>Manuel</b>	Plant Manager for the new <i>Phaust</i> plant in Morales, Nuevo Leon, Mexico

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<sup>13</sup> A film produced by the **National Institute for Engineering Ethics**, Texas Tech University, Lubbock Texas, 2005.

<sup>14</sup> This is summarized from the Study Guide provided with the above noted film.

As you view the story, identify

- *four (4) key moments when ethical choices are made...*

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- *to what extent would you define Fred to be a morally good person...*

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- *where better decisions could have been made that would have averted some of the ethical dilemmas within the Incident at Morales...*

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- *to what extent is this as much an public health issue as it is an engineering one? (and) where would you have intervened or at least made sure everyone realized that public health was a pre-eminent issue in the scenario?*

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In addition to developing a group answer to the items raised on the previous page, prepare responses to the following questions designated to your group.

IM-A. Would reference to a CODE of CONDUCT have solved this problem? Explain:

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IM-B. What questions of ethical conduct do you see around the initial hiring of Fred? Were they appropriately handled, in your mind?

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IM-D. What is it about Wally's *One Rule* that could lead to ethical problems?

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IM-C. How do you react to Chuck's comment about inflating the budget as a hedge against potential budget cuts? What is the difference between inflating a budget & providing contingency funds as a line item in the budget?

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IM-E. Chuck's brother-in-law is the U.S. rep for a supplier of controls: what ethical issues does this raise? What is your response to Wally's justification of this approach to purchasing?

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IM-C. Why did Fred share his concerns with his wife? Was this appropriate? Discuss his comment that since the plant is beyond her jurisdiction it is of no concern to her?

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IM-E. Is Wally justified in confronting Fred about the environmental meeting? Who should moderate such a meeting – a public/environmental health professional? Why or why not?

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IM-A. Did Fred act responsibly in both (a) lining the evaporation ponds and (b) specifying cheaper controls? Were there any ethical dilemmas here that a public/environmental health officer would have faced?

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I,-B. While talking with Peter, Fred is inspired to make the couplings a maintenance issue, specifying that the couplings should be replaced regularly: to what degree is it appropriate to convert design decisions into maintenance procedures without including operations people in the decision process? To what extent does this happen in other public &/or environmental health situations?

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IM-D. Although the chemical process was supposed to be automated, Fred allowed Manuel to volunteer to control the process manually: how was this an ethical decision?

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In conclusion:

IM-D. How should a company, such as *Phaust*, encourage ethical decision-making in the future? Where have you witnessed similar problems in your world of work (*without necessarily naming names*)?

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IM-B. How does *corporate culture* affect how we practice public health? To what extent does *political culture* impact our ethical decision-making?

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IM-E. Even if a lawyer indicates you have no legal obligations to your former employer when you go to a new job, what *moral obligations* do you have to ensure the confidentiality of information you acquired at the earlier job?

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IM-A. How much responsibility does the employer have to ensure that you are free to pursue your tasks employing the highest standard of ethical decision-making? Is there an obligation, whether government or private sector, to protect you from having to make an unethical though technically legal decision?

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IM-C. Where and when is it a good idea to share your ethical challenges with your partner at home? What ought you to do when your partner reveals to you a problem at their workplace that you recognize as a public health issue? [What if it is not in your jurisdiction?]

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IM-B./E. Do you believe that standards should be universal, or is it okay to have particular health standards in one (1) country and another set for another country? And what about from province to province? Municipality to municipality?

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IM-A./C. What obligation(s) do we have to consider downstream (i.e. future) implications or possibilities when making critical choices about an immediate problem? And, when does future trump the present (or vice versa) in resolving ethical dilemmas?

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IM-D. Where and when does the issue of trust impact our ethical decision-making? And should this include allowances for a *margin of error*? Is candour a component of moral choice? Is *reputation for integrity* a necessary aspect for any good public health official?

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All Groups —  
what stage(s) of moral reasoning did the following appear to be at?

Fred \_\_\_\_\_ Chuck \_\_\_\_\_ Maria \_\_\_\_\_

Wally \_\_\_\_\_ Peter \_\_\_\_\_ Manuel \_\_\_\_\_

Additional Practice/Preparation Time for the Major Role Play...

**PRESENTATION of Team Major Role Plays**

**#1: *The Property Discovery...***

The EHO is carrying out a search of some property (city owned) and is taking soil samples to test the land for structural strength. The EHO is working by herself, one-half hour out of the city, and comes across a small strong-box type object.

Upon opening the box, which has a package wrapped in newspapers dated in 1997. The box is full of twenty (\$20.00) dollar bills, totalling \$12,000 (twelve thousand dollars). **What do you do with the box?**

- **The EHO returns to the office, to turn it in; but, mentions it to a friend (a fellow co-worker) who looks in the box, sees the money and takes note of where you store it.**
- **Someone phones for the cash and its it returned to the owner. The owner received the cash but ten thousand (\$10,000) is missing.**
- **The EHO has an idea that the friend (co-worker) may have taken the money.**
- **There is no paper trail or audio/video surveillance evidence!**

*Now what do you do? Do you rat your friend out or do you say that it is the only amount of money that was in the box and someone may have taken it before it was found by the EHO?*

Characters:

- Friend/Co-worker [starting at Stage Three(2)]
- Owner [starting at a Stage Five (5)]
- Supervisor [starting at a Stage Four (4)]
- EHO [initially at a Stage Three(3)]

**#2: *The Money Float Dilemma...***

A Public Health Inspector in a small rural town is completing an inspection of a local restaurant. At the conclusion of the process, the Inspector goes over the inspection report with the owner of the facility. The owner of the facility gets called out of the meeting (taking place in his office).

There sits on his desk the float for the following day. The owner returns and accuses you of taking some of the money. He suggests that he will overlook the missing money if the Inspector will give him a clean inspection report.

**Would should the Inspector do?**

A colleague, but in another Health Unit (and one who has no knowledge of this owner), is contacted. Her response is simply to challenge the owner and report the entire incident to the local police.

The Supervisor does have some knowledge about this owner and has suspected he has caused problems for other Inspectors in the past; nevertheless there is no written reports or complaints of this nature in the files.

Characters:

- Owner [starts at a Stage Two (2)]
- Colleague [starts at a Stage Five (5)]
- Supervisor [starts at a Stage Four (4)]
- Public Health Inspector [initially is perhaps a Stage Three (3)]

**#3: The Leaky Fuel Depot...**

You work as an inspector in a RHA just outside the city. Your colleague works as a specialist for Alberta Environment covering an area not in your jurisdiction. Over a *cold one* he mentions that he knows a particular gas station (not in your area) has been leaking at least one type of petroleum product into a confined groundwater pocket (i.e. aquifer) over many years. This aquifer happens to be partially underneath an apartment building.

It poses a health hazard because people could be killed if the place explodes (gas seepage and build-up). At the same time, this problem has been around for a long time and there has been no explosion to date.

**What do you do?**

*Your spouse believes that you must follow your professional code and tell the local RHA about the problem, even if it means **over-riding** your friend's confidence (your spouse won't call it **betraying**).*

*A colleague whom you trust argues that you must honour your friend's confidence; however, she also recommends that you encourage your friend to go to the local RHA and tip them off to the potential problem.*

- **What stages of reasoning are present here?**
- **Where or how can this be most quickly brought to resolution?**
- **Will this be most effective? and lasting?**

Characters:

- Environment colleague [starts at a Stage Three (3)]
- The EHO Colleague [starts at a Stage Four (4)]
- Spouse [starts at a Stage Five (5)]
- Inspector [starts at a Stage Three (3)]

**#4: *Not Another Closing...***

The EHO has been working for an RHA for only a few months. She does an inspection of a restaurant and finds that it is in terrible condition! The EHO feels the place should be closed immediately, but must first advise the Supervisor.

The Supervisor knows the place and says not to worry... Closing the restaurant is too drastic. *Give him a few days to clean it up! Remember, the policy is to warn, warn, then cite!* The EHO feels closing the restaurant is not too drastic, but, rather, necessary to protect public health.

The EHO also finds out that the Supervisor and the restaurant operator are neighbours.

**What should the EHO do?**

- **The EHO talks it over with the boss, but not so as to accuse him of favouritism but more so as to why is the Supervisor instructing the EHO in this particular way.**
- **The EHO then talks it over with her spouse who expresses concern about the potential for losing the job. He suggests that the EHO worry more about keeping on the good side of the boss, because, in the end, it's really his responsibility.**
- **The EHO knows she has to keep both happy, but also has to live with herself too.**

***What is the easiest position to take? And will this be the best?***

Characters:

- Spouse [starting at Stage Three(2)]
- Boss [starting at a Stage Four (4)]
- EHO [initially at a Stage Five(5)]

**#5: Free but Good Lunches...**

You are a junior inspector with a regional health authority, conducting inspections (with a senior inspector) of work camps in remote wilderness areas. Remote means two (2) hours from any village, town or city, travelling radio call roads and predominant activities in the area are oil, gas and forestry operations. While you have not been to this particular work camp before, you are aware (from conversations with colleagues, etc.) there were previous issues surrounding the water source including reported illness from occupants of the camp.

After completing an inspection of the kitchen, you are invited to lunch by the catering staff. There were no major food safety issues identified during the inspection and the invitation to lunch is always made to any visitors to the camp. Although you do not suspect any motive behind the invitation, you hesitate to take up the offer. The senior inspector however accepts the invitation and serves himself from the steam table. **What do you do?**

*You decide to go for a walk instead of having lunch. In talking to the Inspectors on the way home, she states that it has always been the custom to do this and besides, in the past, she has actually written up another camp catered to by the same company.*

*Your spouse is indignant and recommends that in all future trips you take your own lunch with enough food for the Senior Inspector if necessary, and you inform her that this will be your practice.*

*A college buddy simply reminds you that since you need a good recommendation from your supervisor if you are going to gain permanent employment, you really need to keep in her good books.*

What stages of reasoning are present here?  
Where can this be most quickly brought to resolution?  
Will this be most effective? and lasting?

Characters:

- Senior Inspector [starts at Stage Two (2)]
- Spouse [starts at Stage Five (5)]
- College Buddy [starts at Stage Three (3)]
- EHO [starts at Stage Four (4)]



**#6: No Chance to Court a Problem...**

You are working for a small regional health authority, and one that is poorly funded at that. You have a belligerent restaurant owner that has been told repeatedly not to use unpasteurized milk but he won't listen. You've issued an order but still won't listen. The next step is court, but your boss turned this down because the department has no money. The father of the restaurateur is also an MLA. You want to press charges but everyone seems to be against it: job loss potential, credibility may be lost if charge doesn't stick (or go ahead), political connections = political backlash, question of public health risk, law-breaking... **What do you do?**

*Your boss argues that with a limited budget it is important to maximize your impact. Pursuing this case will take many resources and the result will doubtless be negative. She contends it is better to let it be & go after other violators that have a higher chance of success. As your successes mount, this may very well begin to waken up this bad dude and he'll improve things out of fear that he is next.*

*A colleague, Adam, suggests that if such an argument is valid, then the time to strike is now and scare the guy with the threat of a public notice and subsequent bad publicity before even going to court. This won't cost much money and will flush out any political skulduggery.*

- **What stages of reasoning are present here?**

[Your team will decide the best stages at which to start, and then how you bring it all to resolution. The debate should be staged so that you, the boss and Adam are all in the room together at some point; this could be at the outset or at the end or throughout the entire discussion.]

- **Where or how can this be most quickly brought to resolution?**

[Make sure that the initial stages are obviously different so that the resolution shows some movement in the *levels of moral reasoning*. You will hand the prof your allocation of Stages in order for him to determine if you managed it well]

- **Will this be most effective? And lasting?**

[If you had more time, what stages of *moral reasoning* might you try to gain a longer lasting resolution?]

**PRESENTATION of Team Major Role Plays**  
{order of presentation will be by *draw*}

Team RP-1

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Team RP-2

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Team RP-3

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Team RP-4

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Team RP-5

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Team RP-6

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**SESSION 5: *The Home Stretch – Getting to Better in our Ethical Reasoning...***

*Case Study #8: **Dark Waters**<sup>15</sup>*

{refer to *Addendum A* for your designated *group person*}

- First and foremost, in your mind, should every EHO view this film? Explain your position:

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- From your perspective are PFAS really *forever chemicals*<sup>16</sup> that suggest we are at risk?

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- Comment on the value of the paper itself?

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- What are the three main ethical *take-aways* from this film?

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- Comparing this film to *Erin Brockovich* what are the ethical similarities and what are the differences? Should either be shown to students – high school &/or elementary? Explain:

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- What is the central ethical dilemma in each story that would impact an EHO?

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<sup>15</sup> Universal Pictures (2019) Focus Features & Participant, directed by **Todd Haynes**, starring **Mark Ruffalo, Anne Hathaway, Tim Robbins, Bill Camp** and others. Can be seen on *YouTube* and other platforms. Will be shown on *Movie Night* (July 4<sup>th</sup>)

<sup>16</sup> Refer to the paper by **Bob Hrasko** (Black Mountain Irrigation District) presented to the *Water Stewardship Council* of the Okanagan Water Board, January 12<sup>th</sup>, 2023

- Describe with references, what predominate stage(s) of ethical reasoning were utilized by:

- the lawyer *Robert Bilott* (lead lawyer on DuPont case, played by *Mark Ruffalo*)

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- the lawyer *Tom Terp* (Managing Partner played by *Tim Robbins*)

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- Bilott's wife (played by *Anne Hathaway*)

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- *Wilbur Tennant* (the farmer, played by *Bill Camp*)

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- the lead lawyer for DuPont, *Phil Donnelly* (played by *Victor Garber*)

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- Any additional reflections about *Dark Waters* that should be brought forward?

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**Preparing for the Final Debates: A Practice Session...**

In your designated team, you will be given a practice case to study — depending on the time availability you may have to opportunity to either be **the presenting team** — or **provide the commentary (critique)** or simply observe (and *ask questions of the prof*). Make sure you read the case carefully and then study the central question so as to be certain of the position you could be taking. Think of yourselves as before a city council, a regional health board, a tribal authority or a public hearing and work at trying to bring the other team more towards a consensus if possible...

NOTE: In the Final Debates, each team participates in two [2] debates: one as presenting, and the other as the *commentary* (the order may be reversed for some)!!

The *rules* for the debates are straight-forward:

- **In the Final Debates**, the schedule for *presenting* will be laid out, complete with notification as to the team providing *commentary*. Following each section the teams will return to the audience until they are next scheduled to participate. **There will be no back-to-back sittings for any team.**
  - **The *presenting team* will be given three [3] minutes to prepare and then have seven [7] minutes to make their case**
  - **The *commentary* will have two [2] minutes to prepare and then four [4] minutes to respond to the *presenting team*.**

*There will then be a one [1] minute caucus for the Presenting Team to prepare a rebuttal.*

- **The *presenting team* will then have three [3] minutes to present their rebuttal.**
- **In the Final Debates**, the judges will also be given an opportunity to question the *presenting team* (after a one [1] minute caucus) – **each judge may ask one [1] question plus one [1] follow-up**. Following this they will score each team (although the results are not revealed at this time).

*Preliminary Practice Round(s)...*

If time permits, each Team will be given an opportunity to present or provide commentary to the prof to help refine skills in advance of the finals...

<b>Debaters A</b>	vs.	<b>Debaters B</b>
<i>Debaters C</i>	vs.	<i>Debaters D</i>
<b>Debaters E</b>	vs.	<b>Debaters F</b>

Observations... {by the prof, including Q&A}

**SESSION 6: *Wrapping It All Up...***

**Part 1: Conversation on *Cowboy Ethics...*(the mandatory text)**

*Preliminary Reflection..*[for your designated team – see *Appendix A*]

ALL SMALL GROUPS

- What is the stage of *moral reasoning* James Owen primarily comes from in **Cowboy Ethics**? [In your explanation, provide examples...]

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- Thinking ahead to your career as a EHO, to whom &/or where might you make this book available? Why?

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In the INTRODUCTION, we find these words:

*We may be living a so-called ordinary life. Yet even as we move through the rhythms of our daily tasks, we still hope we can find that reservoir of courage, determination, and nobility we really need when life puts us to the test. We want to know, when all is said and done, that we are not ordinary at all.*

- Interpret these comments in terms both of your reading of the Text and the symbiotic relationship to this course.

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Within the text itself, let's examine some of the thoughts, concepts and questions that Owen puts before us...

Group CE-1 & CE-2

*At a time when it can feel like the whole world is going downhill, the Code of the West points us back to basics, like keeping your word and heeding the Golden Rule. Back to core values, like courage, honour, and self-reliance. Back to timeless, universal principle that are relevant to each one of us, no matter who we are, where we were born, or how we worship. Does anyone disagree that a promise made should be a promise kept? Who among us doesn't believe that some things in this world should never be for sale?*

- Why does he ask these questions?

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- Do they need to be asked of us? Why/Why not?

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- How would you answer them?

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Group CE-2 & CE-3

*You, and only you, are the author of your life's story. Only you can know what values and beliefs define you. And only you can decide what winning at life means to you. But we all get so caught up in our busy lives we forget to stop and think about what we truly believe in at the core.*

- Explain your reaction/response to this statement...

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- How does/would it apply to the world of the EHO...

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Group CE-3 & CE-4

*Live Each Day with Courage.*

- In less than 47 words, provide some insights as to what Owen is getting at.

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- Why might this be an important phrase to put in your office?

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Group CE-4 & CE-5

*Take Pride in Your Work.*

- In no more than 31 words, explain what this means for an EHO.

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- Where else might you suggest this phrase should be shared?

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Group CE-5 & CE-6

*Always Finish What You Start.*

- In less than 43 words, translate this into an EHO's day.

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- Would this be something that you might share with friends or family?

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Group CE-6 & CE-1

*Do What Has to Be Done.*

- How does this apply to the role of an EHO?

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- Explain your general reaction/response to this statement...

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Group CE-2 & CE-5

*Be Tough, But Fair.*

- Give at least three examples of a way the EHO can do this.

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Group CE-3 & CE-1

*When You Make a Promise, Keep It*

- Where could this become difficult in the life of an EHO?

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Group CE-4 & CE-6

*Ride for the Brand*

- EHOs are not cowboys, but there is still a considerable element of truth in this for the Environmental Health profession. In no more than 43 words outline what that truth is.

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Group CE-5 & CE-3

*Talk Less and Say More*

- This expression also came to the fore in a great courtroom scene in the Paul Newman movie *Nobody's Fool*. In less than 31 words, define this as a motto for EHO's.

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Group CE-6 & CE-2

*Remember That Some Things Aren't For Sale*

- List at least three things within the life of an EHO that ought not to be for sale...

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Group CE-1 & CE-4

*Know Where to Draw the Line*

- Where does this part of the Code mesh with conversations with clients (whether they be businesses, governments or individuals)?

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Group CE-1 & CE-3 & CE-5

*I've also come to believe that we – meaning each one of us, and our families and communities – have more power to change things than we think. Personally, I don't believe throwing money at big issues is the answer. Nor can we afford to wait for large-scale, top-down government programs to turn the tide – especially with the political divisions and resource limitations we have now. But what if we shifted our attention away from a few big, unwieldy levers that may or may not deliver results, and focussed instead on the multitude of small levers that we can each apply in our own lives?*

- What is Owen saying to you? To your profession? (No more than 29 words)

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Group CE-2 & CE-4 & CE-6

*Being engaged in positive, problem-solving action can also bring meaning to our own lives, and perhaps even create new ties, as we join with others in common purpose.*

- To what extent is Owen too idealistic versus how would this be a good motto for all EHO's?

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ALL GROUPS

- How might the reading of *Cowboy Ethics* have helped the characters in the Law Firm (movie *Dark Waters*)? In what way might we use both the book & our insights from the film to real-life situations when we face organizations and corporations in the communities we work within so that we end up with results that are more productive and easier to deal with?

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**Part 2: Towards Becoming a Better Ethical Leader...**

**Video Vignette: *Ethics Unwrapped...***

*Ethical Leadership Part 1...*

In your small group, prepare responses:

- what are the four most vital pieces of advice this vignette has for an EHO?

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- give at least two examples of where you think this vignette should be shown (from experiences at least two of your group members have had)

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- what aspects of life outside one's EHO vocation might this vignette have something useful to say? (Give three examples)

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Presentations to the full class...

*Ethical Leadership Part 2...*

In your small group, prepare responses:

- what are the key points that you agree most with in this vignette?

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- how realistic is this vignette and why do you say that?

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- name at least one take-away per group member from this vignette that you will attempt to utilize in this course...

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Presentations to the full class...

### **A FINAL ROUNDTABLE WITH THE PROF...**

*How do we feel about this approach to addressing the matter of **critical choice** in our work?*

*Does it appear to be an effective to recognize and deal with **ethical dilemmas**?*

*Are we going to try it out?*

*What should students know before (or at the beginning of) the course to make the experience more useful? More enjoyable? More long-lasting?*

### **CONCLUSIONS**

Each participant must have completed the following, and where appropriate submitted to the prof ...

- the *self assessment* form:
- the *peer evaluation*: on the graduated score rate each of your peers as to their overall level of participation in all the small group work [do not rate anyone that you did not participate with on a team or in a small group task]
- *critique the entire course* by directly (on-line) completing the university's course evaluation

***God bless, good luck, and don't be a stranger!!***

### **The FINAL DEBATES {FINAL EXAM}**

{this section is subject to modification or alteration prior to Session 6}

The purpose of the debate is to give you the opportunity to try to persuade the other team to understand your perspective. Think of yourselves before a city council, a regional health board, a tribal authority or a public hearing and work at trying to bring the other team more towards a consensus if possible...

- Each team will participate in two [2] debates: One *presenting*, the other providing the *critique/commentary*.
- Scoring will be determined by using the rubric of the International Ethics Bowl (sponsored by the Association of Practical and Professional Ethics – APPE). Round One [1] will use Steps #1 through #4; Round Two [2] uses Steps #5 through #8.

The *rules* for the debates are:

- **The order of the debates will be determined in advance – after each presentation teams will return to the audience as there will be no back-to-back settings. While each team will know the Case it will be *presenting*, the key question as to whether it will be for or against the statement will be announced at the outset of the debate itself.**
- **The *presenting team* will have three [3] minutes to prepare and then have up to seven [7] minutes to make their case.**
- **The *commentary team* will have two [2] minutes to prepare and then have up to four [4] minutes to respond to the *presenting team*.**

*There will then be a one [1] minute caucus for the Presenting Team to prepare a rebuttal.*

- **The *presenting team* will then have three [3] minutes to present their rebuttal.**
- **The judges will also be given an opportunity to question the *presenting team* (after a one [1] minute caucus) – each judge may ask one [1] question plus one [1] follow-up. **Following this they will score each team** (although the results are not revealed at this time) **which will be calibrated with that of the prof's to form one's final mark** (*each team mate will receive the same mark, no matter what role is played*).**
- The one score that will be announced at the conclusion of all the Rounds will be the **Spirit Award**. *Spirit points reflect an assessment by the judges of the extent to which each team's presentation embodied the spirit of the debates (in particular with respect to civility) – total possible score: 5 points*

*The process shall be repeated later in the schedule, except each teams will undertake the other role.*

**Schedule for the Debates** {tentative}

Round One:

**Team a(q)** vs. *Team B(p)*

*Team A(p)* vs. **Team d(q)**

**Team a(q)** vs. *Team D(p)*

**Team e(q)** vs. *Team C(p)*

*Team B(q)* vs. **Team c(q)**

*Team E(p)* vs. **Team a(q)**

{lunch break: meal/refreshments provided}

Round Two:

**Team c(q)** vs. *Team A(p)*

*Team C(p)* vs. **Team d(q)**

**Team B(q)** vs. *Team E(p)*

*Team D(p)* vs. **Team e(q)**

**The Debates currently proposed to be used in 2023** (*but subject to change prior to Session 5*) **and the questions to be asked** (although the perspective for/against will only be announced at the outset of each debate) **are noted below**. A copy of the *Practice & Research Debate Case* is provided in your support file/folder to help focus your approach to successful participation in the *Final Debates*.

TOPIC #1      A-5: *Nuts Over Water*

**Due to the healthy food value of almonds, the ethical choice is to ensure that almond farmers receive a higher priority for water than urban users.**

TOPIC #2      A-6: *To Be or Not to Be*

**Given that Canada is now facing the same issues in the *right to die* discussion, the ethical decision is to give each individual (with sound mind) the choice to request doctor-assisted death.**

TOPIC #3      A-9: *Patent Rights*

**Given that Canada faces the same issues in accessing new drugs for treating dangerous and/or difficult diseases, the ethical decision is to bring all drugs under the control/jurisdiction of the Canadian Health Act, thus enabling governments to order drug companies to provide drugs at no more than 100% mark-up over production costs.**

TOPIC #4      A-14: *Well Spotted*

**As Canada is the destination for many similar school exploration education trips, is not the ethical decision to require all such cruises (or flights) to gain clearance from local public health officials prior to leaving the terminals to visit on-shore Canadian sites?**

TOPIC #5      B-5: *Drug Pushers*

**Pharmaceutical practices in Canada are pretty much the same as in the USA, and as Canada is fundamentally a country that supports a free market and gives a fair degree of professional license, therefore is the ethical decision is to permit doctors, pharmacists and other public health officials to make their own decisions as to whether they have direct contact with drug companies or any other supplier of products they need.**

TOPIC #6      B-10: *Equinophagy*

**Given that Canada has much the same relationship between horses and their owners, and a similar problem regarding availability of equine slaughterhouses, the ethical decision is to promote the value of horsemeat while simultaneously expanding the knowledge of EHO's to adequately monitor equine slaughter-house operations.**

TOPIC #7      Dilemma Q: *(submitted by Diane Teoh)*

**As a young EHO may be too idealistic in the early days of one's career is not the ethical decision to leave any investigations into the behaviours of seasoned EHO's to senior management and simply make sure one's own actions are above reproach?**

TOPIC #8      Dilemma N: *Ethics Scenario*

**Because of the continuing popularity of tattoos, many people will travel to find a good deal or a quick access, thus going well beyond their own health region's boundaries, the ethical decision is for each EHO to make sure that every potential problem in such studios is *red-flagged* whether within her/his jurisdiction or not.**



TOPIC #9 Dilemmas R+O: *(submitted by Andrew Brooks)*

**Given that restaurants are prime sources of many of the infractions that EHO's must deal with on a daily basis, the ethical decision is for each EHO to report any perceived problem to the appropriate Health authority, whether within her/his jurisdiction or not.**

TOPIC #10 Case Nine: *Wild Meat – Malnutrition & Conservation*

**There is no moral justification for Canada to attempt to interfere in another country's cultural preservation or economic development – as long as immigrants obey the laws of Canada and adhere to general social norms, their individual cultural activities should be self-policed. Is the ethical position for the EHO that there should be no import bans on bushmeat or any similar foodstuffs and instead encouragement should be given to expanding economic development through more free trade which will help such countries of origin expand their own food sources as well as environmental conservation.**

TOPIC #11 Case Twenty-Six [26] *Body Shop*

**Canada's health policies are based, more or less, on the premise that health care shall be available to all on a reasonably equal basis – moreover, in order to ensure fair & equitable treatment, no one should be able to jump the queue, therefore organ trafficking is wrong both morally and legally, and must remain so – because Canada is a wealthy country, permitting such activities would simply assist the wealthy to use their position and power to gain at the expense of those much less well off, in foreign jurisdictions and in situations where the post-donation health case would be borne by governments ill-equipped to do so properly and effectively. Should the EHO support this policy.**

TOPIC #12 Case Twenty-Seven [27] *Straits of Strife*

**Canadians have a firm belief in the need to maintain a balanced ecologically sustainable planet, particularly as this relates to at risk species including whales; consequently the EHO must support any policy that would require Japan to cease its whaling practices.**

### **The FINAL CASE**

Friday [Day 13] will be devoted to the **Final Case** another significant part of the cumulative mark for the course. Each Cohort will meet at its usual time – at which a unique video case will be shown. A *guide* to analyzing/assessing the case will also be provided. Students can begin to craft their responses during the class period, but will have until Thursday, July 27<sup>th</sup> to complete their submission.

It is important to note that the response to the **Final Case** must be in the form of a **Briefing Note** which means it can be no more than three [3] pages long, and **bullets** are encouraged.

**References** to *Cowboy Ethics & Ethics Unwrapped* along with *other cases & Getting to Better* will be expected along with connections to the *Kohlberg Paradigm/Sinclair Prism*.

**Appendix A:**

*{designation of Small Groups & Teams for various tasks throughout the course}*

**Appendix B: Guide to *The Firm***

*{a audio/visual way to better understand Stage Theory re Ethical Reasoning}*

**Conversations around dealing with the world out there...**

**The Idealistic Professional!!**

It is important to recognize that in the process of reasoning through an ethical dilemma, the stages upon which a person predominately builds rational arguments to resolve that dilemma are most likely to be reflected in those situations that affect the individual immediately, in the questions of *home and work*. **This case study allows you to see the development and growth of ethical reasoning in one individual, as well as quite well defined stages of moral reasoning of other characters that, in their interaction, help &/or hinder the development the central character's stage(s) of ethical reasoning.**

While viewing the full length version of the rather intriguing movie *The Firm*<sup>17</sup> be **prepared to identify two [2] major moral dilemmas during the film:** indicate the levels of moral reasoning used by the characters involved and whether or not the dilemma was resolved, and why!

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As well, **there are a number of scenes to pay particular attention to:**

- During the recruiting of Mitch McDeere (Tom Cruise) the Managing Partner reveals how he knew what to offer: *what is your first reaction to this information?*

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- Discussing the offer with his wife Abby, Mitch says *Did you ever think I'd make a six-figure salary?* — what was her reply, and what does that tell you about her?

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<sup>17</sup> *The Firm*, a film by Sydney Pollack, released in 1993 by Paramount Pictures as a John Davis/Scott Rudin/Mirage Production starring Tom Cruise, Gene Hackman, Jeanne Tripplehorn, Ed Harris, Holly Hunter, Hal Holbrook & David Strathairn.

## E-sinc®

- Why do you think the firm selected Avery (Gene Hackman) to be McDeere's mentor? In what ways did he help McDeere grow in *ethical reasoning*?

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- What did Abby mean when she said there is a difference between being upset and being scared? And, a little later, why did she reply to Mitch's *I want to give you everything you gave up*, with the comment: *Stop it! Just bring flowers*?

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- The trip to the Cayman Islands comes early in the story, and the Islands play a recurring role throughout the story: does this have anything to do with Abby's earlier comment *It's not for me — it's not even for you!*? And, why do you think that Mitch would immediately go and visit his brother after returning for the first time?

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- After the visit to Washington, Mitch then met with the *inner circle* at the firm: was this a form of confession? or Step One in coming to grips with the fact that *your life as you know it is OVER*?

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- During the dinner scene on the day of the Bar Exam reception, Abby said: *You can't promise me anything anymore!* What did she mean and was she right? How valid was Mitch's comment: *I couldn't stand you not knowing*?

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- When the *inner circle* met with Avery after the discovery that Mitch had a brother who was a felon, what was the reasoning behind the need to have such information? Why wasn't Avery more concerned?

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- When Mitch starts down his journey on the *over-billing problem*, what are his reasons? And what stage level is he operating at?

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- What level of reasoning says: *You did the cheating, I'm the one that feels guilty*?

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- Avery's comments at the school yard (*I take rejection well*) and his little speech at the Hyatt in the Caymans tell you what about his reasoning stage level?

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- How do you rationalize Mitch's breaking into the computer codes, printing the information, and then taking it out of the firm? And, then his brutal beating of the Security Boss (Wilfred Brimley)?

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- Forgetting the rather interesting screenplay between the Chicago boys and Mitch, consider the reasoning apparent in Mitch's comments: is there any evidence of change in stage level? And if so, is it an example of growth or simply a shift?

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- What is your general assessment of the Senior Partner, Oliver Lambert (Hal Holbrook)? What stage level did he seem to reason at? Where did his emphasis on *family* fit in with all this? Where is his disconnect with *Cowboy Ethics*?

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- What about Avery? Illustrate his level(s) of reasoning! Where did his recurring thoughts about marriage and his own love life fit in with all this?

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- What stage(s) do you think Abby generally reasoned at? Illustrate:

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- What stage(s) do you think Mitch generally reasoned at? Where are there transitions? In each case, who helps or hinders? At the conclusion of the story, where is he predominately reasoning, and will this become relatively constant? Explain &/or illustrate each of your responses:

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- What was the *ultimate ethical dilemma* for Mitch & Abby? And, what stages did they use to get through it?

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*Concluding Roundtable*

- In what ways/contexts is this entire approach to understanding and dealing with *ethical dilemmas* beginning to make sense?

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- How might the reading of *Cowboy Ethics* have helped the characters in the Law Firm? In what way might we use both the book & our insights from the film to real-life situations when we face organizations and corporations in the communities we work within so that we end up with results that are more productive and easier to deal with?

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- Anything in *Ethics Unwrapped* or the prof's manuscript *Getting to Better* that could have helped either the Firm in general or specific characters individually?

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**Appendix C: *A Powerpoint Presentation on the Sinclair Prism***



**Appendix D: Additional Cases...**

***Additional Queries***

***Query A***

*You are in middle management in the Dept of Health and have an irksome employee. He is tardy, often absent, produces rather substandard work, and continually creates histrionic scenes calling attention to himself as an indispensable contributor. You have the opportunity to pass this employee over to another office within your Department (but out of the city) by writing a glowing recommendation. The employee in question is eager for the transfer as it will involve a raise in pay and increased responsibilities.*

***Do you temper your remarks, write a glowing letter, and rid yourself and your work group of this problem?***

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***Query B***

*As a newly promoted Environmental Health Inspector in Edmonton, you have rented an apartment in a major complex in Sherwood Park, which is not located in your inspection area. However, you do know the landlord as you have had professional dealings with him regarding other properties, which you have inspected in St. Albert. After having lived in the apartment for a couple of months, you start to have a problem with mice. You complain to the landlord who immediately brings over traps and tries to determine how the mice are entering your apartment. Happy that the landlord is dealing with the situation, you are shocked when your neighbouring tenant(s) accuse(s) you of using your position to get your complaint dealt with. Unknown to you, they have been complaining for weeks & months to the landlord about the same issue.*

*In talking to the Department Head, she suggests organizing a meeting of all tenants (away from the apartment) whereat you will document all complaints and then turn it over to the Inspector for the area. In talking with two of your classmates, they both suggest that you go directly to the landlord and tell him that provided he undertakes a major pest eradication program for each tenant within a week, you will not have him written up with a citation (and court date).*

***What do you do? Where or how can this be most quickly brought to resolution?***

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**Query C**

*As a recently appointed EHO, you go to inspect a restaurant and discover there is a temperature violation in one of the refrigerators (7 degrees, Celsius). The operator indicates that he can't do much about this because the fridge is frequently used (door opened & closed often) and so the issue is unavoidable.*

*The restaurant operator has a reputation for always trying to make a deal whenever he can (especially when he thinks he can cut corners). You know of one previous occasion when he offered to cater, for free, a former EHO's kid's birthday party if a certificate of health was issued. You have been asked to help a charity golf tournament by arranging the food...*

**Would you ignore this violation if he will do the catering for the tournament or insist that the problem be fixed? Explain your decision:**

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***Plagiarism as an Issue in the Search for Creativity.***

This incident involves a micro-biology course at the local university that has a reputation for being very difficult. It is an optional course, except for those going into *environmental health professions*. The professor is a veteran and his marking has not varied much in the past fifteen years: FIVE[5] major papers MUST be written DURING the term [emphasis mine].

*A student in her graduating year took this course and wrote the first four [4] papers. When the time came to hand in the fifth [5<sup>th</sup>] paper, she had many other things to do in order to graduate. One of her friends had taken the course two years previously and still had her papers. The student asked her for one [1] of the papers, rewrote a few parts of it and handed it in, believing that the professor would never remember a paper that had been written that long ago, especially since many students take the course. Needless to say, the professor recognized the paper and he even recalled the name of the student who had originally written it.*

- a) What should the professor do? Why?
- b) Suppose the set punishment for plagiarism is expulsion from school. Should the professor consider the fact that the student is about to graduate? Explain:
- c) In what way(s) might the student who loaned the paper be guilty?
- d) Would you see either of these students as employment risks? Explain:
- e) Would you want either of these students working on a research project for you? Explain:

*Cases that arise outside the EHO's mainstream tasks...*

## **E-sinc®**

### **(1) DVD — *Island Waste Management*** {to view request DVD from prof}

background:

This is a real scenario, the result of a student project in a Business School class the professor taught in 2008. It examines the way that the province of Prince Edward Island has brought its waste management program under control in a way that now results in over 65% of residential & business waste being diverted from going into landfill sites. This story has been told to numerous people outside of PEI, including some politicians in Alberta as a way to improve the *greening of the province*.

specific questions:

*How involved should Environmental Health Officers (EHO's) be in trying to help convince political leaders to seriously consider a much more comprehensive waste management program within the drive for greener world?*

*Given that James Owen comes from a perspective of reacting to failure of a system designed to protect society, how might he address this challenge which is arising out of a successful public process?*

*What ought to be the ethical stance of an EHO in this particular case and what then becomes the foremost goal of any recommendations the EHO might see as essential?*

Challenge

**Your team of EHO's has been asked by the Regional Committee of Mayors in the greater Edmonton area to develop the strategies that this Committee should recommend to their respective municipal governments to ensure a leading edge environmental health oriented waste management program can be implemented which could become a model for the entire province — prepare the initial *macro-briefing*? Determine the various stages in ethical reasoning that might have to be deployed to gain maximum acceptance from various stakeholders...**

### **(2) DVD — *Twilight on the McGregor*** {to view request DVD from prof}

background:

This is a real scenario, an effort some forty-five [45] years ago to rally public opinion against a major dam project that many felt would damage the environmental health of the people in B.C. in a number of ways. The campaign was successful, the McGregor diversion never went ahead and after the Revelstoke Dam was built, no more major projects were undertaken until the Peace River Site C dams was launched (but without this Diversion) as an answer to the need for more *Green Energy*.

specific questions:

*How involved should Environmental Health Officers (EHO's) be in public debates over the impacts of hydro dams, particularly in the drive for more green energy?*

## **E-sinc®**

*How would James Owen look at a recurring challenge — the initial situation was successfully resolved but now the arguments have shifted from economic green to environmental green but would it be anymore ethical in his mind?*

*What ought to be the ethical stance of an EHO in this particular case and what then becomes the foremost goal of any recommendations the EHO might see as essential?*

Challenge

**Your team of EHO's has been asked by the Regional Health Board in the Peace River Region of B.C. to recommend the strategies that the Board should adopt to ensure proper attention to, and addressing of, environmental health issues — prepare the initial *macro-briefing*? Determine the various stages in ethical reasoning that might have to be deployed to gain maximum acceptance from various stakeholders...**

### **(3) PowerPoint — India's Challenge...** {to view request PowerPoint from the prof}

background:

This is a real scenario, presented by a Graduate Student to an International Ethics Conference several years ago. She was interested in the ethics of allowing a river with deep religious and cultural values to become so polluted. She asked what professionals ought to recommend to the regional government since there is new emphases on India's need to demonstrate more commitment to a *greener world*..

specific questions:

*When religious &/or cultural beliefs clash with public/private socio-economic practices that can impact our environmental health, what are the responsibilities of the Environmental Health Officer (EHO)?*

*How would James Owen suggest dealing with something with a significant religious overtone to it, and in another cultural milieu?*

*What ought to be the ethical stance of an EHO in this particular case and what then becomes the foremost goal of any recommendations the EHO might see as essential?*

Challenge

**Your team of EHO's has been asked by the Regional Government to recommend a long term management plan that would ensure positive, effective environmental health benefits for/from this river system — prepare the initial *macro-briefing*? Determine the various stages in ethical reasoning that might have to be deployed to gain maximum acceptance from various stakeholders...**