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A CLEAR TWENTY-FIVE YEAR TREND IN GREATER BOARD ETHICS

Summary. This paper documents more than 20 years of Board effort, particularly in global companies, to obtain a proper balance between ethics and compliance oversight management. Further, it discusses the development of mature compliance systems to integrate ethics and rules-based ethics programs in response to the US Revised Federal Sentencing Guidelines (2004). In addition to leadership of individual directors, legal developments in corporate governance and the regulations and rules in the company's business(es) have been the key factors in this growing Board involvement.

Keywords: Boards of Directors, compliance systems, corporate governance, ethics training programs

WIĘKSZE ZAANGAŻOWANIE ZARZĄDÓW W KWESTIE ETYCZNE – WYRAŻNA TENDENCJA NA PRZESTRZENI DWUDZIESTU PIĘCIU LAT

Streszczenie. Artykuł przedstawia charakterystykę ponad 20 lat działań zarządów, w szczególności firm globalnych, mających na celu uzyskanie właściwej równowagi między etyką i zarządzaniem. Ponadto omawia rozwój dojrzałych systemów zgodności dążących do zintegrowania etyki i opartego na zasadach etycznych programu wdrożonego w odpowiedzi na Znowelizowane Wytyczne Ogłaszania Wyroków w Stanach Zjednoczonych (2004). Przeprowadzone badania dowodzą, iż kluczowymi czynnikami, mającymi wpływ na większe zaangażowanie zarządów w kwestie etyczne, były nie tylko działania przywódcze poszczególnych dyrektorów, ale także zmiany prawne związane z ładem korporacyjnym oraz zmiany w przepisach dotyczących działalności gospodarczej.

Słowa kluczowe: zarząd, system zgodności, ład korporacyjny, programy szkoleń z etyki

Note: This article is adapted from the author's study, *Ethics Issues and Programs: The Role of the Board*, The Conference Board, RR 1487, (2011)

For more than twenty years, the increasing complexity of compliance systems – particularly in global companies – and the pressures on boards to exert ethical leadership has pushed Boards to obtain a proper balance between ethics and compliance oversight and micromanagement.

Further, since the 2004 Revised Federal Sentencing Guidelines, Boards have taken on the additional responsibility of director ethics compliance and training. The research findings in this report, The Conference Board's first since 2004 on the subject of director engagement with ethics issues, document board efforts to deal with the broadening scope of their ethics responsibilities. They also describe mature compliance system efforts to integrate principles- and rules-based ethics program elements. Highlights include:

- The 2011 survey finds that both US and non-US company ranking of the four key factors in director ethics issues is unchanged since 2004: (1) general legal developments; (2) regulations and rules relevant to the company's business; (3) leadership/support by individuals/top managers; and (4) law concerning role of boards in overseeing programs.
- With respect to the 2010-11 *general legal developments* factor of director top priorities, two anti-corruption issues are especially important: (1) the increase in FCPA prosecutions that began in 2007; and (2) the UK Bribery Act. Of these two, because it entails ongoing prosecutions, the stepped up FCPA enforcement activity is of the greatest immediate concern. The high level interest in the UK Act, which went into effect July 2011, is matched by an equally high level of understandable ignorance regarding its terms.
- 2011 survey respondents documented much greater engagement by the full board than was the case in the 2004 study which found that nearly all the boards of participating companies delegated program oversight responsibility to one or more committees. To get a better sense of how and in what way boards were involved in ethics and compliance programs, the 2011 survey divided the oversight function into three different phases: (1) design/revision; (2) implementation; and (3) monitoring for effectiveness. In each instance, a plurality of companies said that the full board shared ethics program oversight responsibility – most often with the audit committee – but sometimes with other committees – notably, governance.
- While many boards still look to the general counsel for ethics and compliance information, a narrow plurality of 2011 responses preferred an ethics or compliance officer in the interest of obtaining more detailed answers to questions. CEOs ranked third and internal auditors fourth. COOs, CFOs and heads of human resources also got a few responses. Boards are casting a wide net in seeking ethics related information from other company sources such as the CEO, CFO, Internal Auditor and Head of Human resources. In a few companies, compliance and human resources share ethics and compliance reporting responsibility.
- The 2011 survey also asked respondents if within the last three years the board has helped to resolve specific ethics issues confronting the company and one third said that it had. Of this group, nearly two-thirds (63 percent) devoted

board discussion to some aspect of corruption risk. Environmental and sales or marketing issues were a distant second, and boards were least often engaged in director or top management appearance or conflict of interest problems. The participants cited few complaint or location specific examples. The exception was corruption, where four companies reported incidents in China, two in Singapore, and one in Korea.

1. Involvement

The focus of this article is on how Boards and Directors respond to the ethics challenges that the company faces and to the growing mandate worldwide for board oversight of company ethics and compliance programs – a trend that The Conference Board has been surveying and documenting since its first corporate ethics survey was conducted in 1986.

Since 1986: Steadily Increasing Board Role

Since its first business ethics report of the 1986 survey findings in 1987, The Conference Board has documented a steady increase in Board involvement and concern with ethics issues. For example, in a report by The Conference Board published in 1987, 21 percent of survey participants said that their company's directors participated in the drafting of the company's code of ethics. By 1998, it had risen to 78 percent.¹

In response to the 1991 promulgation of the U.S. Federal Sentencing Guidelines, companies have developed business ethics programs of scope and vigor. And from the Guidelines' inception, meaningful oversight by the board of directors was identified as a vital element in a successful corporate ethics and compliance program.

Since 1991, the Guidelines have steadily enhanced the Board's role in promoting ethical conduct and compliance program oversight. The U.S. Sentencing Commission Guidelines Manual issued November 1, 2010 provides that due diligence and the promotion of an organizational culture that encourages ethical conduct and a commitment to compliance with the law within the meaning of subsection (a) minimally require the following:

- The organization shall establish standards and procedures to prevent and detect criminal conduct,
- The organization's *governing authority* (emphasis supplied) shall be knowledgeable about the content and operation of the compliance and ethics program and shall

¹ Berenbeim R.E.: Global Corporate Ethics Practices: A Developing Consensus, The Conference Board, Research Report, 1243-99-RR, 1999.

exercise reasonable oversight with respect to the implementation and effectiveness of the compliance and ethics program^{2,3}.

The 2011 survey indicates that both U.S. and non-U.S. company rankings of key factors in director ethics issues, focus is on the need for director and senior executive leadership support. Further, both U.S. and non-U.S. companies had the same ranking for the top four factors: (1) general legal developments; (2) regulations and rules relevant to the company's business; (3) leadership/support by individuals/top managers; and (4) law concerning role of boards in overseeing programs.⁴

The high level of U.S. director involvement in company ethics and compliance issues has been consistent since the promulgation of the U.S. Federal Sentencing Guidelines for Organizations (1991). Since the 1996 *Caremark* decision, U.S. directors had been aware at least of the need for Board attention to company ethics programs. In *Caremark*, the Delaware Court of Chancery held that directors can be liable for failing to insist on *sufficient* compliance measures (emphasis supplied) (see box).⁵

As for what constitutes sufficiency in this regard, the U.S. Federal Sentencing Guidelines for Organizations provide widely accepted standards for effective compliance systems (See Boxes on *Caremark* and on test for effective compliance systems.).

With respect to 2010-11, two recent corruption related legal developments have been the focus of additional board concern: (1) the steep increase since 2007 in FCPA prosecutions (see Box); and (2) the UK Bribery Act (see Box). The stepped up FCPA enforcement activity is of the greatest immediate concern. The high level of interest in the UK Bribery Act is matched by an equally high level of ignorance about the final text of an act that was announced on March 30, 2011 and will go into effect on July 1, 2011. A Deloitte Financial Advisory Services LLP poll of 1000 business professionals reported on April 19 found that 78 percent of the respondents expected greater enforcement resulting from the legislation but that 73 percent were unfamiliar with its provisions.⁶

Stepped Up FCPA Enforcement

Stepped up FCPA enforcement continued in the first quarter of 2011; there were four corporate settlements of U.S. Securities and Exchange Commission ("SEC") charges, two of

² The commentary defines governing authority as the Board of Directors or if the organization does not have a Board of Directors, the highest level governing body within the organization. US Sentencing Commission Guidelines Manual, November 1, 2010, p. 506.

³ US Sentencing Commission, Guidelines Manual, §8B2.1. Effective Compliance and Ethics Program, November 1, 2010, p. 504-509.

⁴ Participants were asked to rank nine factors in order of importance. Overall rankings were determined by the highest median number for a particular response.

⁵ In re *Caremark International Inc. Derivative Litigation*, 698 A2d. 959 (Del. Ch. 1996).

⁶ <http://blogs.wsj.com/corruption-currents/2011/04/19/deloitte-poll-73-are-unfamiliar-with-bribery-act-provisions/>.

which also entered into deferred prosecution agreements with the U.S. Department of Justice (“DOJ”). There were also five guilty pleas, two sentencing decisions, and one settlement with the SEC by individual defendants.

One of these cases involved the largest FCPA violation forfeiture to date (\$149 million) by an individual. On March 11, 2011, Jeffrey Tesler pleaded guilty to one count of violating the FCPA and one count of conspiring to violate the FCPA. The plea agreement disclosed that, from 1994 through June 2004, Tesler conspired with TSKJ, on whose behalf he acted as an agent and consultant and then-CEO of Kellogg, Brown & Root, Albert Jackson Stanley, to pay roughly \$132 million in unlawful payments to Nigerian government officials to secure their support for TSKJ’s participation in the project to build liquefied natural gas facilities at Bonny Island. The Bonny Island contracts were valued at over \$6 billion. In addition to the forfeiture, Tesler faces up to ten years in prison.⁷

The impact of increased FCPA enforcement is affecting business decisions. According to the latest Dow-Jones State of Anti-Corruption Compliance survey of 306 multinationals, 56 percent of the participants reported ending or avoiding agent, distributor, consultant or joint venture partnerships because of anti-corruption liability concern. The figure was up from the 2009 finding of 52 percent. Further, forty percent believed that their company lost business to a competitor with fewer scruples or liability concerns.⁸

Despite these increased risks, a KPMG survey finding reported on June 1, 2011, suggests that despite the known compliance risks of working with third parties in some countries:

- Two in five U.S. and U.K. organizations with written anti-bribery and corruption policies do not distribute them to agents, distributors, vendors, brokers, joint-venture partners or suppliers.
- Three in five companies with compliance programs that incorporate employee training do not require any third-party representatives to participate in the training.
- Nearly one in three U.S. and one in four U.K. companies require training less than once a year.
- Three in five companies do not exercise "right to audit clauses" in third party contracts.
- More than half of the U.S. and 10 percent of the U.K. companies do not obtain periodic compliance certifications from those with whom they do business in other countries.

⁷ Hastings P.: Stay Current, www.paulhastings.com/assets/publications/1878.pdf.

⁸ Rubinfeld S.: Corruption Concerns Cause Companies to Abandon Partners, wsj.com/corruptions-currents, March 30, 2011.

The KPMG survey also pointed to significant shortcomings in how companies develop, implement and maintain anti-bribery and corruption policies:

- One in five respondents said their companies don't have communication and training programs.
- One in two of the respondents' organizations do not have a committee responsible for overseeing anti-bribery and corruption compliance.
- Three in four U.S. and three in five U.K. respondents said their organization does not have a full-time dedicated anti-bribery and corruption compliance officer.
- A third of the companies do not perform anti-bribery and corruption risk assessments.

In addition, while both countries now have stringent anti-bribery and corruption laws – the U.S. Foreign Corrupt Practices Act of 1977 (FCPA) and the U.K. Bribery Act of 2010 – the KPMG survey found that only 43 percent of U.S. executives said their programs comply with the U.K. Bribery Act, while 46 percent of U.K. executives responded affirmatively with regard to the FCPA. Further, nearly 80 percent of U.S. respondents said they still had little to no knowledge of the U.K. Bribery Act's provisions, while 32 percent of the U.K. executives said they still didn't understand the U.K. law's requirements.⁹

Ethics Programs – the Role of the Board: 2004 Findings and Questions for 2011

The Conference Board's first study on this subject – *Ethics Programs – the Role of the Board* (2004), sponsored by *Microsoft*, established that many companies have taken steps to formally involve the board in their ethics programs. Since the release of that report, the 2004 Revised Sentencing Guidelines and the world economic crisis have given rise to a need to revisit these issues. How are Boards responding to these new challenges? Are they succeeding or failing? Finding it easy or difficult? Making a difference in program effectiveness or not?

The U.S. Federal Sentencing Guidelines, *Caremark*, stepped-up FCPA enforcement, and the UK Bribery Act provide ample reasons for more focused Board oversight of company ethics performance and programs and they raise questions as to how these concerns have been converted into Board level action; specifically with regard to the following subjects and activities:

- What are the organizational issues in board oversight of ethics programs (full board/committee) monitoring?

⁹ Majority of U.S. and U.K. Execs Say Corruption Still Hampers Ability to Expand, Do Business in Some Countries: KPMG Poll, PR Newswire, United Business Media, June 1, 2011. The survey was conducted in October and November of 2010 among executives who had anti-bribery and corruption responsibilities in companies with 200 or more employees and more than \$300 million in revenue in the United States and £200 million in the United Kingdom and that were subject to regulations such as FCPA or the U.S. Bribery Act.

- How much time is spent on ethics issues? With which company officer(s) does the board/committee have contact?
- Does the board receive ethics training? If so what activities are included in such training?
- What types of possible violations/ethical questions has the board or relevant committee(s) actually addressed?
- What is done to assure director ethical conduct?

BOX

The Caremark decision

The Caremark decision (*In re Caremark International Inc. Derivative Litigation*, 1996 WL 549894 (Del. Ch. Sept. 25, 1996)) decided by the Delaware Court of Chancery holds that a director who fails to take steps in good faith to require her company to develop and implement a corporate ethics program could, in some circumstances, face **personal** liability to shareholders for losses arising to the company.

Citing the Organizational Sentencing Guidelines, the Court opined that the Guidelines carry "penalties that equal or often massively exceed those previously imposed on corporations. The Guidelines offer powerful incentives for corporations today to have in place compliance programs to detect violations of law, promptly to report violations to appropriate public officials when discovered, and to take prompt, voluntary remedial efforts."

Further, the Court states that directors are obligated for a good faith attempt "to assure that a corporate information and reporting system, which the board concludes is adequate, exists." Failure to do so under some circumstances may (in theory at least) render a director liable for losses caused by non-compliance with applicable legal standards.

END BOX

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The U.S. Organizational Sentencing Guidelines (1991)

The Corporate Sentencing Guidelines encouraged companies to develop broadly aimed corporate compliance and ethics programs.¹⁰ Using a "carrot-and-stick" approach to business crime prevention, the guidelines provide tangible incentives for companies to develop compliance programs. Having "an effective program to prevent and detect violations of law" at the time of an offense entitles a company – in some circumstances – to a substantial

¹⁰ The growth in Ethics and Compliance Officers' Association (ECOA) membership reflects this development. The ECOA was formed in 1992 (shortly after the guidelines became effective) with 12 members to serve as a trade association of ethics and compliance officers. As of March 15, 2011, the ECOA had more than 1200 members in over 30 countries – an increase of twenty percent since 2004 when the last study was published.

reduction in a potentially ruinous fine. In addition, the guidelines broadly articulate what elements such a program should entail.

The “effective program” definition sets forth the following due diligence steps:

- Establish compliance standards and procedures “that are reasonably capable of reducing the prospect of criminal conduct.”
- Assign specific “high-level personnel” to oversee compliance with such standards and procedures
- Utilize due care not to delegate substantial discretionary authority to those with a propensity to engage in wrongdoing
- Communicate effectively compliance standards and procedures to employees and other agents
- Attempt to achieve compliance through auditing and monitoring systems and by having a system whereby employees and other agents could report criminal conduct without fear of retribution
- Enforce standards through appropriate disciplinary mechanisms
- After an offense is detected, respond to the offense, including improving the program to the extent necessary

END BOX

BOX

The Foreign Corrupt Practices Act – Stepped-up Enforcement Since 2007

Although the Federal Corrupt Practices Act (FCPA) was enacted in 1977, vigorous enforcement efforts only began in 2007. The statute’s broad sweep and the recent and dramatic increase in investigations and prosecutions makes corruption an increasing focus of director concern and discussion. The FCPA's anti-bribery provisions make it illegal to offer or provide money or anything of value to officials of foreign governments or foreign political parties with the intent to obtain or retain business.

The anti-bribery provisions apply to "issuers," "domestic concerns," and "agents" acting on behalf of issuers and domestic concerns, as well as to "any person" that violates the FCPA while in the territory of the United States. The term "issuer" covers any business entity that is registered under 15 U.S.C. § 78l or that is required to file reports under 15 U.S.C. § 780(d). In this context, the approximately 1,500 foreign issuers whose American Depository Receipts ("ADRs") are traded on U.S. exchanges are "issuers" for purposes of this statute. The term "domestic concern" is even broader and includes any U.S. citizen, national, or resident, as well as any business entity that is organized under the laws of a U.S. state or that has a principal place of business in the United States.

In addition to the anti-bribery provisions, the FCPA's books-and-records provision requires issuers to make and keep accurate books, records, and accounts, which, in reasonable detail, accurately and fairly reflect the issuer's transactions and disposition of assets. Finally, the FCPA's internal controls provision requires that issuers devise and maintain reasonable internal accounting controls aimed at preventing and detecting FCPA violations. Regulators have frequently invoked these latter two sections – collectively known as the accounting provisions – in recent years for a host of reasons, including quality of evidentiary proof or as a mechanism for compromise in settlement negotiations.

Stepped-up FCPA Enforcement (2007-2010)

As recently as 2007 the number of FCPA enforcement actions nearly tripled over the previous year and remained at that level through 2009. In 2010, there were nearly twice as many enforcement actions as there had been in 2009. And these efforts now include industry-wide investigations, a focus on prosecuting individuals, and heightened levels of international anti-corruption cooperation and enforcement.

Although the level of enforcement activity has been rising steadily over the past seven years, 2010 witnessed an 85 percent increase in enforcement actions over 2009, which was itself a record year. The 26 enforcement actions brought by the SEC exceed the previous high of 20 actions in 2007, and the 48 cases filed by DOJ is nearly double the 2009 record of 26 actions and settlement amounts also reached historic highs.^{11,12}

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UK Bribery Act (2010)

The UK Bribery Act has a broader reach and offers considerably less guidance to companies than the U.S. Foreign Corrupt Practices Act. In contrast to the FCPA, the Bribery Act includes private sector behavior. For example, it is unclear whether it bars entertainment practices beyond unspecified levels. And unlike the FCPA, it does not exempt facilitation payments for nominal amounts to facilitate governmental performance of non discretionary functions such as customs approval.

Critics argue that the principle-based elaboration of *adequate procedures* (risk assessment, top level commitment, due diligence, clear, practical policies and procedures, effective implementation, and monitoring and review) lacks the Safe Harbors on which companies depend for guidance. On January 31, 2011, UK Justice Secretary Ken Clarke announced that the Bribery Act's effective April 2011 date had been pushed back because of

¹¹ www.gibsondunn.com/Publications/Pages/2010Year-EndFCPAUpdate.aspx.

¹² *Ibidem*.

intense business lobbying. This action triggered a warning from the Organization for Economic Cooperation and Development (OECD) that British companies could be put on an OECD export “blacklist” if the government continues to delay the Bribery Act’s enforcement.¹³

The Ministry of Justice published its Guidance Document on March 30, 2011 and announced that the act will come into force on July 1, 2011 – allowing subject companies time to implement the *adequate procedures* that constitute a defense to charges for failure to prevent bribery by an individual acting on behalf of the company. The final Guidance principles are:

1. **Proportionate Procedures:** Proportionality is said to be central to the Guidance. Businesses need to assess their exposure to potential bribery and implement appropriate procedures in light of this risk;
2. **Top-Level Commitment:** The position is consistent with that included in the draft Guidance, instructing that high level management must lead by example to eradicate bribery throughout an organization;
3. **Risk Assessment:** Businesses must periodically assess their exposure to bribery and corruption both internally and externally and document these assessments;
4. **Due Diligence:** This principle ensures businesses have a risk-based approach in determining who will perform services on behalf of the business;
5. **Communication (including training):** Training has been expressly included in this principle, recognizing its importance in preventing bribery; and
6. **Monitoring and Review:** This will assist businesses in establishing the policies appropriate to their business and no doubt act as evidence of the implementation of adequate procedures.

The Guidance Document prohibits the facilitation payments permitted as an FCPA exception.¹⁴

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2. Board Oversight of Ethics Programs

Ethics or compliance programs (as they are often called) utilize internal policies and procedures to prevent and detect violations of law, regulations, and rules, and to promote ethical behavior by and within the company. Common elements of such programs include:

¹³ <http://cachef.ft.com/cms/s/0/07b244dc-2d3e-11e0-9b0f-00144feab49a.html#ixzz1GDdOPHp8>.

¹⁴ In Like a Lion, Out Like a... The UK Ministry of Justice Guidance Sets a New Tone for the Application and Enforcement of the UK Bribery Act, www.velaw.com, March 30, 2011.

- codes of conduct;
- communication of standards through training;
- methods to encourage employees to report possible violations to management;
- enforcement mechanisms through investigation and discipline; and
- oversight and review to achieve ongoing improvement.

These systems are nearly universal. 94 percent of the 2011 survey participants said that their company had such a program – a figure that is almost identical to the 2004 finding of 97 percent. Many of these efforts are mature systems – more than one-third (37 percent) of the 202 2011 survey respondents said that their program had been in effect for more than ten years.

Despite the near universal prevalence of ethics and compliance programs, questions persist as to the adequacy of Board familiarity with ethics issues and understanding of standards for effective oversight and monitoring of company ethics and compliance programs. A May 12, 2010 Rand Corporation symposium of directors, ethics and compliance officers, stakeholders and thought leaders with non-profit and government experience catalogued a wide range of these concerns. The symposium’s report notes three *major* themes:

1. Director compliance program oversight is “broadly hampered” by a lack of training and awareness on the part of many outside directors. Targeted efforts to educate directors on this aspect of board responsibility, on effective ways to discharge it are needed;
2. directors need more information to exercise their primary responsibility to understand company risks, strategies, and operational concerns. With respect to ethics and compliance there is a need for better understanding of the firm’s “ethical culture” and, more concretely, about all aspects of the ethics and compliance program; and
3. Chief Ethics and Compliance Officers (CECOs), properly positioned and empowered, can serve as a major conduit to the Board on ethics and compliance issues.¹⁵

2011 Board and Committee Roles – More Engagement of the Full Board

The contrast between The Conference Board’s 2011 and 2004 surveys document that boards are now more conversant with ethics and compliance challenges and documents how they have responded to them; first, by engaging the full board to a greater degree in ethics issues and compliance program oversight, and second, by delegating program monitoring

¹⁵ For the full report, see Greenberg M.D.: Directors as Guardians of Compliance and Ethics within the Corporate Citadel: What the Policy Community Should Know. RAND Corporation, Santa Monica, CA 2010, www.rand.org/pubs/conf_proceedings/CF277. Also available in print form.

tasks to managers with special competence and relying on functional executives – particularly in human resources – for additional input.

The 2011 survey documents significant full board involvement in addition to delegated program oversight responsibility to one or more committee. To get a better sense of how and in what way boards were involved in ethics and compliance programs, the 2011 survey divided the oversight function into three different phases: (1) design/revision; (2) implementation; and (3) monitoring for effectiveness. In each instance, a plurality of companies said that the full board shared ethics program oversight responsibility – most often with the audit committee – but sometimes with other committees – notably, governance.

Program design/revision – is the phase that is most likely to utilize shared responsibility (42 percent) while only 27 percent depend exclusively on the committee structure. The board is solely responsible in twelve percent of the cases while it is in no way involved in 19 percent of the participating companies.

In 59 percent of the cases where a committee has some authority it is the audit committee that exercises it, while 24 percent of the respondents assigned some responsibility to governance. Some companies, as later comments indicate, assign certain oversight to audit and other elements of program review to governance. A few participants said that Public Policy or Ethics Committees were engaged in some way. Corporate Risk and Compensation committees were also mentioned.

Survey participants described ways in which tasks were divided between Audit and Governance. Typical of this group was the CFO of a U.S. civil engineering firm who said that “Audit oversees the program while governance reviews objectives as they relate to Board members (e.g., conflict of interest)”. The Vice-President Counsel and Corporate Ethics Officer of a U.S. marketing firm described a similar approach where “audit oversees the *compliance side of issues* while Governance provides guidance on policies that are more *mission directed*. And the CEO of an information technology company said that his organization delegates the code drafting to Governance and leaves the rest to Audit. One company involves more than two committees, and in very specific ways. As the ethics and compliance director of a U.S. energy company explained, “Audit supervises the *overall process* while Compensation handles employment concerns, and finance focuses on financial and conflict of interest issues” – to cite just two of the other committees that may be involved.

Program implementation – is the phase in which the full Board is least likely to be involved. 31 percent say it plays no role. Responsibility is most likely to be shared between the full board and one or more committees but this is much less likely to be the case (32 percent) than with program design (42 percent) or with monitoring for effectiveness (35 percent).

Audit is the committee on which roughly 60 percent of the surveyed boards rely in all three phases of ethics and compliance involvement: (1) implementation (63 percent); (2) design/revision (59 percent) and effectiveness monitoring (57 percent). Companies turn to Governance in addition to (or instead of) audit for program design/revision (24 percent), for implementation (25 percent) and for effectiveness monitoring (16 percent). Other board committees are much less often involved. As a consequence, no generalization can be made about their engagement.

By its very nature introducing a program also needs functional department collaboration – particularly with respect to training – human resources, rather than other committees of the board, is a logical choice for involvement in the implementation phase; but in a particular situation described by the vice-president and chief compliance officer of a U.S. extraction company human resources implemented the program with ethics committee oversight.

Monitoring for Effectiveness – is the function that is most likely to engage the Board in some way. Less than 10 percent (9 percent) of the respondents say that their company's board is not involved (compared to a little less than one-fifth for program design and nearly one-third for implementation) while nearly one-sixth (16 percent) vest sole authority in the full board. Audit is the committee most likely to be involved (57 percent) with Governance (16 percent) next. A few companies utilize Ethics or Public Policy committees.

When the Audit and Governance committees are both engaged, how do they divide the monitoring tasks between them? One example was provided by the vice-president and chief compliance officer of a U.S. pharmaceutical company who said that the board delegates responsibility for ethics program oversight to governance and enterprise risk management to audit.

There are at least two possible benefits from committee delegation. First, it allows those with oversight responsibility to develop experience and expertise-akin to the financial acumen expected and increasingly required of audit members. In addition, committee review permits more time than the full board would have for deliberation of current problems and forward-looking discussion of potentially sensitive and complex issues.

Which Executive Is Principally Responsible for Reporting to the Board?

While many boards still look to the general counsel for ethics and compliance information, a narrow plurality of responses preferred an ethics or compliance officer in order to obtain more detailed answers to questions. CEOs ranked third and internal auditors fourth. COOs, CFOs and heads of human resources also got a few responses.

Boards are also casting a wide net in seeking ethics related information from other company sources such as the CEO, CFO, Internal Auditor and Head of Human Resources. In a few other cases, compliance and human resources share responsibility.

3. Has Increasing Board Involvement Contributed to Company Success in Confronting Ethics Issues?

Although 81 percent of the survey participants who responded to the question and half of the total sample said that [they believed] that board oversight had contributed to the company's success in confronting ethics issues, no specific incidents were given of the board's role in handling an ethics crisis or in improving an ethics program. Instead, some respondents focused on the board's role in setting a "tone at the top" and the per se organizational significance of board and committee involvement. Other participants mentioned the engagement, intelligence, and experience that individual directors brought to board room ethics deliberations. The closest that respondents came to offering concrete board contributions to ethics issues and programs were the two individuals who cited risk and strategy as areas where the Board's involvement had contributed to company success in confronting ethics issues.

Ways in which board's oversight on ethics issues can be improved:

To a much greater degree than was the case in 2004, 2011 survey participants implicitly and, in some cases, explicitly acknowledge director familiarity with ethics and compliance processes and stress the need for strengthening existing areas of contribution and finding new or more focused areas of involvement:

Strengthening existing areas of contribution – entails more focused insistence on management accountability. For example, while saying that the Chief Compliance Officer's direct reporting to the board and the CEO had given the CECO enhanced independence", a Director of Ethics and Compliance of a U.S. pharmaceutical company added that further improvement could be achieved with "more clear request[s] for management accountability on ethics awareness and corrective measures". While citing "discussions at board meetings of both specific issues and general principles" as a positive contribution, a Counsel of Compliance and Ethics of a U.S. energy company added that "more focused discussion at more frequent intervals" was also needed.

New or more focused areas of involvement – recommendations included the need for more detailed board ethics training, better communications, and new processes. With regard to training, the CEO of a Canadian insurance company provided a detailed description of Director needs: "The Board requires more targeted, relevant training to underscore their oversight role and the role of the CECO and compliance program". He concluded by commenting on the need to "eliminate filtering of CECO reports by senior management". As for specific outputs, respondents mentioned process changes, and publication and circulation of reports (see box).

BOX**Recommended Changes for Improved Board Ethics Oversight**

- risk assessments
- regular reports on the training program
- more regular reports on specific issues
- active director participation in the company’s annual business conduct conference
- publication of the board’s review of the ethics program
- finding better program effectiveness measures
- more energetic exploration of ‘best practices’ from other privately held enterprises

END BOX

Finally, a few participants talked about the need to discuss what ethics oversight actually *means* and the challenges it poses in “confronting *traditional* ways of doing things and working through the changes needed to eliminate that thought process”. Looking at ethics issues in new ways was described by the General Counsel of a U.S. Financial Organization as obtaining “a fuller understanding of the impact that factors such as organizational culture and the use of incentives have on ethical behavior”. And the vice president and chief compliance officer of a U.S. manufacturer discussed the need for an ethics program to have broad functional department participation and collaboration: “[I] would like to see the board/committee turn to other functional leaders and ask them to report on how ethics and compliance has been driven through their organizations and how they are partnering with those functions”.

4. Appendix**Respondent Profile**

| Industry: | Percentage: | N: |
|--|--------------------|-----------|
| Manufacturing (industrial) | 19% | 35 |
| Business and professional services | 19 | 35 |
| Financial services | 11 | 21 |
| Manufacturing (consumer) | 7 | 14 |
| Utilities | 7 | 13 |
| Government/not-for-profit/administrative | 6 | 11 |
| Wholesale and retail trade | 5 | 10 |
| Health care | 4 | 9 |
| Energy | 4 | 8 |

| | | |
|-------------------------------------|------|-----|
| Communications/publishing/software | 4 | 7 |
| Construction | 3 | 6 |
| Manufacturing (technology/computer) | 3 | 6 |
| Transportation and warehousing | 3 | 5 |
| Agriculture and mining | 2 | 4 |
| Other services | 2 | 4 |
| Other, please specify | 1 | 2 |
| Total | 100% | 190 |

| Headquarters location: | Percentage: | N: |
|-------------------------------|--------------------|------------|
| United States | 82% | 156 |
| France | 3 | 5 |
| Belgium | 2 | 4 |
| Canada | 2 | 3 |
| The Netherlands | 2 | 3 |
| Norway | 1 | 2 |
| South Africa | 1 | 2 |
| Sweden | 1 | 2 |
| Switzerland | 1 | 2 |
| United Kingdom | | |
| One response: | | |
| Australia | | |
| Brazil | | |
| Czech Republic | | |
| Germany | | |
| Hong Kong | | |
| India | | |
| Philippines | | |
| Singapore | | |
| Indonesia | | |
| UAE | | |
| Total: | 100% | 191 |

Revenues (n = 182):

| Amount: | Pct. |
|------------------------------------|-------------|
| Less than \$1 billion | 28 |
| \$1 billion to under \$5 billion | 27 |
| \$5 billion to under \$10 billion | 13 |
| \$10 billion to under \$20 billion | 14 |
| \$20 billion to under \$40 billion | 9 |
| \$40 billion or more | 9 |

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THE FUNDAMENTAL REASONS FOR CORPORATE IRRESPONSIBILITY IN AND BEYOND A CORPORATE CONTEXT

Summary. The field of corporate social responsibility has attracted a number of academics and researchers in order to better understand corporations and the relation to society at large.

Applying Badaracco's (1992) four spheres of commitments morality framework demonstrate that "company responsibilities does not stop at the point of deal closure" due to multiple roles as an economic entity and the leader in charge of the enterprise yet, the tenets of due-diligence and judgment must maintain.

A fundamental argument is that leaders' moral basis cannot in itself be moral due to the financial reality of generating profits and the conflict between intrinsic and extrinsic satisfaction needs. The constant pressure to deliver adequate financial returns, coupled with optimizing budget limitations and the time factor are typical challenges that managers have to indeed manage.

Holt's (2006) contribution likewise provides another perspective on the dialogue based on the notion of "smart compromise" (Holt, 1672) as opposed to Oakeshott rendition of extending managers reality to that of the "enterprise. Managers cannot live in isolation and hence we have to understand leaders' position beyond the" implicit perspective" because corporations are an extension of families and society in general.

We will also review corporate social responsibility from the perspective of Stakeholder Theory going beyond the simple separation of internal vs. external stakeholders. The "rules of the game" will also provide a better understanding in terms of adhering to minimum regulations as opposed to doing the "right" things from a macro societal perspective.

Keywords: corporate irresponsibility, CSR, stakeholder theory

PODSTAWOWE PRZYCZYNY NIEODPOWIEDZIALNOŚCI BIZNESU W KONTEKŚCIE KORPORACYJNYM I POZAKORPORACYJNYM

Streszczenie. Zagadnienia społecznej odpowiedzialności biznesu zainteresowały wielu naukowców i badaczy w celu lepszego zrozumienia korporacji i ich relacji do ogółu społeczeństwa. Zastosowanie zasady czterech sfer ram moralnego zaangażowania autorstwa Badaracco (1992) pokazuje, że „odpowiedzialność przedsiębiorstwa nie kończy się w momencie zakończenia transakcji” z powodu wielu ról, które organizacja pełni jako podmiot gospodarczy oraz lidera kierującego przedsiębiorstwem.

Podstawowy spór stanowi fakt, że podwaliny moralne przywódców z natury rzeczy nie mogą być moralne ze względu na rzeczywistość finansową, w której przedsiębiorstwa są powołane do generowania zysku, oraz konflikt pomiędzy wewnętrzną i zewnętrzną potrzebą satysfakcji. Ciągła presja, by osiągać odpowiednie wyniki finansowe przy jednoczesnej optymalizacji ograniczeń budżetowych i czynnika czasu, stanowią typowe wyzwania, którym menedżerowie muszą sprostać.

Badania Holta (2006) również stanowią kolejną perspektywę dialogu opartego na pojęciu „inteligentnego kompromisu” (Holt, 1672), w przeciwieństwie do interpretacji Oakeshotta, dotyczącej rozszerzenia rzeczywistości menedżerów do obszaru przedsiębiorstwa. Menedżerowie nie mogą żyć w izolacji, stąd należy zrozumieć pozycję przywódców poza „ukrytą perspektywą”, ponieważ korporacje są przedłużeniem rodziny i społeczeństwa w ogóle.

W artykule dokonamy przeglądu społecznej odpowiedzialności biznesu z perspektywy teorii interesariuszy wykraczającej poza zwykły podział na interesariuszy wewnętrznych i zewnętrznych. „Zasady gry” pomogą także lepiej zrozumieć przestrzeganie minimum przepisów w opozycji do robienia „właściwych” rzeczy z perspektywy makrosocjalnej.

Słowa kluczowe: nieodpowiedzialność biznesu, CSR, teoria interesariuszy

1. Introduction

Corporate Social Responsibility (CSR) can be viewed from a variety of perspectives such as internal vs. external, micro vs. macro, short vs. long-term in addition to numerous other possibilities. The underlying principle is the necessary evil of having to balance competing interests given the premise of the free-market principle.

Is it possible to segregate morality from professionalism... and whose notion of morality? Is it possible to infer that the notion of CSR is of no interest to leaders due to its limited scope? The other notion is that CSR has become an extension of the marketing & public relations engine for many corporations. A full understanding of CSR is difficult due to the multiple facets it gains from many disciplines: from economics, finance, law, marketing, and philosophy, among several others.

MacIntyre (1990) opposes the premise which discounts the notion of morality in the working environment of managers/leaders. He further critiqued emotive morality, a disconnect between managers moral responsibilities based on the premise that “managers are incapable of identifying and sympathising with interests and goals outside of the unprincipled quantifications of utilitarian calculus” (Holt, 2006, 1661). The argument is further enhanced with his statement that such justification can “disguise the often immoral effects of resource manipulation” Holt (2006, 1661).

The classic definition of Friedman (1970) which suggests acting solely based upon the “desires of principals with whom managers are contracted to act as agents” calls for deeper scrutiny and reflection as it deprecates the moral responsibilities as secondary to the principals’ interest of which managers can also decide contrariwise if and only if they are “acting as their own principals” (Holt, 2006, 1661).

Considered in the corporate context, the discussion on ethical behaviour revolve around ethical conflicts in the workplace and how to balance the stress between private convictions and organizational needs (Badaracco, 1998), how “adequate” codes of conduct can be enacted (Svensson and Wood, 2008) and the impact of ethical conduct on a firm’s (financial) performance (Chun *et. al*, 2013).

When viewed from the perspective of individual managers, incorporating the concepts of wisdom, prudence and moral virtues in addition to the concept of “moderate wealth” (Small 2011, 839) may serve as reflection points to help arrive at a decision “one can live with” absent of any formal rules for moral decisions.

We cannot separate organizational continued existence from the organizational practice and culture of how such an organization approaches transparency, integrity and “social policy” play significant roles as underpinning factors to such continuity.

The issue however is that most leaders know this but very few see the “big picture” within the purview of ethical conduct, which calls for wisdom, and the impact/cost of “nontransparent practices” to organisational well-being cannot be overemphasised (University of Liverpool, 2012).

Transparency as evidenced in Dench (2006) Valerie’s versus Waters and the organization as a whole shows the important role that organizational leadership plays in determining accepted values, codes of conduct, unwritten but expected modes of engagement and values demonstrated not only through business codes of conduct but as intrinsic common language which supports high standards (Verhezen, 2010).

Verhezen’s (2010, 187) admonition for “integrity-based management” and position that “informal approaches based on relationship-building are more likely to achieve moral excellence.” Thus it is imperative for management/executives to position their organizations to foster a moral work environment and overall organizational productivity in transparent

ways, not as a rule but normal code of behavior. It was further stated that “the process of alignment through appropriate governance structures and organisational processes and procedures starts with top management,” (Verhezen, 2010, 187) and the leadership must promote such an environment not only in deed but also to foster a “culture of integrity” and define creative ways of managing right-versus-wrong situations (Verhezen, 2010; Badaracco, 1998).

Allio’s (2011) position regarding moving from a self-focused organization to one in which shared values are nurtured by the leadership through transparency and the promotion of a culture based on customer focus and continuous innovation is critical in order to have a thriving organization based on ethical values. This will engender a sense of identity and social belonging at large.

Corporate ethical practices can be identified at the domestic & international levels. Employees often suggest that the leadership encourage and even coerce the sub-ordinates to achieve or deliver results without regard for them to adhere to or follow moral principles (Tran, 2010).

2. Stakeholders

Numerous studies have been conducted relating to for-profit organizations and stakeholder management. Subject literature is also developing to better understand stakeholder management in the context of the not-for-profit sector and government agencies. The not-for-profit studies have been directed to stakeholder interests, aspirations and expectations. For-Profit entities are primarily interested in maximizing profits and Return on Assets (ROA) for the stockholders along with achieving a societal balance for other stakeholders (Nasi et. al., 1997).

Advances in socio-economic policies and the need for corporations to be responsible to society-at-large have modified the goal of the traditional maximization of profit-making to the concept of optimization, hence, the introduction of stakeholder theory. This modification recognizes that there are several groups who can affect the viability of a corporation and others who are likewise affected by the operations of the firm. A corporate stakeholder is an individual, group or agent entity that affects or can be affected by the conduct of the corporation as a whole and the competent management of these disparate claims will contribute to the viability of the corporation.

Parmar et. al. (2013) posited that there are stated three business problems which are intertwined, “the problem of understanding how value is created and traded, the problem of connecting ethics and capitalism, and the problem of helping managers think about

management” (p. 404). Stakeholder Theory equally applies to these three stated problems and ironically solving the third problem actually resolves the first two problems. A solution is to “adopt as a unit of analysis, the relationship between a business and the group and individuals who can affect or are affected by it” (p. 405).

Freeman (1984) stated that business is the relationship between people that have a stake in an activity and how they interact to create and trade value jointly. Yet, the leadership has the duty to manage the relationship in order to assure value creation and satisfaction of the disparate stakeholders. The leadership also has the duty of rethinking problems where conflict of interest occurs amongst the stakeholders, to ensure that a majority of the competing interests are satisfied.

The underlying assumption that values must be a part of and incorporated in an organization is the starting point for Stakeholder Theory (Freeman et. al., 2004). Such a climate provides clarity of purpose which should guide conduct in and out of the organization and the relationship with stakeholders.

Corporations that consciously incorporate stakeholders in the decision making process can be considered as ethically responsible. Goodpaster (1991) offered a six step treaty to assist in the decision making process to aid management in making ethical decisions. The six steps he proposed are in sequence with each letter named after Blaise Pascal (1923, 62), the mathematician. The letters are PASCAL:

- P means perception
- A means analysis
- S Synthesis
- C Choice
- A Action
- L Learning

3. Resource Dependency Theory

The resource dependency theory (RDT) introduced by Pfeffer and Salancik (1978) is typically classified as belonging to the Descriptive Stakeholder School. RDT provides a framework for assessing the relative importance of the various stakeholders of a firm given that management will tend to attend to the needs of the key actors and will pay little attention to those stakeholder groups who do not have control over the critical resources. The corporate social responsibility posits that we have to look at the entirety of a company’s activities, hence all stakeholder's needs must be considered. Other measures from the field of

accounting are also refining models to accurately understand the Total Cost of a corporation's activities so as to avoid the issue of a "free good."

Berman, Wicks *et al.* (1999, 491), suggested that "*attention to stakeholders' interests is necessary because it is the stakeholders that control resources that can facilitate or enhance the implementation of corporate decisions.*" Subsequently, stakeholder groups tend to utilize their resource relationship with a corporation to leverage their interests, and organizations likewise typically pay attention to the demands of stakeholders who have control over critical resources or those that can affect the Rules of the Game.

The RDT is premised on managerial decisions in terms of being based on resource acquisition for the organization (Pfeffer and Salancik, 1978). Pfeffer (1982) explicated this view as such: '*resource dependence theory suggests that organizational behavior theory becomes externally influenced because the focal organization must attend to the demands of those in the environment that provide resources necessary and important for its continued survival*' (p. 103).

Frooman (1999) posited that all stakeholders have an innate relationship with a corporation. This relationship exists in four forms and is based on the level of dependency of either the stakeholder on the firm, or the firm on the stakeholder, for the realization of its goals. For specificity, Frooman (1999) defines dependency as '*a state in which a company relies on the actions of a stakeholder to achieve a particular outcome.*'

Type 1 dependency occurs when an organization is more dependent on the stakeholder thus creating a stakeholder power condition. *Type 2* is the converse of *Type 1* representing power vested in the organization or *firm power*. *Type 3* dependency, represents a balanced co-dependency, classified by Frooman's typology as *high interdependence*; Frooman's final example of resource dependency is typified by a situation in which neither the organization nor stakeholder having dependence on each other as *low interdependence*.

Frooman's theory postulates that stakeholder groups will select the appropriate influence strategy based on the organization-stakeholder resource relationship in the context of changing an organization's behavior. Thus, when an organization is dependent on the stakeholder, the stakeholder can select a strategy that is more direct or frontal. In order to assert a power position, a stakeholder group may influence the flow of resources with posturing representing 'change or else' (Frooman, 1999, 198).

The degree or extent of firm dependency is inversely proportional to the 'withholding strategy' of resources. Stakeholder groups who are dependent on the corporation are simultaneously closely tied to the well-being of the firm; hence, it is in the interest of stakeholder to ensure the success of the organization, thus the degree of 'withholding' resources, is limited. Frooman defines 'withholding strategy' as typified by the withholding of needed resources in order to influence change.

4. Contract Theory

The Contract theory posits that the actual behavior of a corporation does not necessarily consider stakeholder's primacy and that the variability of falsifiable claims must be noted (Bacharach, 1989; Whetten, 1989). Jones (1995) proposes that organizations should establish connections with the diverse stakeholder groups on the basis of joint interests and purpose in order to maximize shareholder value. Relationships must not be based under conditions in which managers only behave as if stakeholders simply matter because of the intrinsic nature of their claims on the firm. Jones argues that agreements based on ethical grounds for example, mutual trust and cooperation, result in more positive outcomes such as entering into longer-term relationships with limited suppliers (Jones, 1995, 100). Ultimately organizations which adopt this practice of partnering with stakeholders will enjoy a competitive advantage.

The Contract Theory perspective of the stakeholder differs from the Resource Dependency theory, which basically suggests that organizations only need to establish a relationship with stakeholders who control critical resources.

5. Institutional Theory

The Institutional Theory classifies the stakeholder's environment along two dimensions; strong or weak, heterogeneous or homogeneous. The dimensions determine management's response to the stakeholders (Meyer and Rowan, 1977; DiMaggio and Powell, 1991). Given an environment dominated by powerful stakeholders, management will focus their attention on the most powerful subsets and subsequently prioritize the management of stakeholders based on power positions in order achieve positive results.

The dimension of heterogeneity/homogeneity of the Institutional Theory perspective is important in order to make a distinction with the Resource Dependency Theory.

6. Network Theory

Network theory is drawn from Oliver's (1991) contribution regarding organizational responses to external factors. The theory postulates on how an organization reacts (i.e. level of resistance) to numerous (network) stakeholder influences.

Freeman and Evan (1990) in their study suggest that the stakeholder environment consists of '*a series of multilateral contracts among stakeholders*' thus suggesting multiple indirect

connectivity. Network theory can be summarized as addressing the dynamic influences of numerous stakeholders and the resultant organizational response to these influences.

7. Innovation Studies

The body of work comprising Innovation Studies seeks to address the claims of so-called “fringe” stakeholders.

Hart and Sharma (2004) suggest that organizations need to interact with those stakeholders that can be considered as outliers ‘poor, weak, isolated, non-legitimate, and even non-human’ (Hart and Sharma, 2004, 7). This proposition is founded on two points: first, it is difficult to ascertain when and if these ‘fringe’ stakeholders could become more powerful. A Mitchell *et al.* (1997) study stated that stakeholder position evolves over time. Secondly, it is crucial for organizations to dialogue with fringe stakeholders as a source of input of creative, radical, disruptive innovation. Hart and Sharma’s theory is supported by contributions from von Hippel (1988) and Chesbrough (2003) with empirical validation by Palmas (2004).

8. Mixed Theory

When organizations experience potentially unacceptable stakeholder claims, organizations will reprioritize their management of stakeholder claims based on urgency. Mitchell, Agle *et al.* (1997) study aggregate numerous organizational theories, such as institutional, resource dependency, network, and surmise that when there is an increased level of perceived urgency organizations will act to preserve their best interest. It should be noted that Mitchell and Agle adopted the term ‘urgency’ to represent ‘propensity to act’.

The theories discussed above pertaining to stakeholder theories and possible organizational response are summarized in Table 1.

Table 1

Proposed firm actions towards stakeholders by the reviewed stakeholder theories

| Stakeholder Theory | Proposed firm actions towards stakeholders |
|----------------------------|--|
| Resource dependency theory | Prioritize stakeholders with resources upon which the firm is dependent |
| Contract theory | Do not prioritize stakeholders. Act as if all stakeholders' interests have intrinsic value and form trustful and cooperative relationships with all stakeholders |
| Institutional theory | Prioritize powerful stakeholder groups with homogeneous interests. Prioritize legitimate stakeholders |
| Network theory | Prioritize stakeholders in dense networks in which the firm holds a peripheral position |
| Innovation theory | Prioritize 'fringe' stakeholders |
| Mixed | Prioritize urgent stakeholders, at least when likely to behave negatively towards the firm |

Source: Reframing Instrumental Stakeholder Theory. Egels, 2004.

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LEARNING MANAGEMENT THE HARD WAY: EXAMINING CASES OF MANAGERIAL MISCONDUCT TO PROMOTE BEST MANAGEMENT PRACTICES

Summary. This chapter considers six mini cases, based on litigation, discrimination and retaliation. The cases are presented as a means to train managers to avoid managerial wrongdoing and misconduct. The principle is that by examining worst practices, managers can be trained to avoid these missteps and in the process improve their managerial acumen for ethical conduct.

Keywords: managerial misconduct, corruption, discrimination

NAUKA ZARZĄDZANIA: BADANIE PRZYPADKÓW NIEWŁAŚCIWEGO ZACHOWANIA MENEDŻERÓW W CELU PROMOWANIA NAJLEPSZYCH PRAKTYK W ZAKRESIE ZARZĄDZANIA

Streszczenie. W artykule podejmuje się rozważania sześciu mini przypadków, w oparciu o rozprawy sądowe, związanych z dyskryminacją i odwetem. Przypadki są prezentowane jako materiały szkoleniowe dla menedżerów w celu uniknięcia niewłaściwych zachowań i wykroczeń. Autorki zakładają, że przez zapoznanie się z najgorszymi praktykami, menedżerowie uczą się unikania złych zachowań oraz poprawiają umiejętności zarządcze w kierunku etycznego postępowania.

Słowa kluczowe: niewłaściwe zachowanie menedżerów, korupcja, dyskryminacja

1. Introduction

This chapter presents six mini-case studies, based on litigation, which can be used to teach best practices in management. It has been suggested that giving future managers an opportunity to explore cases that highlight wrongdoing, such as discrimination and retaliation, is an effective way to avoid corporate corruption and misconduct that arise from such discrimination or other unethical and/or illegal management practices (Petrick, Quinn, 1997).

Issues typically found in discrimination or retaliation cases which have been whistle blown for reporting corporate misconduct or violations include age discrimination, retaliation for administrative complaints of misconduct or discrimination, religious discrimination, race/national origin discrimination, gender discrimination, sexual preference discrimination and disability discrimination (Tangri, Burt, Johnson, 1982). The most frequently cited allegations in 2011 in the United States were sex discrimination, disability discrimination and finally age discrimination, in this respective order, according to the Equal Opportunity Commission (EEOC, 2012).

These cases, derived from litigation, illustrate the consequences of managerial misconduct and can be used for training of students and managers to allow them to learn from these case illustrations. This chapter will allow readers to consider some good practices that could be implemented to avoid such negative consequences of management mistakes that landed employers in court and in many cases paying out large awards or settlements (York, Barclay, Zajack, 1997).

These cases illustrate the consequences of not dealing effectively with issues such as discrimination and retaliation. A careful examination of the cases may be used to suggest proactive strategies, mindsets, and organizational routines that will encourage positive managerial practices that promote the dignity and productivity of all employees, and minimize corruption (Brody, Freed, 2011). Volumes such as these can serve to elevate the status of the profession of business and management through the exploration of more ethical, and we would argue, more effective managerial practices.

One compelling argument is that management mistakes and unethical choices, such as those documented in these cases, can lead to lower levels of employee engagement (Schwab, Taylor, 2012). Though, there is some evidence that retaliation is perceived as less damaging to employee engagement if it is seen as stemming from an act of omission rather than an act of commission (Charness, Levine, 2010).

The result of these managerial errors and ethical lapses can be catastrophic for some individuals, and in addition can have a chilling effect on the employee engagement of those who are not directly involved in the discrimination or retaliation (Datz, 2012). There can be

a resultant decrease in organizational citizenship behavior, or helping the organization – what is referred to as pro-social behavior, or helping colleagues (Livingston, 1982). One of the keys aspects of effective managerial action is that when there is perceived discrimination, how the employer treats the worker can greatly affect an outcome (Berman, West, Bowman, Van Wart, 2010). One suggested best way to handle the case professionally is at the HR function level; whereas some of the worst outcomes seem to derive from allowing the employee's supervisor to deal with the problem locally (Brody, Freed, 2011).

The choice of the cases selected in this chapter reflect the psychological expertise and expert witness experience of one co-author and are reported in light of the strategic management expertise of the other co-author. The cases cover a wide range of situations and thus outline the risk factors that can contribute to managerial misconduct (Regester, Larkin, 2008). The court cases are be largely based on U.S. cases, however the cases also have relevance in an international, multicultural context, such as the documented issues of women's struggle to enter the ranks of management in many countries (Lam, 1992).

2. Procedural Justice and Effective Management

Effective management requires managers to resolve disputes and allocate resources to achieve strategic goals (Cropanzano, Bowen, Gilliland, 2007). Procedural justice refers to the perceptions by employees that rewards and punishments are given out on a fair and equitable basis (Ali, 2011). Retaliation is often a consequence of a perceived lack of procedural justice. Ironically, we observe in a number of case studies that managers often compound an initial breach of procedural justice with retaliation towards the "victims" of the original lack of procedural justice, who are then punished, treated poorly or harassed because of speaking up against the initial injustice. The cases show that juries are particularly harsh in their judgments if they see evidence of retaliation. This makes sense as the victim is being essentially re-victimized – compounding the trauma. Or in other cases, a witness or whistle blower becomes themselves victimized. The Supreme court in 2011 upheld that anti-retaliation protection extend to both informal oral complaints as well as formal written complaints, (*Kasten vs. Saint-Gobain Performance Plastics Corp.*, US, No. 09-834,3/22/11) however this protection often goes unheeded as we see in these cases.

Sometimes this lack of procedural justice has to do with violating statutory requirements. For example, there was a well documented case of a commercial real estate executive who lost her job because she spoke up about the company's policy of denying rest and meal breaks to hourly employees. After speaking up to her VP on this, she was terminated. She lost her job due to speaking up about the violation of California wage-and-hour law. This got her

labeled by senior management as a troublemaker and her suit eventually went to trial. However the courts ruled in her favor because she was a clear high performer with documented excellent performance reviews. (*Steffens v. Regus Group*, No. 11-55379, 9th Cir., 2012) (*Payroll Manager's*, 2012).

In other cases, racial discrimination plays an important role. Nason (1972) documents the root causes of discrimination and how it is evident in corporate settings. He documents both overt and covert discrimination. It would be nice to think that over the last 40 plus years, this racial discrimination has been eradicated in corporate settings. The cases we present in this chapter suggest that this aspect of lack of procedural justice has not been removed entirely. It has been asserted that there are, unfortunately, some cases of dysfunctional consequences to diversity that can lead to increased employment discrimination, job retaliation and harassment (Finkelman, 2007). Let us consider some illustrative cases of discrimination and retaliation.

3. Retaliation and race discrimination

The plaintiff was a 55 year old Black social services division director who received a letter of intent to terminate her from her position at a county social services agent. She had been on administrative leave due to an investigation of claims that she attempted to interfere with an official investigation of foster parents because she had a personal relationship with one of the involved parties. The plaintiff contended that she never intentionally delayed the investigation and that there were no conflicts of interest.

The plaintiff sued the county for wrongful termination, retaliation, race discrimination, breach of contract and intentional infliction of emotional distress. The trial, in which one of the authors testified as an expert witness, was limited to the retaliation claim.

The plaintiff also filed a claim with the equal employment opportunity commission relating to the investigation that her employer had conducted in response to her initial complaint. She contended that while her investigation was still pending her employer fired her as an act of retaliation.

Her lawyers claimed that her discharge lacked good cause or sufficient evidence and they noted that an administrative hearing earlier that year determined that there was not sufficient cause to terminate her. Regardless, she was officially terminated the following year.

Her employer claimed that the letter of intent to terminate her was already in draft form and had been circulated to the director, to the HR department and to legal counsel before they even had knowledge of the equal employment opportunity complaint.

In response, the defendants claimed that the plaintiff had interfered with a foster care investigation and agreed to testify for the foster parents at the license revocation hearing against her employer.

The plaintiff claimed severe emotional distress saying that she was mentally scarred for the rest of her life. She said that the defendants had engaged in cruel and intentional conduct which included singling her out at meetings and treating her more harshly than others and blaming her for problems she had not caused. According to the plaintiff, these acts in addition to her actual termination discredited and changed her status in the professional community in which she worked.

The plaintiff asked for \$1.8 million in economic damages for past and future wages and lost employment benefits, and at least double that amount for emotional stress.

The defendants noted that in response to the damaged reputation claim following her termination, the plaintiff actually obtained a doctoral degree and expanded her therapy practice and started a business with her husband and became president of a prestigious association of therapists.

The jury sided with the defendants and awarded the plaintiff no money. The plaintiffs requested a new trial.

Retaliation cases such as this one are particularly dangerous for defendants because juries tend to get angry when there is a feeling that employers took improper action in response to legitimate complaints by their employees.

The best defense in this type of situation is a professionally conducted investigation with appropriate action directed at anyone who engaged in misconduct (certainly for retaliation or the appearance of retaliation) directed at the claimant.

Investigations should be initiated and completed as early as possible and information about their outcome should be shared with the claimant and perhaps with others having a need to know, for its prophylactic effect in the future. Corrective action or punishment is expected under these circumstances and the absence of an appropriate remedy and/or punishment can be very detrimental to a defendant in court.

It is instructive to note for purposes of this chapter that discrimination and harassment can have serious ethical and legal repercussions but it is the retaliation that compounds the exposure – and typically the award of damages.

4. Retaliation and age discrimination

In another case of retaliation, this time coupled with age discrimination, the plaintiff was terminated from a position as a vacation timeshare sales manager after working for almost 14 years.

In this matter the plaintiff had met with attorneys representing the company regarding a coworker's age discrimination lawsuit after he had been terminated. The plaintiff provided information that was favorable to the coworker and detrimental to the company. The following day the company placed the plaintiff on a series of onerous performance contracts and reprimanded him.

The company then instructed his boss to fire him but his boss refused to do so. That obviously did not go over well with the jury. Top management eventually became involved in the case and the plaintiff was assigned work duties that he could not perform and he was threatened with his job.

Not surprisingly the plaintiff then went on a medical leave of absence because of stress and the company exacerbated the situation by announcing at a large employee gathering that employees on medical leave had no future with the company and would be terminated. Consistent with that proclamation the company terminated the plaintiff after he was out on leave for six months.

The plaintiff sued and alleged that he was retaliated against based on the information he provided on behalf of a terminated coworker's age discrimination lawsuit. He also initiated causes of action for age discrimination, disability discrimination, constructive discharge, intentional infliction of emotional distress and violation of the California family rights act.

One of the authors then testified that the defendant's human resource management practices were below the standard of care in the industry and deviated from ordinary employment practices.

The defendant's economist estimated his loss of income as low as \$1400 while plaintiff's economist estimated that he lost \$2.3 million in front and back pay, extrapolated to his anticipated retirement age of 70 years old. The plaintiff also asked for unspecified damages because of emotional distress.

The jury awarded the plaintiff \$1 million because of the retaliation based on the defense's race discrimination discharge and intentional infliction of emotional distress. This reinforces our position that retaliation is the specific type of misconduct that most antagonizes juries.

5. Retaliation

Our next case is a landmark in many ways. It was virtually a pure retaliation case and entailed the intervention of the California Court of Appeals. It became precedent-setting for all subsequent California employment cases. It was also thought to be the most costly single plaintiff employment case in California.

Now that we've hopefully whetted your interest, the plaintiff began working as a contract computer technician at a laboratory that was managed under a contract with the United States government more than two decades ago. She eventually became a full-time employee.

Difficulties began when the plaintiff claimed that a male supervisor began to sexually harass a female employee who the plaintiff supervised and said that she actually witnessed the harassment. The plaintiff repeatedly complained to senior management until her employee left the laboratory on a stress disability leave and filed a lawsuit alleging sexual harassment.

Years later the plaintiff was supposed to testify as a witness for the employee who filed a sexual harassment claim. During her deposition, the plaintiff contended that management had searched the network server and discovered that she had converted certain outside business files that were allegedly in violation of laboratory policy. After about a month following her deposition, she received a "notice of intent to terminate" her. The termination became final shortly thereafter.

Following a six week trial during which the jury deliberated for seven days, they awarded the plaintiff a total of \$1 million. The defendants filed an appeal and the plaintiff filed a cross appeal. The basis for the defendants appeal was that one of plaintiffs' experts (and an author of this chapter) was permitted to testify to the trial judge with respect to retaliation matters that were alleged to be within the province of the jury and that the expert improperly influenced the jury's verdict.

The appellate court reversed the case and remanded it for a new trial. The plaintiff's attorney said that he would win an even larger verdict the next time around. The plaintiff's attorney turned out to be correct! The same author testified again in the retrial but avoided the language that had offended the Appellate Court of California.

The plaintiff maintained that the termination was strictly due to her testimony in the underlying sexual harassment case and that the laboratory violated numerous provisions of their own policy by terminating her without giving any previous warning and without considering other discipline. She claimed that the asserted reasons for her termination (computer misconduct) were pre-textual. She argued that similar misconduct cases which involved even more serious acts had occurred but that the discipline taken against those

employees was far less severe. The plaintiff's human resource management expert supported this contention.

The defendants argued that the plaintiff had performed a substantial amount of work for an outside business entity on her laboratory computer and that it had a strict policy that required termination of any employee who was found to use the computers for outside business. Consequently the laboratory asserted that the plaintiff was terminated for violating well established work rules against improper use of their computers and not in retaliation for her testimony in the sexual harassment case.

The plaintiff argued that she was so distressed about her termination that she attempted suicide by taking an overdose of medication and alcohol. She called her department head in the middle of the night who then called police who went to her house and took her to a hospital where she received treatment for the next couple of weeks. Her psychologist testified that she had had a very difficult family background and her work was the most stable part of her life. He noted that her emotional distress was serious and permanent and that she needed therapy three times a week for three years.

The defense claimed that she was now making more money at her new job and that her emotional distress was related to her serious personal problems and to her family life rather than to her job. The jury did not buy it.

After about five weeks of trial, the jury awarded the plaintiff a total of \$2,127,000 plus legal costs. The total cost of the two trials, taking into account all legal fees on both sides, was estimated to be just under \$10 million.

6. Sexual harassment and wrongful termination

In a more "traditional" sexual harassment case, in which one of the authors also participated as an expert witness, two plaintiffs who were waitresses at a restaurant, alleged that they were routinely subjected to verbal and physical sexual harassment by the kitchen staff and busboys. One of the plaintiffs resigned stating that the harassment had become intolerable. The plaintiffs contended that the investigation following the resignation was inadequate and that no remedial action had been taken. The second plaintiff complained to management again that she had been sexually assaulted by a bus boy who had three known prior complaints against him.

The management notified the busboy of the complaint and that resulted in a series of threats and retaliation against the plaintiff. The plaintiff made a telephone call to the management saying that she was too afraid to return to work. As a result, the management fired her.

The busboy was actually promoted shortly thereafter and went on to harass another employee. This action eventually led to his termination. The plaintiffs sought action against the defendants based on wrongful termination as well as sexual harassment.

The plaintiffs argued that repeated complaints to management were ignored and that no effective remedial action was taken. Instead they contended that the defendants, especially the general manager, actively participated in the sexual harassment activities directed at the plaintiffs and other female employees.

The defendants maintained that neither of the plaintiff's complaints were actually reported and they did not learn about the complaints until after one of the plaintiffs resigned. The defendants also noted that there had been no prior pattern of sexual harassment.

The jury awarded the plaintiffs \$2,331,319 plus \$71,252 in prejudgment interest and \$595,801 in attorney's fees. The defendants appealed and declared bankruptcy.

7. Assault and battery and negligence

The plaintiff worked as an administrative assistant in a university hospital orthopedic surgery department. He complained to his supervisors that an orthopedic surgeon had treated him inappropriately and that nothing was being done about it. He also claimed negligence and intentional infliction of emotional distress.

The plaintiff maintained that the surgeon had assaulted him on three occasions. On the first occasion the surgeon allegedly poked him in the forehead and said "don't fuck up my clinic" resulting in a red mark on plaintiff's forehead that that remained there for hours until he put ice on it. In the second incident the surgeon allegedly pounded him on the back, arms and chest, saying "good job". This pummeling left welts as well. On a third occasion the surgeon allegedly "pounded" him while "grinding" against him sexually calling him a "punk-ass bitch."

The surgeon and the University Hospital vehemently denied all of these allegations. One of plaintiff's supervisors testified that in fact he had only complained once and his direct supervisor, who did not testify, signed a declaration stating exactly the same thing. Per the plaintiff's request the hospital immediately removed him from the department and conducted an independent investigation.

The defendant's human resource management expert (one of the authors) characterized the investigation as "world class." The defense characterized the plaintiff as an exaggerator and as an unstable individual. The surgeon testified that he had a pleasant joking relationship with the plaintiff and would not have pulled rank insisting that the plaintiff address him as Dr. had the plaintiff not begun calling him by his first name and even by nicknames.

The defendants also noted to the jury that the plaintiff did not mention the alleged "pummeling" incident until after the litigation started and that he also failed to report the "sexual grinding" incident until the start of his lawsuit, claiming repressed memory. The defendants also called a psychiatric expert who testified that the plaintiff had an extensive and well documented history of exaggeration and overreaction in situations similar to the matter at hand, which was indicative of his histrionic tendencies – including the likelihood of exaggerating symptoms and malingering.

To make the case even more interesting, the defendants noted that the plaintiff told a nurse practitioner outside of the hospital that he was angry with the surgeon and implied that he might want to hurt him. The nurse practitioner took the plaintiff to the emergency room at a different hospital where he told a physician about his desire to hurt or kill the surgeon. That medical center made a determination that it was necessary to hold the plaintiff against his will for the following 72 hours on a "5150," which is a section of California's Welfare and Institutions Code which is an allowance for when someone threatens to inflict bodily harm on himself or another individual, whereby he can be held involuntarily for that period of time. They also issued a "Tarasoff warning" to the surgeon, which is a notice that it intended to breach the doctor – patient confidentiality for the protection of a third-party.

Consequently the University Hospital placed the plaintiff on a paid investigatory leave and required that he undergo a fitness for duty investigation. He actually passed and was permitted to return to work. Defense witnesses included the nurse practitioner to whom the plaintiff confessed his rage towards the surgeon, and a physician who saw him in the psychiatric unit at which he was being held. The nurse practitioner testified that the plaintiff told her that if he saw the surgeon, "he wouldn't know what he would do." The physician also testified that the plaintiff had expressed homicidal ideations towards the surgeon.

The defendants produced documents demonstrating that the plaintiff had filed two previous workers compensation claims, which he previously denied in sworn testimony, one of which involved a claim of a reported assault by another physician. The defendants also produced documents demonstrating that plaintiff had previously threatened to kill another supervisor.

The jury found the defense not-guilty on all counts.

8. Disability Discrimination and Retaliation

The plaintiff was a 53 year old redevelopment specialist with the County Housing Authority. She worked for the agency for 12 years and directly supervised approximately 20 employees.

The plaintiff developed serious physical and psychological problems, including headaches, tinnitus, pain and numbness on her face, along with severe anxiety, panic attacks, disorientation and dizziness while driving. The plaintiff reported her difficulties to her immediate supervisor and notified management of her medical conditions which included a debilitating spinal tap which resulted in neurological damage and caused her to limp.

The plaintiff began psychotherapy and was eventually diagnosed with conversion disorder, severe anxiety and depression. She continued to work until she requested a review of her work load and job duties that she thought were a major source of her stress. Her request was denied and instead she was informed that she was being transferred to an office that would have required her to drive just under 200 miles round-trip from her home every day, ostensibly for cross training.

The plaintiff then filed an internal complaint for retaliation and disability discrimination, which were denied. She then requested reasonable accommodation in modifying her working conditions, due to her various disabilities. The plaintiff was ordered to not return to work by her physician and the county placed her on family medical leave.

According to the plaintiff's attorney, the county did not formally notify her that she was out of leave time until well after it had expired. The defendant's claim that her filing for a leave of absence was inadequate because of missing (but unspecified) medical documentation that had not initially been requested in the leave of absence form. Instead she was asked to contact an assistant director who did not return her calls or messages and did not respond to an email that documented her medical history and identified her physicians and authorized the county to contact them.

Instead the county allegedly ignored her leave of absence requests and terminated her for job abandonment. The plaintiff then sued for disability discrimination, failure to provide reasonable accommodation, and retaliation under the Americans with Disabilities Act and the Family Medical Leave Act. She charged that the county ignored eight separate requests for reasonable accommodation and a leave of absence. Her counsel claims that it was the only one of 16 leave of absence requests that was actually denied by the county.

The plaintiff's supervisor made damaging admissions at the trial and acknowledged that she had in fact requested accommodation and that the county was obligated to engage in the interactive process, which they apparently did not do.

The defendants maintained that the plaintiff did not supply the required medical documentation and that she had been released by her doctors to return to work. They argued that the plaintiff had already been granted three months of medical leave and that she was physically able to return to work and engage in the requested cross training.

One of the authors testified as to the inadequacy of defendants human resource management practices and the jury awarded plaintiff \$1,033,500¹.

9. Conclusion

We feel strongly that there are important lessons to be learned in each of the case studies that we described. Some of the cases are especially egregious with respect to improper managerial conduct and decision making, while other cases are offensive because of the duplicitous misuse of the judicial process. In retrospect, that is why we have a wonderful jury system of justice that sifts through all the contradictory claims, reviews the evidence – and typically comes to the correct determination.

Readers may wish to consider the following instructive questions:

1. Did you agree with the jury decisions that we reported?
2. Could an alternative outcome have been justified?
3. Was there a way to detect and avoid the misconduct that resulted in the claims reported by the plaintiff?
4. Could best management practices have actually *anticipated* misconduct before it became manifest in the workplace?
5. Could additional management training and sensitization have played a prophylactic role in addressing the underlying behavior that became an issue in each of these cases?
6. Could have effective human resource policies and practices been sufficiently vigilant and proactive to mitigate harm to the employee and reduce liability to the employer?

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BUDOWANIE PLANÓW ROZWOJOWYCH PRACOWNIKÓW PRZEDSIĘBIORSTWA HUTNICZEGO Z WYKORZYSTANIEM MODELU 70-20-10

Streszczenie. W publikacji opisano budowanie planów rozwojowych pracowników przedsiębiorstwa hutniczego z wykorzystaniem modelu 70-20-10. Istota modelu polega na pogrupowaniu technik i narzędzi rozwijania kompetencji według segmentów: doświadczenie i praktykowanie w trakcie pracy, uczenie się przez relacje, tematyczne szkolenia i warsztaty. Model znajduje zastosowanie w dużych przedsiębiorstwach. Celem publikacji było przedstawienie zastosowania modelu w przedsiębiorstwie produkcyjnym. Za studium przypadku posłużyło przedsiębiorstwo hutnicze ArcelorMittal Poland. Na podstawie *case study* ustalono zestaw narzędzi wkomponowanych w segmenty 70-20-10, ze wskazaniem ich przydatności w rozwoju kadr.

Słowa kluczowe: rozwój zawodowy, model 70-20-10, przedsiębiorstwo hutnicze

BUILDING DEVELOPMENT PLANS OF EMPLOYEES IN A STEEL COMPANY BY USING THE MODEL 70-20-10

Summary. The publication describes planning staff development in manufacturing company by using the model 70-20-10. The essence of the model consists in grouping techniques and tools to develop competence by segments: experience and practice in the work, learning through relationships, thematic trainings and workshops. The method is used in big organizations. The aim of the article is presentation of implementing of the model 70-20-10 in the steelwork. The case study was used ArcelorMittal Poland. On the base of the case study the tools in model 70-20-10 were characterized according to their usefulness in development plans of employees.

Keywords: professional development, model 70-20-10, steelworks

1. Wprowadzenie

Gospodarka rynkowa poprzez nasilające się procesy globalizacji wpływa na wzmocnienie funkcji personalnej w przedsiębiorstwach. Innowacje produktowe i koszty produkcji tworzą przewagę konkurencyjną na międzynarodowym rynku. Wprowadzanie zmian odbywa się z inicjatywy pracowników i przy ich pełnym zaangażowaniu. Podmiotowość organizacji przejawia się w powiększaniu i urzeczywistnianiu zdolności zasobów ludzkich. Rozwój pracowników w ogromnym stopniu przyczynia się do osiągnięcia sukcesów rynkowych firm.

Organizacja planując rozwój pracowników może skorzystać z opracowań metodycznych. W 1980 roku Morgan McCall, Robert W. Eichinger i Michael M. Lombardo, realizując dla Centre for Creative Leadership (CCL) badania wśród 200 menedżerów, stwierdzili, że pracownicy najskuteczniej się uczą, gdy łączą różne podejścia do nauki, wzmacniające się nawzajem. Uczenie się i zdobywanie wiedzy realizowane jest na podstawie modelu 70-20-10, co oznacza, że 70% wiedzy zdobywa się podczas wykonywania codziennych obowiązków w pracy (doświadczenie i praktykowanie w trakcie pracy), 20% wynika z relacji z innymi ludźmi (nieformalne uczenie się z rozmów z pracownikami i przełożonymi, czyli uczenie się przez interakcję), 10% przez zorganizowane programy szkoleń (tematyczne szkolenia i warsztaty)¹. W praktyce biznesowej spotykane są następujące formy zapisu modelu: 70-20-10 lub 70:20:10 albo 70/20/10.

Zastosowanie modelu pozwala na znaczne zróżnicowanie sposobów doskonalenia zawodowego pracowników. Źródłem rozwoju mogą być: informacje zwrotne, pomyłki, obserwacje reakcji innych ludzi, doświadczenia zawodowe, wiedza nabyta w trakcie edukacji i szkoleń. Metoda porządkuje i racjonalizuje finansowanie tradycyjnych szkoleń. Model 70-20-10 stanowi efektywne alokowanie środków finansowych na rozwój kadr w ramach działań pionu HR lub indywidualnego budżetu menedżera². Wiedza zdobywana przez Internet ma znaczący wpływ na rozwój szkolenia nieformalnego. Przeciwnicy podkreślają, że wszelkie formy ograniczenia szkoleń tradycyjnych mogą być również uznane za przejaw zmniejszania roli pracodawcy w kształtowaniu kompetencji pracowniczych³.

Model 70-20-10 nie uzyskał potwierdzenia badaniami empirycznymi innymi niż badania zrealizowane w CCL⁴, chociaż jest stosowany, z powodzeniem, również w innych

¹ Lombardo M., Eichinger R.W.: *The Career Architect Development Planner*. Lominger. p. iv., Minneapolis 1996.

² Maj M., Ambroziak D.: *Paradoksy rozwojowe*. Instytut Analiz im. Karola Gaussa sp. z o.o., <http://hrstandard.pl/2013/10/18/3-paradoksy-rozwojowe/>.

³ Kajewski, Kellu: Valerie, Madsen: *Demystifying 70-20-10*. Deakin Prime, http://deakinprime.com/media/47821/002978_dpw_70-20-10wp_v01_fa.pdf, 27 August 2015.

⁴ *The 70 Percent Solution*. Google CEO Eric Schmidt gives us his golden rules for managing innovation, <http://money.cnn.com/magazines/business2/business2-archive/2005/12/01/8364616/index.htm>.

organizacjach, między innymi w Google⁵. W firmie Google model 70-20-10 wdrożono w obszarze budowania przywództwa, przyjmując, że 10% czasu pracy pracownika jest przeznaczane na własne projekty luźno związane z obowiązkami, 20% to wymiana wiedzy nabywanej w trakcie budowania relacji między pracownikami, a 70% to obowiązki zawodowe. Na rynku polskim model stosują firmy zagraniczne lub z udziałem kapitału zagranicznego, między innymi Mondelēz International⁶, Volkswagen Bank⁷, Citybank⁸, ArcelorMittal Poland⁹.

Model 70-20-10 jest ciągle uznawany za pionierski, chociaż może inspirować menedżerów do planowania rozwoju pracowników, według przyjętych proporcji. Ważne jest, aby pamiętać, że 70-20-10 nie jest nakazowym modelem w obszarze ZZL. Nie jest on ani faktem naukowym, ani przepisem na jak najlepszy rozwój pracowników¹⁰. W niniejszej publikacji przedstawiono zastosowanie proporcji 70-20-10 w planowaniu rozwoju kadry przedsiębiorstwa hutniczego. Praca jest formą implementacji teorii w praktyce. Za studium przypadku posłużyła grupa kapitałowa ArcelorMittal Poland.

2. Narzędzia rozwoju pracowników w modelu 70-20-10

Dobór narzędzi rozwoju pracowników do modelu 70-20-10 jest indywidualnym działaniem przedsiębiorstwa. W modelu można użyć bogatego zestawu doskonalenia kadr. Poszczególne narzędzia są uporządkowane według trzech segmentów. Segment pierwszy tworzą narzędzia zaliczane do kategorii zdobywania wiedzy w trakcie pracy (*challenging assignments*). Segment ten stanowi 70% rozwoju zawodowego pracowników. Drugi segment tworzą narzędzia uczenia się przez interakcję (*developmental relationships*), dające 20% planowanego rozwoju kadr. Trzeci to typowe szkolenia i warsztaty (*coursework and training*) o 10% udziale w programach rozwoju potencjału kadrowego firmy.

Segment pierwszy tworzą narzędzia stosowane podczas rozszerzenia zakresu pracy (*job enlargement*), wzbogacania treści pracy (*job enrichment*), rotacji stanowiskowej (*job rotation*), powierzania zastępstw (*replacement*) i pracy zespołowej (*work group*). Dominują proste formy zdobywania wiedzy, takie jak: przyuczanie, wzorowanie,

⁵ Rabin R.: WHITE PAPER, Blended Learning for Leadership The CCL Approach, <http://insights.ccl.org/wp-content/uploads/2015/04/BlendedLearningLeadership.pdf>.

⁶ enjoymdlz.pl/rozwój.

⁷ www.vwbank.pl/informacje-korporacyjne/kariera-rozwoj.html.

⁸ www.citibank.pl/poland/kariera/rozwoj.htm.

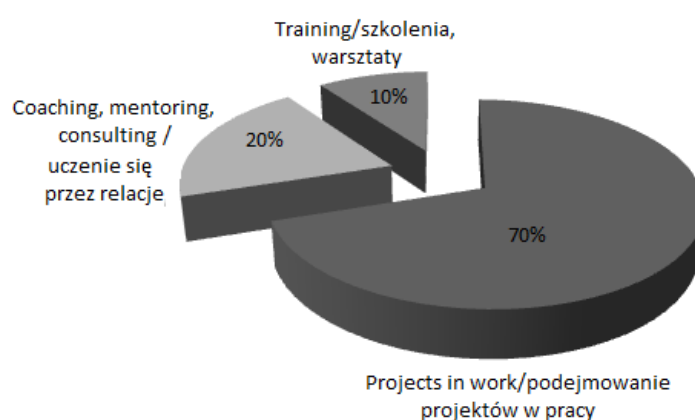
⁹ www.arcelormittal.com (Raport zrównoważonego rozwoju ArcelorMittal Poland, dział 5: Pracownicy).

¹⁰ Thalheimer, Will: People remember 10%, 20% ... Oh Really? Will At Work Learning, www.willatworklearning.com/2006/05/people_remember.html, 27 August 2015.

instruowanie, naśladowanie¹¹. Są to najczęściej narzędzia uniwersalne i ogólnodostępne (stosowane w celu przygotowania ogółu pracowników do wykonywania pracy).

Do drugiego segmentu zalicza się: konsultacje z przełożonymi i wymianę doświadczeń z innymi osobami. Stosowane formy to: *mentoring*, *coaching*, doradztwo (*consulting*).

Trzeci segment stanowią szkolenia i warsztaty. Są to szkolenia obligatoryjne (wymagane prawem) i dodatkowe (specjalistyczne tematy). Tradycyjne formy szkoleń: wykłady, ćwiczenia, pokazy, konferencje, seminaria, omawianie sytuacji, analizy, wzbogaca się przez gry planszowe i komputerowe, symulacje komputerowe, odgrywanie ról, modelowanie zachowań, treningi wrażliwości, testy psychologiczne¹².



Rys. 1. Typologia narzędzi w modelu 70-20-10

Fig. 1. Structure of tools in the model 70-20-10

Źródło: Firma = pracownicy. Odpowiedzialność, rozwój, zaangażowanie. Forum Odpowiedzialnego Biznesu, z. 4. PricewaterhouseCoopers Polska, Warszawa 2010, s. 53.

Zgodnie z proporcjami przyjętymi w modelu 70-20-10 największy udział w planowaniu rozwoju pracowników ma praca w ramach przydzielonych obowiązków. Pracownicy wykonują dobrze im znane zadania, jak i uczestniczą w nowych projektach. Pracownicy wykonują pracę na danym stanowisku lub czasowo na innym (rotacja stanowisk).

Formą wzbogacania treści pracy jest technika zadań zleconych. Powierzenie zadań w ramach projektu (*special assignment*) obejmuje: ustalenie celu i terminu realizacji, samodzielne osiągnięcie założonego celu przez szkolonego na podstawie dostępnych środków i metod, kontroli i oceny stopnia osiągnięcia tego celu. Zakres nowych przedsięwzięć, w których uczestniczą pracownicy, jest różnicowany na poszczególnych szczeblach organizacji. Praca nad projektami realizowana jest w zespołach zadaniowych. Strukturę

¹¹ Firma = pracownicy. Odpowiedzialność, rozwój, zaangażowanie, z. 4. Forum Odpowiedzialnego Biznesu, Warszawa 2010, s. 52-53.

¹² Ibidem.

organizacyjną realizowanych projektów stanowią wybrane stanowiska. Im bardziej rozbudowany projekt jest tym większa liczba jego uczestników¹³. Według W. Brinera, M. Geddesa, C. Hastingsa¹⁴ poza pracownikami bezpośrednio uczestniczącymi w projektach (zespół wiodący), uczestniczą również osoby, które przyczyniają się do pracy zespołu wiodącego: poparcie, kooperacja (zespół niewidoczny). Większe lub mniejsze projekty, z którymi pracownik ma do czynienia w przedsiębiorstwie, skutkują nabywaniem wiedzy z różnych dziedzin i umiejętności interpersonalnych. Konsekwencją rozszerzania treści pracy jest większa odpowiedzialność za wyniki pracy¹⁵.

W trakcie rozszerzania zakresu pracy przez łączenie podobnych lub różnych operacji pracownicy zapoznają się ze specyfiką pracy na stanowiskach podobnych, poprzedzających albo następujących po danym stanowisku¹⁶. W rozszerzenie zakresu pracy często wbudowana jest odpowiedzialność za wykonywaną pracę w ramach samokontroli. Pracownicy wówczas mają poczucie osobistej odpowiedzialności za realizowane zadania¹⁷.

Rotacja stanowiska pracy to systematyczne lub sporadyczne przechodzenie z jednego zakresu zadań i funkcji na inne, np. co kilka godzin, co kilka dni, tygodni lub rzadziej. Rotacja pozwala pracownikom nabywać nową wiedzę i wymieniać się doświadczeniem. W trakcie rotacji pracownicy zapoznają się z różnymi aspektami firmy. Jako uczestnicy *crossingu* stanowiskowego poznają przebieg czynności w ramach danego procesu i angażują się w jego doskonalenie¹⁸. Okresową formą rotacji jest powierzanie pracownikom zastępstwa. Technika ta polega na chwilowym objęciu innego stanowiska, które jest nieobsadzone w danym czasie z powodu choroby, urlopu czy też świadome powierzenie wybranemu pracownikowi. Celem tej techniki jest sprawdzenie efektywności pracownika w nowych warunkach. Zastępstwo odbywa się na tym samym poziomie firmy lub o jeden szczebel wyżej w hierarchii organizacyjnej. Powierzanie zastępstwa może być formą przybliżania pracownika do sukcesji (objęcia nowego stanowiska), zwłaszcza jeżeli zastępstwo trwa dłuższy czas, a pracownik wykonuje funkcję pełniącego obowiązki (p.o.).

Formą zbywania wiedzy w trakcie wykonywania codziennych czynności może być również praca zespołowa. Istota pracy zespołowej sprowadza się do podziału zadania wśród kilku osób. W przedsiębiorstwach funkcjonują zespoły stałe, wykonujące powtarzające się czynności, i zespoły okresowe, np. audytorzy wewnętrzni, zespół do spraw inwentaryzacji,

¹³ Brandenburg H.: Zarządzanie projektem. Politechnika Śląska, Gliwice 1999, s. 51-63.

¹⁴ Briner W., Geddes M., Hastings C.: *Le manager de projet, un leader*. Afnor, Paris 1993.

¹⁵ Szalkowski A. (red.): *Rozwój pracowników. Przesłanki, cele, instrumenty*. Poltext, Warszawa 2002, s. 125.

¹⁶ *Ibidem*, s. 124.

¹⁷ Weihrich H., Koontz H.: *Management. A global perspective*. McGraw-Hill, New York 1993, s. 480.

¹⁸ Gajdzik B., Wyciślik A.: *Crossing stanowiskowy w chemicznych laboratoriach badawczych*. „Przemysł Chemiczny”, nr 7(92), 2013, s. 1000-1003.

zespoły badawcze, zespoły projektowe, zespoły eksperckie¹⁹. Im zespół jest bardziej autonomiczny tym większy jego wpływ na podejmowanie decyzji, dotyczących sposobów wykonywania zadań. Pracownicy w zespołach, poza wiedzą specjalistyczną, nabywają umiejętności interpersonalnych. Funkcjonowanie grupy związane jest z potrzebą silnej przynależności, każdy z pracowników czuje potrzebę wyrażania opinii, oczekuje uznania i szacunku od pozostałych członków zespołu. W zespołach pracownicy pełnią różne role, np. wykonawcy, organizatora, informatora, kierującego zespołem²⁰. Przez wykonywane role pracownik ma możliwość wykazywania się kwalifikacjami i umiejętnościami, które były skrywane (niewykorzystywane w dotychczasowej pracy). W zespołach pracownicy mają również większe szanse uczenia się od innych, bowiem nie występują bariery komunikacyjne, pracownicy są bardziej otwarci na dzielenie się wiedzą i doświadczeniem.

W trakcie codziennych obowiązków bardzo często pracownicy uczą się nowych sposobów wykonywania czynności, rozwiązywania problemów, współpracy i koordynacji działań. Na stanowiskach pracy stosowane są proste formy przekazu wiedzy, np. lekcje jednopunktowe (*One Point Lesson*), jako krótkie, tematyczne lekcje wiedzy; instruktaży stanowiskowych opartych na trzech krokach: powiedz, pokaż, przećwicz; wzorowanie (*shadowing*) przez naśladowanie czynności lub słów innej osoby²¹. Im prostsza jest forma, tym większa możliwość zapamiętania treści. Za pomocą uniwersalnych sposobów przekazu do pracowników dociera na ogół wiedza standardowa. Szkolenia na stanowiskach pracy przeprowadzane są w zespołach (grupach).

Do grupy 70% zalicza się także nabywanie wiedzy przez czytanie prasy i literatury specjalistycznej, a także uzupełnienie kwalifikacji w szkołach i na uczelniach (istnieje możliwość dofinansowania nauki przez pracodawcę). Formą zdobywania wiedzy w miejscu pracy jest również *e-learning*.

Indywidualne techniki szkoleń, dostosowane do potrzeb i oczekiwań danego pracownika realizowane są w segmencie drugim metody w ramach 20% planów rozwojowych. Do metod indywidualnych należy *coaching*. Jest to technika „jeden” na „jeden”. *Coaching* pomaga pracownikom uświadomić sobie, czego się muszą nauczyć, aby osiągać lepsze efekty. Metoda ta stosowana jest najczęściej na stanowiskach kierowniczych. Coach doradza pracownikowi, jak właściwie realizować zadania. Coach pomaga kierownikom wprowadzić nowe metody i techniki zarządzania, kontrolować delegowanie uprawnień, usprawnić dotychczasowy przebieg ich pracy. Do tej grupy zaliczany jest również *mentoring*, w którym przekaz wiedzy oparty jest na związku między podwładnym (mentorem) a przełożonym. Mentorzy, czyli

¹⁹ Gajdzik B., Ociecek W.: Teoria i praktyka zarządzania zasobami ludzkimi we współczesnym przedsiębiorstwie produkcyjnym, rozdział 3. Politechnika Śląska, Gliwice 2015.

²⁰ Robbins S.: Zachowania w organizacji. PWE, Warszawa 1998, s. 191-215.

²¹ Firma = pracownicy..., op.cit., s. 52-53.

wybrane osoby, udzielają wskazówek swoim podopiecznym, aby przygotować ich do objęcia nowych stanowisk (nowego zakresu obowiązków)²². Wymiana wiedzy realizowana jest także podczas doradztwa (*consulting*) – kontakt nie tylko z przełożonym, ale i z osobami z zewnątrz (ekspertami z danej dziedziny). W ramach przedsiębiorstwa odbywa się przekazywanie doświadczenia zawodowego przez kierowników (pracowników) z długim stażem swoim następcom. Doradztwo jest realizowane również między pracownikami na tych samych lub pokrewnych stanowiskach pracy²³. Wymiana wiedzy odbywa się także przez networking – sieć kontaktów.

Ostatnią grupę w ramach modelu 70-20-10 stanowią tradycyjne szkolenia, odbywające się poza stanowiskiem pracy, takie jak: wykłady, dyskusje, rozmowy, ćwiczenia, studium przypadków, odgrywanie ról, treningi, konferencje, seminaria. Dobór metody uwarunkowany jest przede wszystkim tematyką szkoleń. Uczestnicy szkoleń nabywają wiedzę i kompetencje do wykonywania pracy. Wiedza nabyta w trakcie szkoleń powinna być wiedzą użyteczną. Treści przekazywane uczestnikom powinny przyczynić się do poprawy efektów pracy (konfrontacja szkoleń z zadaniami). W modelu 70-20-10 szkolenia stanowią tylko 10% ze względu na trudności w doborze treści i form szkoleń do potrzeb i oczekiwań wszystkich uczestników, a także w ocenie rezultatów szkoleń, przy wysokich wydatkach firm na szkolenia. Tańszą i bardziej dostępną formą są szkolenia w ramach *e-learning*, który jest ukierunkowany na osobę uczącą się, pod warunkiem dostępu uczestnika do technologii informatycznej²⁴.

Przytoczona lista narzędzi stosowanych w poszczególnych segmentach 70-20-10 jest otwarta. Model umożliwia posegregowanie narzędzi rozwijania kompetencji bez ograniczania ich liczebności.

3. Model 70-20-10 w przedsiębiorstwie hutniczym – case study

Za studium przypadku posłużyło przedsiębiorstwo hutnicze ArcelorMittal Poland. Firma zatrudnia 11 889 osób (stan na 31.12.2014 roku), w tym na umowę o pracę 10 883 osoby. Pracownicy są zatrudnieni w jednym z sześciu zakładów produkcyjnych, w tym pięciu hutniczych i jednym koksowniczym. Centrala przedsiębiorstwa zatrudnia 1 845 osób.

²² Armstrong M.: Zarządzanie zasobami ludzkimi. Oficyna A Wolter Kluwer business, Kraków 2007, s. 791-792.

²³ Firma = pracownicy..., op.cit., s. 52-53.

²⁴ Armstrong M.: Zarządzanie..., op.cit., s. 514.

Mężczyźni w przedsiębiorstwie stanowią 80% załogi. Prawie co drugi pracownik ma staż dłuższy niż 10 lat²⁵.

W ArcelorMittal planowanie rozwoju zawodowego prowadzone jest od kilku lat na podstawie modelu 70-20-10. Rozwój pracownika realizowany jest przez:

- udział w projektach i zadaniach poszerzających wiedzę specjalistyczną,
- networking, coaching, mentoring,
- szkolenia zawodowe,
- programy rozwojowe,
- lektoraty językowe,
- studia z możliwością dofinansowania przez pracodawcę.

Siedemdziesiąt procent pracowników uczy się przez codzienną pracę, angażując się w działania doskonalące. W przedsiębiorstwie funkcjonują karty Kaizen jako formy zgłaszania nowych rozwiązań organizacyjnych w miejscu pracy. Od 2008 roku w przedsiębiorstwie mierzony jest poziom zaangażowania pracowników. Wskaźnik zaangażowania w 2008 roku wynosił 31%, w 2011 roku uzyskano poziom 47%, obecnie co drugi pracownik zaangażowany jest w dodatkowe działania na rzecz firmy, wykraczające nawet poza przypisany zakres obowiązków²⁶. Pracownicy są związani z miejscem pracy. Wskaźnik fluktuacji jest dodatni (w 2013 roku przyjęto 4,14% osób, a odeszło 3,78%). Z zakładu odchodzą pracownicy, mający możliwość skorzystania z należnych im świadczeń emerytalnych²⁷.

Segment 20% planów rozwojowych stanowią: coaching, mentoring i consulting. W 2014 roku w ramach rozwijania kompetencji menedżerskich skorzystało 49 młodych uczestników przy 30 mentorach²⁸. Młodzi pracownicy pod okiem doświadczonych mentorów prowadzą projekty techniczne i biznesowe, które usprawniają procesy produkcji i funkcjonowanie administracji. W przedsiębiorstwie realizowany jest program rozwoju zawodowego SCORE: Strategia, Cele, Odpowiedzialność, Rozwój i Efektywność. Program szkoleń skierowany jest do kadry kierowniczej, w szczególności mistrzów lub kierowników przygotowujących się do objęcia nowych stanowisk, wymagających umiejętności zarządzania zespołem. Konsultacje z ekspertami realizowane są w ramach tzw. szkoleń *Lunch&Learn*. Szkolenia te mają formę wykładów prowadzonych przez trenerów lub ekspertów biznesu. W 2014 roku zrealizowano spotkania na temat: sztuki networkingu, marki osobistej i przywództwa²⁹. W przedsiębiorstwie odbywają się również spotkania komunikacyjne

²⁵ Raport Zrównoważonego Rozwoju ArcelorMittal Poland, 2014, s. 46 (publikacja raportu lipiec 2015), poland.arcelormittal.com.

²⁶ Zobacz: Gajdzik B.: Diagnosis of employee engagement in metallurgical enterprise. „Metalurgia”, No. 1(52), 2013, p. 139-142.

²⁷ Raport 2013, Odpowiedzialność Biznesu. ArcelorMittal, s. 22, poland.arcelormittal.com.

²⁸ Raport Zrównoważonego..., op.cit., s. 58.

²⁹ Ibidem, s. 59.

proximity meeting. Są to spotkania dyrektora generalnego z pracownikami liniowymi. Odbywają się również spotkania (1 raz w tygodniu) dyrektora generalnego z dozorem i pracownikami w halach produkcyjnych. Pracę poprzedza komunikacja bezpośrednia jako pakiet informacji przesyłany do 700 stanowisk kierowniczych pierwszej linii (bezpośredniego kontaktu z pracownikiem). Pakiet zawiera informacje dotyczące przebiegu pracy. Jest on przekazywany przez mistrzów tuż przed rozpoczęciem pracy (spotkania przedzmiarowe)³⁰.

W ramach 10% modelu pracownicy są uczestnikami szkoleń. W 2014 roku w szkoleniach zawodowych uczestniczyło 8381 osób (70% załogi). Liczba szkoleń wynosiła 40 981 dni. Na pracownika przypadało 4,50 dni szkoleniowych (tabela 1).

Tabela 1

Statystyka szkoleń w ArcelorMittal Poland (dane z 2014 roku)

| Wyszczególnienie | Ogółem | Mężczyźni | Kobiety |
|--|--------|-----------|---------|
| Liczba uczestników szkoleń | 8 381 | 7 432 | 949 |
| Liczba dni szkoleń | 40 981 | 36 175 | 4 806 |
| Liczba dni szkoleniowych na pracownika | 4,50 | 4,54 | 4,25 |

Źródło: Opracowanie na podstawie: Raport Zrównoważonego Rozwoju ArcelorMittal Poland, 2014, s. 56.

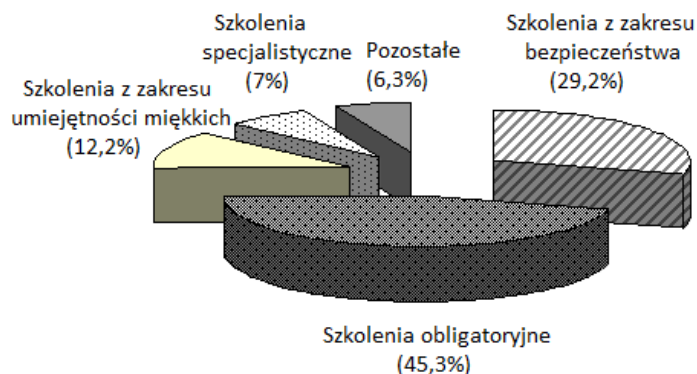
Wśród szkoleń zawodowych dominowały szkolenia obligatoryjne (np. dla spawaczy, operatorów wózków widłowych). Szkolenia obligatoryjne w 2014 roku obejmowały 18 570 dni. Uwzględniając zakres tematyczny szkoleń, najczęściej było szkoleń z zakresu bezpieczeństwa i higieny pracy (11 952 dni). Ponad 2 dni pracownik był uczestnikiem szkoleń obligatoryjnych, a jeden dzień w roku przeznaczal na szkolenia z zakresu bezpieczeństwa pracy. W celu przeprowadzenia szkoleń praktycznych utworzono dwie hale szkoleniowe. Odbywają się tam szkolenia z zakresu bezpieczeństwa pracy (standardów zapobiegania wypadkom śmiertelnym). W 2014 roku w halach do ćwiczeń przeszkolono 1612 osób³¹. Kolejną pozycję zajmowały szkolenia z zakresu umiejętności miękkich (5008 dni szkoleniowych). Szkolenia specjalistyczne, np. z programowania sterowników, ochrony środowiska i energetyki, realizowane były podczas 2853 dni³². Pozostałe szkolenia dotyczyły ładu korporacyjnego, w tym: etyczności biznesu, zasady dotyczących informacji poufnych, polityki praw człowieka, procedur ochrony danych, wytycznych w zakresie zapobiegania korupcji, wytycznych w zakresie sankcji gospodarczych i w zakresie zgodności z przepisami antymonopolowymi. W 2014 roku 4729 osób uczestniczyło w tych szkoleniach. Najwięcej z Kodeksu Etycznego 1816 osób i polityki praw człowieka 1878³³. W przedsiębiorstwie wprowadza się również gry planszowe – pracownicy wcielają się w role członków zarządów konkurujących ze sobą firm. PAPI to internetowe narzędzie służące do diagnozy

³⁰ Raport 2013..., op.cit., s. 20.

³¹ Raport Zrównoważonego..., op.cit., s. 53.

³² Ibidem, s. 57.

zachowań w środowisku zawodowym i preferowanego stylu pracy (pracownicy wypełniają testy). W ujęciu rocznym na 1 pracownika przypada ponad 30 godzin szkoleń. Na rys. 2 przedstawiono udziały poszczególnych tematów szkoleń w szkoleniach ogółem.

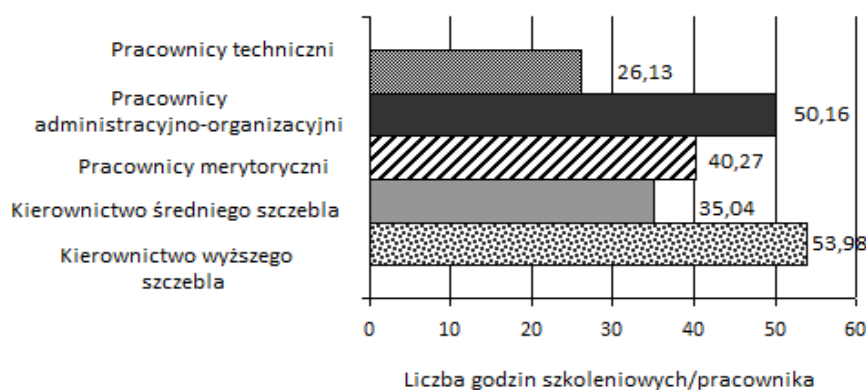


Rys. 2. Statystyka tematyki szkoleń w ArcelorMittal Poland.

Fig. 2. Topic of training in ArcelorMittal Poland

Źródło: Opracowanie na podstawie: Raport Zrównoważonego Rozwoju ArcelorMittal Poland, 2014, s. 57.

Według szczebli zarządzania najwięcej godzin szkoleń przypadało na kadre kierowniczą wyższego szczebla (53,98), na drugiej pozycji znajdowali się pracownicy administracyjno-organizacyjni (50,16), na trzeciej pracownicy merytoryczni, wykonujący specjalistyczne zadania, np. ochrony środowiska (40,27), przedostatnią pozycję zajmowali kierownicy średniego szczebla (40,27), a ostatnią pracownicy techniczni (26,13)³⁴ – rys. 3.



Rys. 3. Liczba godzin szkoleniowych na poszczególnych szczeblach zarządzania w ArcelorMittal Poland

Fig. 3. Training hours in particular management levels in ArcelorMittal Poland

Źródło: Opracowanie na podstawie: Raport 2013, Odpowiedzialność Biznesu, ArcelorMittal, s. 32.

³³ Ibidem, s. 24.

³⁴ Raport 2013..., op.cit., s. 32.

Na poziomie 70% zgodnie z modelem realizowany jest również *e-learning*. Intranet i *newsletters* skierowane są do ponad 5 tys. pracowników (odbiorców posiadających adres mailowy). W przedsiębiorstwie *e-learning* stosowany jest w zakresie szkoleń standardowych i nauki języka obcego. Kursy językowe w ArcelorMittal prowadzone są dla osób współpracujących z obcokrajowcami, dla których znajomość języka angielskiego jest niezbędna do wykonywania codziennej pracy. W 2014 roku w lektoratach języka angielskiego uczestniczyło 470 pracowników. Od 2012 roku uczestnicy lektoratów sprawdzają swoje umiejętności w teście TOEIC³⁵. Poziom 70% obejmuje także magazyn firmowy *Jedynkę*. Gazetka zakładowa wydawana jest na terenie zakładów od ponad dwudziestu lat, w nakładzie 8 tys. i 11 wydań rocznie³⁶. Na terenie zakładu działa telewizja zakładowa (wewnętrzna) – 50 monitorów zamontowanych na terenie poszczególnych zakładów. Na terenie zakładów produkcyjnych rozmieszczonych jest także ponad 170 tablic informacyjnych.

Uczenie się poza organizacją jest formą uzupełnienia kwalifikacji. Pracownicy przedsiębiorstwa uzupełniają wiedzę na studiach niestacjonarnych. Popularne kierunki kształcenia to: informatyka przemysłowa, inżynieria materiałowa, metalurgia, zarządzanie i inżynieria produkcji.

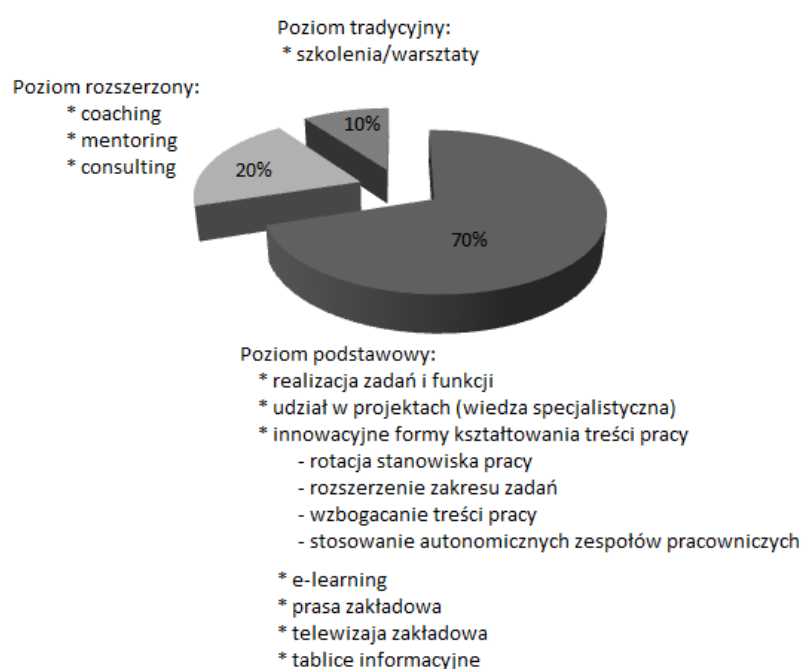
4. Budowanie planu rozwoju pracowników w przedsiębiorstwie hutniczym z wykorzystaniem modelu 70-20-10

Plan rozwoju pracowników w przedsiębiorstwie hutniczym obejmuje stanowiska robotnicze i nierobotnicze. Zgodnie z modelem 70-20-10 podstawą rozwoju kompetencji pracowników jest sama praca. Poziom pierwszy (podstawowy) wynika z zakresu zadań i funkcji powierzonych pracownikom. Poziom ten wzbogaca się o udział pracowników w projektach i zadaniach poszerzających wiedzę specjalistyczną. Poziom drugi (o udziale 20%) dotyczy stanowisk kierowniczych lub samodzielnych stanowisk robotniczych w ramach awansu zawodowego na lidera grupy lub majstra/kierownika zmiany. Poziom ten obejmuje: mentoring, coaching, networking. Szkolenia (o udziale 10%) realizowane są na wszystkich szczeblach organizacji. Szkolenia obowiązkowe adresowane są do grup zawodowych wyszczególnionych w obowiązujących przepisach. Dodatkowe szkolenia tematyczne pogrupowane są według szczebli organizacji: kierownictwo wyższego szczebla, kierownictwo średniego szczebla, pracownicy merytoryczni, pracownicy administracyjno-organizacyjni i pracownicy techniczni. Na poszczególnych szczeblach treści szkoleń

³⁵ Ibidem, s. 59.

³⁶ Ibidem, s. 20.

pogrupowane są w tematy. Pracownicy na stanowiskach nierobotniczych podlegają okresowej ocenie GEDP (*Global Employee Development Program*) – program realizowany w grupie kapitałowej ArcelorMittal. Ocenie podlega całokształt efektów pracy pracownika i realizacja celów zawodowych (potencjał rozwojowy). W 2014 roku ocenie okresowej podlegało 2979 osób. Podczas oceny wskazano 335 pracowników o wysokim potencjale rozwojowym. Do programów rozwojowych na poziomie lokalnym nominowano 57 pracowników, a korporacyjnym – 28 pracowników. Okresowa ocena stanowisk robotniczych realizowana jest przez bezpośrednich przełożonych, a pracownicy o określonych preferencjach realizują wytyczoną ścieżkę rozwoju na poziomie zakładu lub centrali.



Rys. 4. Architektura planu rozwoju pracowników w przedsiębiorstwie ArcelorMittal Poland na podstawie modelu 70-20-10

Fig. 4. The structure of employee development programs in ArcelorMittal Poland by using the model 70-20-10

Źródło: Opracowanie własne na podstawie zgromadzonej wiedzy.

5. Korzyści z zastosowania modelu 70-20-10 dla pracowników i pracodawców

Model 70-20-10 przynosi korzyści pracownikom i pracodawcom. Korzyści dla pracownika to: jasno określony plan rozwoju kompetencji; zespolenie planu rozwoju z kompetencjami potrzebnymi na danym stanowisku; realizowanie rozwoju w trakcie

wykonywania czynności w miejscu pracy; synergia między wykonywaniem zadań i rozwojem kompetencji pracowników; większa różnorodność metod i technik szkolenia; dobór metod i technik wspierających rozwój pracowników na poszczególnych stanowiskach; łatwa możliwość wspierania pożądanых zachowań i poprawy niewłaściwych. Natomiast pracodawcy przez zastosowanie proporcji 70-20-10 uzyskują jasną strukturę planu działań rozwojowych opartą na trójsegmentowym porządku (segmenty o udziałach: 70%, 20%, 10%); mają możliwość wyboru metod kształcenia wspieranych przez różne techniki; uzyskują większą dostępność metod i technik szkolenia – większość metod rozwojowych jest dużo bardziej dostępna dla pracowników (nie każdy ma możliwość uczestniczenia w szkoleniach poza miejscem pracy) oraz większą skuteczność przez zwiększenie zaangażowania pracowników (pracownik sam odpowiada za swój rozwój). Występuje również korzyść ekonomiczna w postaci niskich kosztów realizacji planów – szkolenia i warsztaty są tylko 1/10 udziału³⁷.

Wprowadzenie modelu 70-20-10 w organizacjach jest pracochłonne i wymaga wiedzy i umiejętności z zakresu HR, aby spośród wielu narzędzi rozwoju zawodowego wybrać najbardziej skuteczne. Ponadto duże zróżnicowanie narzędzi może utrudniać odbiór struktury planu szkoleniowego kadry przedsiębiorstwa przez pracowników. Wśród pracowników może wystąpić brak zrozumienia dla zastosowania podziału segmentowego narzędzi i technik rozwoju zawodowego. Nie każdy pracownik jest świadomy konieczności samokształcenia i monitorowania swojego postępu rozwoju. Zastosowanie metod wspierających (20%) wymaga przygotowania odpowiednich osób spośród załogi (mentorów) lub zatrudnienia specjalistów zewnętrznych (coach zawodowy). Ważną kwestią staje się wybór konkretnego mentora lub coacha. Na rynku funkcjonuje obecnie wiele firm prowadzących coaching, które oferują różne usługi związane z szeroko pojętym doradztwem zawodowym. Oferty firm poddawane są selekcjom, a o wyborze często przesądzają wartości dodatkowe, wyróżniające coacha. Plusem obecności mentora/coacha jest wspieranie i pomaganie w realizowaniu procesu rozwoju pracowników. Pracodawca uzyskuje zatem dodatkową pomoc ze strony ekspertów wewnętrznych lub zewnętrznych³⁸.

³⁷ Firma = pracownicy..., op.cit., s. 52-53.

³⁸ Kochmańska A.: Wykorzystanie coachingu do szkolenia pracowników. Etyczny wymiar pracy coacha. Zeszyty Naukowe, s. Organizacja i Zarządzanie, z. 69, nr kol. 1906. Politechnika Śląska, Gliwice 2014, s. 29-38; Parsloe E., Wray M.: Trener i mentor. Udział coachingu i mentoringu w doskonaleniu 2 procesu uczenia się. Wydawnictwo ABC a Wolters Kluwer business, Kraków 2008; Mróz J.: Coaching i mentoring wobec współczesnych wyzwań w rozwoju pracowników. „Nauki o Zarządzaniu” (Management Sciences), nr 3(16), 2013, s. 75-90.

6. Podsumowanie

Model oparty na proporcjach 70-20-10 jest nową formą planowania rozwoju zawodowego pracowników. Przedsiębiorstwa mogą zorganizować rozwój kompetencji pracowników według zalecanych proporcji. Opisane studium przypadku pozwoliło prześledzić zastosowanie poszczególnych narzędzi w ramach segmentów 70-20-10 w budowaniu planu rozwoju pracowników. Wniosek ogólny płynący z zastosowania modelu jest następujący: skuteczny rozwój pracowników, zgodnie z modelem 70-20-10, powinien zawierać wszystkie trzy elementy nauki, z ogromną przewagą doświadczeń w codziennej pracy (70%). Uporządkowanie segmentowe usprawnia dobór narzędzi i technik w planowaniu rozwoju zawodowego kadr. Kluczowe znaczenie ma wiedza i doświadczenie nabywane w trakcie pracy, która jest formą rozwoju zawodowego. W modelu 70-20-10 pracownicy mają większy wpływ na budowanie swojej wiedzy zawodowej niż w podejściu tradycyjnym opartym na zorganizowanych formach szkoleniowych.

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DEVELOPING AN ANTI-CORRUPTION LIVING CODE OF CONDUCT: A POSITIVE ORGANIZATIONAL BEHAVIOR APPROACH

Summary. In response morally-complex, modern environments imposing significant ethical demands and challenges on organizational actors, many organizations are pursuing the development of the moral capacity of their employees. However, many organizational researchers have paid greater attention to the negative end of the organizational spectrum. This negative focus creates a gap in our understanding of organizational ethics above and beyond industry norms, practice norms, or societal expectations of general business principles. Therefore, a positive organizational behavior (POB) approach to ethics may provide a new and affirmative way to conceptualize and ethical organization. The proposed anti-corruption living code of conduct emphasizes positive deviance, a living code of conduct represents an internally coherent and central system of beliefs, values and norms that may serve as a firm's moral compass, guiding it through a gamut of competitive environments and business cycles.

Keywords: anti-corruption living code of conduct; positive organizational behavior (POB); moral capacity; moral identity; moral courage; morally resiliency

OPRACOWANIE KODEKSU POSTAW ANTYKORUPCYJNYCH: PODEJŚCIE TEORII POZYTYWNYCH ZACHOWAŃ ORGANIZACYJNYCH

Streszczenie. Prezentowany artykuł jest próbą odpowiedzi na zagadnienie współczesnych, moralnie złożonych środowisk, które stanowią wyzwania i nakładają znaczące wymagania etyczne na członków organizacji. Wiele jednostek rozwija obecnie zdolności moralne pracowników. Jednak znaczna część badaczy organizacji zwraca większą uwagę na negatywne aspekty działań organizacyjnych. Koncentracja na negatywnych stronach organizacji tworzy lukę w naszej wiedzy na temat etyki organizacyjnej wykraczającej poza normy branżowe, normy praktyki czy oczekiwań

społecznych co do ogólnych zasad biznesowych. Dlatego podejście do etyki zgodne z teorią pozytywnych zachowań organizacyjnych (PZO) może stanowić nowe i pozytywne postrzeganie organizacji etycznej. Proponowany kodeks postaw antykorupcyjnych podkreśla pozytywne dewiacje, reprezentuje wewnętrznie spójny i centralny system wierzeń, wartości i norm, które mogą służyć jako kompas moralny przedsiębiorstwa, prowadząc je przez pełen zestaw konkurencyjnych środowisk i cykli biznesowych.

Słowa kluczowe: kodeks postaw antykorupcyjnych, teoria pozytywnych zachowań organizacyjnych, zdolności moralne, tożsamość moralna, odwaga moralna, odporność moralna

1. Introduction

“Modern organizations have been characterized as morally complex environments that impose significant ethical demands and challenges on organizational actors. Researchers have suggested that to meet these demands individuals require high levels of character in order to promote ethical behavior”¹. In response to these trends, a growing number of organizations are developing the moral capacity of employees². Moral capacity is composed of how the person constructs his/her role, his/her perspective-taking ability, and his/her experience with previous moral dilemmas. However, the normative theoretical perspectives proposed to explain corporate ethical principles include stakeholder theory, social contract theory, and post-conventional corporate moral responsibility³. These perspectives offer diverse theoretical perspectives without concluding that there is an agreed set of ethical and moral principles or one category of leaders and organizations that should represent and defend them. For instance, stakeholder theory agrees that exogenous forces bearing on a firm’s ethics reside in its dependence on powerful stakeholders and interest groups⁴. Social contract theory suggests that ethical standards a manager should practice depend on the type of norm identified as applying to a given situation⁵. Ethical and moral perspectives also exist that differ from those of Western industrialized cultures⁶.

Moreover, many organizational researchers have paid greater attention to the negative end of the organizational spectrum, they have provided significant insight into incongruence, misconduct and unethical behavior in areas such as leadership, reward systems, decision processes, formal and informal structures to constrain unethical behavior, organizational culture, climate regarding ethics, and moral development of the organization⁷. This negative focus creates a gap in our understanding of organizational ethics above and beyond industry norms, practice norms, or societal expectations of general business principles⁸.

The inability to develop an anti-corruption foundation makes it impossible to establish a positive ethical organization in which members internalize ethics through cognitions,

feelings, and behavior. Therefore, a positive organizational behavior (POB) approach to ethics may provide a new and affirmative way to conceptualize an ethical organization regardless of the ethical or moral tradition that shapes it.

Based on the above, we should provide an alternative approach to organizational phenomena from a POB approach by emphasizing positive deviance⁹. The proposed approach enables us to envision an affirmative model of internal enactment of the ethical identity of an organization. To do so, the positive ethics organization can be identified with the processes and outcomes associated with “positive deviance” – “intentional behaviors that depart from the norms of the referent group in honorable ways”¹⁰. Positive deviance in ethical matters may be used to distinguish organizations, making POB an appropriate theoretical lens to explicate a model of a positive ethical organization and its ethical organizational identity¹¹.

As anticipated, members of positive ethical organizations can consistently exceed industry norms, practice norms, or social expectations of general business principles in ethics through their cognitions, feelings and behavior, enacting what we call an anti-corruption living code of conduct¹². Within a positive ethical organization, ethical practices are (1) modeled and promoted by authentic leaders; (2) infused through a positive organizational context in which ethical practices are aligned with anti-corruption living code of conducts; and in turn (3) a heightened moral capacity, moral identity, moral courage and moral resiliency among members shape a strong positive organization identity.

The proposed anti-corruption living code of conduct emphasizes positive deviance, a living code of conduct “represents an internally coherent and central system of beliefs, values and norms that may serve as a firm’s moral compass, guiding it through a gamut of competitive environments and business cycles”¹³.

2. Positive organizational behavior approach

The goal of this chapter is to focus on positive ethical virtues and principles that can be fostered in leaders, employees, departments, and entire organizations. Positive organizational behavior is defined “as the study and application of positively oriented human resource strengths and psychological capacities that can be measured, developed, and effectively managed for performance improvement in today’s workplace”¹⁴. “The key conceptual differentiation from positive psychology per se and even most of the more macro level positive organizational scholarship is that POB as defined here focuses more on the micro level and focuses on the statelike, open to development psychological capacities”¹⁵.

The positive organizational behavior approach explores the person’s moral capacity, moral identity, moral courage, and moral resiliency from a positive moral perspective. Moral

capacity is composed of how the person constructs his/her role, his/her perspective-taking ability, and his/her experience with previous moral dilemmas¹⁶. Moral identity is defined as a self-schema organized around a set of moral trait associations¹⁷. Moral identity influences moral behavior by acting as a self-regulatory mechanism rooted in people's internalized notions of right and wrong. The motivational power of moral identity arises from peoples' desire for self-consistency¹⁸. Moral courage is the person's fortitude to convert moral intentions into actions despite pressures from either inside or outside of the organization to do otherwise. A morally resilient person is one who is able to positively adapt in the face of significant adversity or risk¹⁹.

3. The anti-corruption living code of conduct

An anti-corruption living code of conduct is an ethical practice within a positive ethical organization. It encompasses "the cognitions of members about the ethicality within their organizational roles, a profound feeling that ethical action is not only right, but the only way to act within the organization, and [encompasses] members' ethical behavior within the organizational context"²⁰. It is the result of multiplicative interaction of authentic leadership and positive moral development through heightened moral capacity, moral identity, moral courage, and moral resiliency.

The anti-corruption living code of conduct is based on Bandura's triadic social cognitive theory (SCT) model²¹. Bandura's triadic SCT model can be used to examine the reciprocal causation between the person, their behavior, and their environment in terms of explaining actions taken²². SCT serves to explain individuals' capacity to control the nature and quality of their life through exercising individual agency, such that they are not just a product of, but also a producer of their environment. According to Bandura's triadic SCT model, moral cognitions is a personal factor and influencing the actor's engagement with, and impacts on, his or her environment²³. Through observing their behaviors and the perceived positive effects made on the environment, actors can then develop moral cognitions over time. SCT suggests that personal factors such as moral cognitions influence the extent to which individuals exercise control and influence over their behaviors in ways to be an active producer as opposed to only a product of their environment²⁴.

As key shapers of social environments, leaders can influence by means of two processes. First, accumulated research has shown that leaders have a powerful influence on followers' self-systems, with one primary avenue of influence being through social learning²⁵. It has been argued that social learning through observing moral examples will enhance observers' moral cognitions. Second, leaders can influence the level of collective support of morality

observed in the environment. Based on Bandura's²⁶ triadic SCT model, such an environment can directly influence the moral cognitions of the follower, and then mediated through moral cognitions, influence his or her ethical behavior²⁶. A leader, for example, can create an open, transparent and safe culture where discussing and reporting ethical issues is rewarded or even demanded, thereby bolstering followers' moral cognitions, which in turn, positively influences the likelihood of the follower behaving ethically²⁷.

4. Authentic leadership

Authentic leadership in organizations is defined "as a process that draws from both positive psychological capacities and a highly developed organizational context, which results in both greater self-awareness and self-regulated positive behaviors on the part of leaders and associates, fostering positive self-development"²⁸. Authentic leadership in all organizations (business, government, education, health, religious, or military), must rise to the challenge to address unprecedented changes. "Instead of a negative, gloom-and-doom perspective of today's situation, authentic leaders must exhibit resiliency and be transparent and beyond reproach in their moral/ethical conduct and decision making"²⁹. They must be confident, helpful, and optimistic about the future, and give priority not only to modeling self-behavior, but also to developing in their associates and organizations the capacity to do the same.

Further, through social learning, as followers observe the leader, an exemplification effect can occur whereby the leader inspires certain values, beliefs, and other moral cognitive structures in followers through their demonstration and through transparent discussions about ethics³⁰. When leaders inspire such values, it creates motivation for followers to reduce discrepancies between their own values and actions and those of the role model³¹. Indeed, prior research on self-concordance and self-verification motives has demonstrated that when cognitive structures related to specific values or ideals are salient, their salience creates a strong impetus to act in line with those values in order to establish coherence within the self and thereby maintain a positive self-evaluation. When followers are exposed to an authentic leader and these structures are activated, motivation to act in line with moral values and perspectives will promote moral cognitions to face challenge and manifest beliefs into pro-social and ethical action³².

Authentic leaders' effects on the environment will promote moral agency in followers, the central component of SCT³³. Authentic leaders will create a context where followers' are more likely to perceive that they can openly espouse their beliefs and manifest their beliefs in behaviors, expecting that those behaviors will be met with a positive reaction from the leader

and others in the environment. Through establishing such a context, authentic leaders will promote higher levels of personal agency in their followers³⁴.

In sum, based on the SCT, authentic leaders serve a key role in followers' environments, influencing their moral cognitions directly, through social learning and role modeling effects. Further, through the authentic contexts they create, authentic leaders both directly influence follower moral cognitions through normative and informational influences and the activation of values and other moral structures in followers; but such contexts also facilitate agentic moral cognitions in followers through transparency and engaging followers in open ethical dialog and sponsoring their self-determined behavior. Finally, through their various effects on follower moral cognition, the effects of authentic leadership on follower behaviors is mediated³⁵.

5. Positive moral development: moral capacity, moral identity, moral courage, and moral resiliency

Moral capacity

Leaders are more likely to recognize moral dilemmas in the workplace if they have a heightened level of moral capacity³⁶. The moral capacity of the leader will influence the relationship between the characteristics of the moral issue in the organization's environment and whether or not a leader recognizes the issue as being a moral dilemma.

"A leader's moral capacity is composed of how the leader constructs his/her leadership role, his/her perspective-taking ability, and his/her experience with previous moral dilemmas"³⁷. Authentic leaders realize their ethical behavior sends a strong message to their followers affecting "what they attend to, what they think, how they construct their own roles, and ultimately how they behave"³⁸. Authentic leaders not only see their role as encompassing ethical responsibilities, they are also effective at being able to take several different perspectives on a moral dilemma. "Authentic leaders are able to reflect on the appropriateness and paradoxes present in their own goals and values"³⁹. By reflecting on their own selves and others, such leaders think with greater depth about moral issues. "Authentic leaders also possess the cognitive capacity to recognize particular moral dilemmas that they may face in their leadership position"⁴⁰.

As organizations strive to develop the moral capacity of employees, there is a need for a new and expanded theory of moral development that better explains how individuals consider and act on moral dilemmas and temptations. Some may believe the "gold standard" already exists in the well-known cognitive development models of Jean Piaget, Lawrence Kohlberg, and James Rest and colleagues⁴¹. A new theoretical moral capacity framework that

can be used to examine how individuals process and respond to moral problems, as well as by focusing on how those capacities can be developed⁴².

Rest et al. have defined four components as psychological processes which are moral sensitivity, moral judgment, moral motivation, and moral action related to sequencing or addressing a moral dilemma. Indeed, the four components were first developed to categorize ethics theories and serve as a “heuristic tool in conceptualizing the psychology of morality as a whole”⁴³. Moral sensitivity “includes processes related to being aware of a moral problem, interpreting the situation, and identifying various options to address the problem”; moral judgment “concerns process taken to determine what action is the most proper to pursue”; moral motivation “entails processes geared toward gaining commitment to a given action and the weight assigned to specific moral values over other values”; and moral action “involves persistence in a moral task, overcoming fatigue and various temptations and challenges to take the appropriate action”⁴⁴.

Hannah et al. seek to advance Rest’s work by articulating the moral capacities⁴⁵. To organize a model, they group Rest et al.’s components of moral sensitivity and moral judgment into moral cognition processes since they both entail the awareness and processing of information pertaining to moral issues. Further, they group the moral motivation and moral action components into what they term moral conation processes since they both entail the tendency for and the practice of moral behavior. They defined “moral conation as the capacity to generate responsibility and motivation to take moral action in the face of adversity and persevere through challenges”⁴⁶.

Moral identity

Moral identity is critical to moral processing and behavior⁴⁷. For example, Reynolds and Ceranic demonstrated that moral identity is an important construct in helping to explain the link between moral judgments and behavior⁴⁸. Mayer, Aquino, Greenbaum, & Kuenzi adopt a social cognitive conception of moral identity to explain the relationship between moral identity and ethical leadership⁴⁹. Moral identity is defined as a self-schema organized around a set of moral trait associations (e.g., honest, caring, compassionate)⁵⁰. Theorists have argued that people differ in the degree to which they experience moral identity as central to their overall self-definition⁵¹. From a social cognitive perspective, this difference implies that the moral self-schema is more cognitively accessible for some people than others. A person who has a moral identity is “one for whom moral schemas are chronically available, readily primed, and easily activated for information processing”⁵². Similarly, Aquino and Reed suggested that moral identity has higher self-importance for some people than others, meaning that this particular knowledge structure is central to a person’s overall self-

conception, making it more readily available for processing information and regulating conduct⁵³.

Moral identity influences moral behavior by acting as a self-regulatory mechanism rooted in people's internalized notions of right and wrong⁵⁴. The motivational power of moral identity arises from peoples' desire for self-consistency⁵⁵. In other words, people whose moral identity is self-important should be motivated to act in ways that are consistent with their understanding of what it means to be a moral person (i.e., to demonstrate some responsiveness to the needs and interests of others), because acting otherwise can produce dissonance and self-condemnation⁵⁶. Leaders whose moral identity has high self-importance should act in ways that are consistent with common understandings of what it means to be a moral person, which in turn should result in their being perceived as ethical leaders⁵⁷.

Hannah et al. approached moral identity as composed of more than self-descriptive moral traits⁵⁸. Aquino and Reed's construct of moral identity, for example, includes nine Kantian-like moral traits, including caring, compassionate, fair, friendly, generous, helpful, hardworking, honest, and kind⁵⁹. Identity, however, is thought to include not only traits but other dynamic structures, including roles, goals and motivation, affect, and autobiographical narratives, along with other components⁶⁰. Therefore, conceptualizing moral identity as a more complex structure.

One's overall self-identity is thus elaborate and differentiated, actually being more of an assemblage of selves rather than a unified whole⁶¹. For example, one can see oneself as highly truthful in one's role as a team leader, but less so in one's secondary role as a company media spokesperson. Together, Hannah et al. suggested that a self-complexity approach will offer a more refined understanding of the multifaceted moral identity, and thereby explain variance in moral thought and behavior across situations and social roles⁶².

Moral courage

Moral courage in the workplace is defined as:

1. a malleable character strength, that
2. provides the requisite conation needed to commit to personal moral principles,
3. under conditions where the actor is aware of the objective danger involved in supporting those principles,
4. that enables the willing endurance of that danger,
5. in order to act ethically or resist pressure to act unethically as required to maintain those principles⁶³.

Moral courage has been proposed as a critical factor in promoting ethical behavior in organization members, and in an initial field test describing moral courage, Sekerka, Bagozzi, and Charnigo state that "strength of will is needed to face and resolve ethical challenges and

to confront barriers that may inhibit the ability to proceed toward right action”⁶⁴. And, therefore, moral courage is a quality or attribute necessary for ethical behavior in organizational settings. Three components of moral conation are mutually supporting⁶⁵. Individuals may feel responsibility to act (i.e., have moral ownership) and believe that they have the capacity to do so (i.e., have moral efficacy), yet still have insufficient courage to overcome the threat they face and to act. Moral ownership, efficacy, and courage, thus, are each necessary yet not sufficient.

Moral courage is the leader’s fortitude to convert moral intentions into actions despite pressures from either inside or outside of the organization to do otherwise. Many authors have long noted how factors such as short-term financial considerations and the views of important stakeholders can influence an individual’s behavior. Moral courage helps leaders stand up to strong situational pressures and maintain their commitment to do the right thing⁶⁶.

The basis of moral courage is whether a leader believes he/she has the skills, abilities, and ultimately the motivation to justify a given moral action (i.e., moral efficacy). A leader will be more likely to have the courage to engage in an authentic moral act if he/she is confident that he/she can justify the act and deal with opposition to it. Hence, moral efficacy helps build moral courage in leaders to do the right thing, regardless of the surrounding circumstances.

Moral resiliency

The moral resiliency of the leader is likely to influence the relationship between authentic moral acts and sustainable moral behavior. Drawing from work in positive organizational behavior and psychology, a morally resilient leader is defined “as one who is able to positively adapt in the face of significant adversity or risk”⁶⁷. Maintaining a positive internal focus and core belief system enables authentic leaders to sustain their efforts over time. Being in contact with oneself and knowing why one takes a stand provides even greater positive energy to adapt to new circumstances when others may fail. Indeed, leaders discover great personal meaning when they act consistently with their own beliefs in adverse situations. Thus, while the morally courageous leader has the fortitude to initially act authentically with regard to their moral principles, the morally resilient leader is able to continually adapt and cope with situations that may threaten his/her principled action. In this sense, the moral resiliency of the leader influences whether authentic actions are sustained over time in the organization⁶⁸.

Resiliency in leaders can be fostered in a number of different process-oriented methods:

1. moral efficacy can be built through graduated mastery experiences,
2. leaders’ coping strategies for morally threatening situations in organizations can be enhanced by adopting healthy coping techniques,

3. mentoring relations can be established with leaders of high moral courage and resiliency. Participation in leadership development programs designed to incorporate each of these components can raise the leader's ability to cope with the challenges of authentic leadership. Yet it is important for organizations to realize that a supportive, ethical climate must also exist in order for sustainable authentic moral leadership to flourish at all levels in the organization⁶⁹.

Case Example: Anti-Corruption Living Code of Conduct

Appendices are an example of anti-corruption living code of conduct in WowPrime Group, a Taiwanese food chain restaurant group. The anti-corruption living code of conduct encompasses (1) The Constitution of WowPrime (18 clauses) and (2) The Picky 29 Commandment (29 clauses). This group is a positive ethical organization where ethical practices are (1) modeled by authentic leaders; (2) ethical practices are aligned with anti-corruption living code of conducts; and the (3) heightened moral capacity among its members shape a strong positive organization identity⁷⁰.

6. Practical implications

This chapter offers some practical implications. First, many organizational researchers indicated that authentic leadership may be an important factor in enhancing follower moral actions, through the mechanisms of SCT. Based on SCT, organizational leaders do so through role modeling and the positive contexts they establish for followers that promote their moral actions. Through social learning where successful moral performance is achieved, individuals will not only build greater moral complexity but also the confidence to enact similar approaches to address future ethical challenges⁷¹. Ethical role models can also reinforce observers' efficacy, as well as the collective efficacy of the group, to act morally over time⁷². This may be one mechanism explaining how authentic leadership can diffuse to others throughout an organization⁷³. Moral exemplars can have a contagion effect on others such that observers come to believe that they, too, have the courage to successfully meet similar threats⁷⁴.

Second, the moral capacity of members can be enhanced through teaching techniques to process moral dilemmas through deeper self-reflection and practicing executive control over moral processing⁷⁵. Further, teaching skills to methodically review moral issues through multiple perspectives – for example, deontological (rules, duties, or norms), teleological (utilitarian, consequence, or goal-based), or values-based reasoning – would force individuals

to access and “exercise” various moral schemata, enhancing their level of moral complexity and moral processing ability⁷⁶.

Third, organizational reward and control systems may also enhance moral capacity⁷⁷. These systems can signal what is valued in organizations, and research has shown that although individuals may initially comply with norms for strategic self-presentation, over time, such norms can cause identity changes that can impact the individual’s sense of responsibility to take moral action. If not properly aligned with moral action, however, such reward systems may create a negative pressure to comply with unethical actions⁷⁸.

Finally, moral identity can be particularly developed through exposure to moral role models that provide an ideal to strive for, and it serves to motivate and guide others’ development⁷⁹. Research has also shown that dialogue with others at higher levels of cognitive moral development (CMD) promotes moral development by offering the individual new perspectives with which to think about ethical issues⁸⁰.

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Appendices

A. The Constitution of WowPrime

1. No one can accept gifts of over \$100 (NTD) from vendors. Those who violate this commandment will be dismissed.
2. Prohibit the close relatives of colleagues to be employed by the company.
3. The company cannot trade with or have business dealings with the close relatives of colleagues.
4. Any record in finance, personnel, and purchase are thoroughly open, all colleagues can check on them at any time.
5. The company cannot incur debt that is higher than 30% of the company's asset.
6. Neither the company nor the director of the board can become an endorser or guarantor for outside businesses.
7. The company is forbidden to invest in or run business other than in our core industry.
8. Any investment must follow the 151 equation*.

* The 151 equation indicates that the first "one" is the capital you invest when you open a store; the "five" is the gross sales amount you receive from that particular store every year; and the last "one" is the net profit you receive from that store every year. If the company invests \$10 million of capital to open up the store, it is expect to generate sales of 50 million every year and create profits of 10 million every year. The 151 equation is the index for evaluating return on investment per branch for every WowPrime's brand.

9. Abide by the criteria of "customers first, colleagues second, and shareholders third" to make a judgment for anything.
10. Any disciplinary action must be based on following four requirements before a verdict can be determined.
 - A. A written confession of the person(s) involved;
 - B. Involved party must be present personally in meetings with Central Committee Board;
 - C. Held a debate openly; and
 - D. Held a secret ballot.
11. In terms of the performance of colleagues, reserve 15% for "authorized person" and "decision person" to make flexible adjustment.
12. Abnormal marriage is not allowed in our enterprise.
13. To chew a betel nut is not allowed in our enterprise.
14. Smoking in kitchen is not allowed.
15. Forbid gambling.
16. The chief or director of any unit needs to take extra care of their pregnant colleagues. Their safety and health are the primary consideration in all situations.

17. All the senior executives will become shareholders without exception.
18. Central Committee Board holds regular meeting every Friday to decide on company direction.

B. Picky Family 29 Commandment

1. Latecomers are fined at the rate of \$100 NTD (New Taiwan Dollars) per-minute.
2. Company has no allowance for socializing. (an advanced request is needed in special situations).
3. Superiors do not listen to gossips. Let the culture of gossip go extinct in the company.
4. Senior colleagues (level 6 or higher) who were recruited from other firms are forbidden to recruit other talents from the last company where they worked.
5. The “Widening Vision: objective for the senior colleagues: Dine at 100 restaurants around the world every year.
6. The members of the Central Committee Board and 2nd generation elites are required to walk more than 10,000 paces every day.
7. Six superstitious ‘No’s: no releasing a captured animal, no donation to printing of books on “good deeds”, no seeking advice from god, no relying on fortune-telling, no relying to feng-shui (positions and location), and no selecting day based on astrology.
8. Reducing the burning of paper money for the deceased, do not spend over \$100 NTD for every worship event (*baibai*).
9. Everyone is only allowed the maximum of 2 public speeches per month outside of the company settings.
10. The compensation of a lecture or forum has to be donated to the Child Welfare League Foundation, R. O. C. on the spot.
11. Any souvenir (memento) or a gift that is received due to the company related activities belongs to the company and not for personal use.
12. You may attend an association or club but you cannot serve as a director in charge of this association or club.
13. When celebrating the Chinese New Year, you do not need to call or visit your superiors with a present.
14. The superiors can not accept the activities of birthday celebration put together by subordinates. (The superior can accept a birthday’s card, a call, or offer a compliment in person in lieu of birthday).
15. The superiors cannot accept any monetary gifts or other presents from subordinates. (When the superiors get married, the cash gift or gift offered by subordinates cannot be more than \$1,000 NTD).

16. The superiors cannot borrow money from subordinates or invite them to “*hue*”, a kind of Chinese folk way’s mutual saving fund.
17. No one from the company can become a candidate in political elections.
18. The superiors are prohibited to promote a specific candidate to subordinates.
19. The president of WowPrime can not vote when elections are held.
20. The amount of money used to purchase a car cannot be more than \$1,500,000 NTD.
21. Do not advocate luxury brands.
22. Do not use counterfeit product.
23. The setup of office focuses on practicality; not for the wow factor or making an impression.
24. Forbid to trade stocks based on speculation. Investing in stocks is allowed, but the time between buying and selling of stock must be more than one year.
25. Individual employees must avoid as much as possible making private dealings with businesses that our company deals with.
26. All executives (general manager or higher level) are forced to retire completely before 70 years old without any exception and cannot continue to use any means to control or influence the company.
27. Unless the talents are very outstanding, do not recommend someone for your subordinates to hire.
28. Unless the vendors are very outstanding, do not recommend them for your subordinates to deal with.
29. It is reasonable for major shareholders to give one tenth of the bonuses received back to the company or our colleagues.

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BADANIA PILOTAŻOWE W ZAKRESIE ANALIZY SYSTEMÓW INFORMACYJNYCH W ASPEKCIE ZARZĄDZANIA PORTFELEM PROJEKTÓW W JEDNOSTCE SAMORZĄDU TERYTORIALNEGO

Streszczenie. W artykule została przedstawiona koncepcja procedury badawczej w zakresie systemu informacyjnego jednostki samorządu terytorialnego (jst) w odniesieniu do procesu zarządzania portfelem projektów w jst oraz wyniki badań pilotażowych. Sprawne i skuteczne zarządzanie projektami i portfelem projektów wymaga łatwego i szybkiego dostępu do aktualnych informacji. Jest to warunek niezbędny, którego spełnienie pozwoli na trafne podejmowanie decyzji w tym zakresie. Odpowiedzią na taką potrzebę jest opracowanie i wdrożenie systemu informacyjnego zarządzania portfelem projektów w jst.

Słowa kluczowe: system informacyjny, zarządzanie projektami, zarządzanie portfelem projektów

PILOT STUDIES IN THE RANGE OF THE ANALYSIS OF INFORMATION SYSTEMS IN THE ASPECT OF PROJECT PORTFOLIO MANAGEMENT IN A LOCAL GOVERNMENT UNIT

Summary. In the paper the authors present the conception of a research procedure and the results of pilot studies concerning the process of project portfolio management in the range of an information system in a local government unit. Efficient and effective project management and project portfolio management require an easy and quick access to updated information. It is the key condition which enables making good-quality decisions in this area. The answer to this need is the development and the implementation of an information system supporting projects portfolio management in a local government unit.

Keywords: information system, project management, project portfolio management

1. Wprowadzenie

Skuteczne i efektywne zarządzanie gminą staje się niezbędnym elementem rozwoju gospodarczego regionów. Efektywne zarządzanie jest możliwe tylko wtedy, kiedy posiadamy informacje o organizacji i jej otoczeniu. Stąd też zachodzi potrzeba tworzenia niepowtarzalnych systemów informacyjnych, które są wynikiem unikatowych procesów zachodzących zarówno w przeszłości, jak i w chwili obecnej oraz zgodnych z obowiązującymi przepisami prawnymi. Prawidłowo działający system informacyjny jednostki samorządu terytorialnego (jst) jest narzędziem służącym podejmowaniu właściwych decyzji, a zatem ma wpływ na sprawność zarządzania taką organizacją. Potwierdza to definicja systemu informacyjnego, zgodnie z którą, system informacyjny jest rozumiany jako system komunikacyjny organizacji, który łączy w jedną całość elementy systemu zarządzania¹.

System informacyjny można określić jako „specyficzny układ nerwowy organizacji, który łączy w jedną całość elementy systemu zarządzania”. Stwierdzenie to podkreśla priorytetową funkcję systemu informacyjnego, to znaczy wsparcie dla sprawnego procesu zarządzania w organizacji. System informacyjny jest elementem systemu zarządzania i dzięki niemu możliwa jest realizacja procesu zarządzania².

Warunkiem rozwoju współczesnych przedsiębiorstw jest realizacja projektów rozwojowych, co odnosi się również do jst³. Projekty są bowiem narzędziem realizacji strategii w organizacji. Głównym sposobem na przełożenie strategii na działania operacyjne jest transformacja tej strategii w odpowiedni zestaw projektów i programów. Zbiór projektów i programów oraz innych działań związanych z pracami realizowanymi w organizacji określany jest mianem portfela projektów.

W artykule zostanie przedstawiona koncepcja procedury badawczej w zakresie systemu informacyjnego jst w odniesieniu do procesu zarządzania portfelem projektów w jst oraz wyniki przeprowadzonych badań pilotażowych.

¹ Kisielnicki J.: MIS Systemy informatyczne zarządzania. Placet, Warszawa 2008.

² Koźmiński A.K., Piotrowski W.: Zarządzanie. PWN, Warszawa 2007.

³ Brandenburg H.: Zarządzanie lokalnymi projektami rozwojowymi. Akademia Ekonomiczna, Katowice 2003; Klasik A., Kuźnik F.: Zarządzanie strategiczne rozwojem lokalnym i regionalnym. Akademia Ekonomiczna, Katowice 2001.

2. Model systemu zarządzania portfelem projektów w jst

Obecnie model samorządu terytorialnego w Polsce kształtują trzy ustawy, są to: ustawa o samorządzie gminnym z 8 marca 1990 r., ustawa o samorządzie powiatowym z 5 czerwca 1998 r., ustawa o samorządzie województwa z 5 czerwca 1998 r.⁴. Na podstawie tych ustaw jst realizują zadania, do których zaliczamy zadania własne i zadania zlecone oraz zadania obowiązkowe i zadania nieobowiązkowe (dobrowolne). Zaspokajanie zbiorowych potrzeb społeczności lokalnej jest podstawowym zadaniem jednostki samorządu terytorialnego, i temu ogólnemu celowi służą podejmowane przez jst projekty. Można więc powiedzieć, że projekty w jst są przeprowadzane w celu zapewnienia właściwej infrastruktury dla zaspokojenia potrzeb społecznych. Projekty w jst rozumiane są jako przedsięwzięcia pozwalające na zrealizowanie celów strategicznych jst przez wykorzystanie sił i szans tkwiących w jej otoczeniu, przewyżczeniu słabości i zagrożeń. Projekty pozwalają na wzmocnienie korzystnych lub osłabienie niekorzystnych relacji pomiędzy czynnikami wnętrza i otoczenia oraz na zbudowanie nowych wartości (takich jak innowacyjność).

Projekty realizowane przez jst można sklasyfikować według kryterium sposobu realizacji, sposobu finansowania projektów oraz charakteru projektu. Realizacja zadań samorządu z wykorzystaniem podejścia projektowego jest coraz bardziej rozpowszechniona. Wynika to przede wszystkim z możliwości aplikowania o środki Unii Europejskiej. Z drugiej jednak strony w niektórych gminach takie podejście jest stosowane wyłącznie do tzw. projektów unijnych, a przecież stosowanie koncepcji zarządzania projektami powinno odbywać się w możliwie szerokim zakresie, czyli do wszystkich zadań samorządu mających charakter projektów, tzn. zadań charakteryzujących się takimi cechami, jak: niepowtarzalność, złożoność przedsięwzięcia, ograniczony czas realizacji, wykonywanych zespołowo za pomocą specjalnych metod i technik.

Ograniczone środki gmin (finansowe, ludzkie i inne) nie wystarczają do realizacji wszystkich projektów, które zaspokoją potrzeby społeczności lokalnej, dlatego istotnym problemem jest wybór projektów do realizacji. Wówczas konieczne staje się przeprowadzenie analizy, oceny i wyboru projektów, które powinny być realizowane w danym okresie. W takim przypadku pomocne jest stosowanie podejścia portfelowego do zarządzania projektami, czyli zarządzanie portfelem projektów.

Zarządzanie portfelem projektów (ZPP) jest to scentralizowane zarządzanie jednym lub wieloma portfelami, zawierającymi zidentyfikowane, uszeregowane, zatwierdzone,

⁴ Ustawa z dnia 5 czerwca 1998 r. o samorządzie powiatowym, Dz.U. z 1998 r. Nr 91, poz. 578; Ustawa z dnia 5 czerwca 1998 r. o samorządzie województwa, Dz.U. z 1998 r. Nr 91, poz. 576; Ustawa z dnia 8 marca 1990 r. o samorządzie gminnym, Dz.U. z 1990 r. Nr 16, poz. 95.

zarządzane i kontrolowane projekty, programy i inne zadania, aby osiągnąć strategiczne cele biznesowe⁵.

Podstawowym elementem w procesie ZPP jest aktualny plan strategiczny przedsiębiorstwa. W jst takim elementem jest strategia rozwoju.

U podstaw skuteczności implementacji strategii jst leży proceduralna i instrumentalna sprawność oraz efektywność samych zabiegów planowania i zarządzania projektami. Za krytyczny warunek tej skuteczności należy uznać umiejętność selekcji i wyboru „właściwych” projektów, konstrukcję efektywnego ich portfela oraz umiejętność zarządzania nim.

Konieczność zapewnienia z jednej strony kontroli wielu działań projektowych (projektów, programów) realizowanych w tym samym czasie, z drugiej strony potrzeba współdzielenia zasobów dostępnych w organizacji to dwie charakterystyczne cechy środowiska wieloprojektowego. Środowisko wieloprojektowe charakteryzuje konieczność stworzenia swego rodzaju parasola grupującego projekty, z uwzględnieniem powiązań między projektami, programami, podprojektami. Taki parasol stanowi portfel projektów, który jest budowany na podstawie strategicznych decyzji biznesowych⁶.

Konieczność stosowania podejścia portfelowego w procesie wdrażania strategii w jednostkach samorządu terytorialnego wynika, po pierwsze, z faktu, wielkości i różnorodności strategicznych problemów jst. Po drugie, z braku możliwości realizacji wszystkich zidentyfikowanych programów i projektów z racji ograniczonych zasobów i środków publicznych, które należałoby zabezpieczyć na ich realizację. Zastosowanie zarządzania portfelem projektów w jst wskazuje na konieczność⁷:

- selektywnego doboru i rekomendacji projektów, których realizacja przynosi maksimum korzyści dla realizacji strategicznych celów,
- efektywnej alokacji ograniczonych zasobów lokalnych przez racjonalny wybór kierunków i sposobów wydatkowania środków publicznych,
- koncentracji na kluczowych aspektach rozwoju przez umiejętne ustalanie, planowanie i kontrolę priorytetów programów i projektów,
- maksymalizacji synergicznych efektów realizowanych projektów i ponoszonych z tego tytułu wydatków kapitałowych,
- właściwej równowagi między projektami.

⁵ A Guide to the Project Management Body of Knowledge. PMI, (PMBOK®Guide), Newtown Square, PA 2008.

⁶ Grey R.J.: Alternative approach to programme management. „International Journal of Project Management”, Vol. 15, No. 1, 1997.

⁷ Drobnik A., Frenkiel W.: Planowanie portfela projektów w skali lokalnej, [w:] Klasik A., Kuźnik F. (red.): Zarządzanie strategiczne rozwojem lokalnym i regionalnym. Akademia Ekonomiczna, Katowice 2001.

Zarządzanie portfelem projektów stanowi więc łącznik pomiędzy planowaniem strategicznym – poziomem planu strategicznego oraz wynikającymi z operacjonalizacji strategii celami – a poziomem zarządzania projektem, lub zarządzania programem, będącym narzędziami realizacji tej strategii.

3. Sformułowanie problemu badawczego

Na podstawie przeprowadzonego studium literaturowego⁸ można wnioskować, że wśród teoretyków i praktyków wzrasta w ostatnich latach zainteresowanie podejściem zarządzania portfelem projektów, które znajduje zastosowanie nie tylko w sektorze organizacji komercyjnych, lecz również w organizacjach sektora publicznego, w szczególności powinno znaleźć implementację w jednostkach samorządu terytorialnego⁹. Problematyka systemów informacyjnych jest tematem często podejmowanym przez wielu badaczy, najczęściej zajmują się oni systemami informacyjnymi przedsiębiorstw (A. Gumiński, W. Zoleński, J. Kisielnicki, S. Senczyna, K. Wodarski, A. Koźmiński, W. Piotrkowski, G. Morgan). Przeprowadzono jednak niewielką liczbę badań – szczególnie w Polsce – dotyczących systemów informacyjnych w jednostkach samorządu terytorialnego.

Coraz więcej jednostek samorządu terytorialnego wdraża tzw. zintegrowane systemy informatyczne. Obejmują one jednak tylko niektóre obszary aktywności tej jednostki. Nie przeszkadza to jednak, aby w przyszłości wdrożyć kolejne moduły i tym samym poszerzyć zakres działalności jednostki wspomagany przez system informatyczny. Aby było to możliwe, taki system musi charakteryzować się: możliwością integracji z innymi systemami, bezpieczeństwem informacji; otwartością, aby możliwe było rozbudowanie systemu¹⁰.

Doświadczenia zdobyte przez pracowników jednostek samorządu terytorialnego podczas ubiegania się o dofinansowanie projektów ze środków UE spowodowały, że samorzady stosują niektóre elementy, składające się na system zarządzania projektami. Przeprowadzone wywiady z pracownikami jst wskazują, że brakuje jasnych kryteriów, dotyczących wyboru

⁸ Gumiński A., Zoleński W.: Systemy informacyjne w wybranych przedsiębiorstwach przemysłu budowy maszyn w świetle badań kwestionariuszowych. TNOiK, Katowice 2011; Kisielnicki J., Sroka H.: Systemy informacyjne biznesu. Informatyka dla zarządzania. Placet, Warszawa 2005; Senczyna S. i in.: Analiza i modelowanie systemu informacyjnego przedsiębiorstwa. Politechnika Śląska, Gliwice 2000; Wodarski K. i in.: Struktura organizacyjna i modelowanie systemu informacyjnego spółki węglowej. Politechnika Śląska, Gliwice 2001; Sońta-Drączkowska E.: Zarządzanie wieloma projektami. PWE, Warszawa 2012; Stawicki J.: Zarządzanie portfelem projektów, [w:] Trocki M.: Sońta-Drączkowska E. (red.): Strategiczne zarządzanie projektami. Bizarre, Warszawa 2009.

⁹ Brandenburg H.: op.cit.; Klasik A., Kuźnik F.: op.cit.

¹⁰ Musioł-Urbańczyk A.: System zarządzania projektami jako element systemu informacyjnego gminy. Zeszyty Naukowe, s. Organizacja i Zarządzanie, z. 70. Politechnika Śląska, Gliwice 2014.

projektów do realizacji, wyboru kierownika projektu, czy jasnych zasad monitorowania i kontroli projektów.

Z uwagi na występujące problemy w zakresie skutecznej realizacji strategii jst celowe staje się opracowanie systemu informacyjnego wspomagającego podejmowanie decyzji w zakresie zarządzania portfelem projektów w jst. Osiągnięcie tego celu wymaga zrealizowania następujących celów szczegółowych:

- studium literatury i analiza dokumentów strategii i sprawozdań z realizacji strategii i innych dokumentów strategicznych w celu opracowania kwestionariusza ankiety;
- analiza wyników badań kwestionariuszowych w celu zidentyfikowania kryteriów wyboru projektów do realizacji;
- opracowanie modelu systemu informacyjnego zarządzania portfelem projektów w jst.

4. Procedura badawcza

Na potrzeby opracowania systemu zarządzania portfelem projektów w jst. konieczne wydaje się przeprowadzenie badań, których celem będzie analiza systemu informacyjnego w wybranych jst. Projektowanie i opracowywanie rozwiązań informatycznych wspomagających procesy zarządzania wymagają stosowania różnych metod analizy i modelowania systemu informacyjnego. Ogólnie koncepcję systemu informacyjnego w organizacji można identyfikować z wykorzystaniem typowych elementów analizy systemowej. Uwzględniając takie podejście, całą procedurę budowy modelu należy rozpocząć od wnikliwej analizy i weryfikacji zbiorów odpowiednich wejść i wyjść systemu. Prowadzona analiza powinna uwzględniać istniejącą w organizacji strukturę, która obejmuje istniejące informacyjne wejścia i wyjścia systemu. Jako podstawę analizy systemu informacyjnego funkcjonującej organizacji należy traktować przeprowadzenie badań według formalnej procedury. Zaproponowana koncepcja procedury badawczej, która została przedstawiona na rys. 1, zakłada przeprowadzenie badań w sześciu etapach.

Etap 1. Opracowanie założeń teoretycznych na podstawie studium literatury i dokumentów źródłowych. Etap ten zakłada analizę za pomocą techniki desk/Web research różnego rodzaju źródeł danych, stron WWW, dokumentów, zarządzeń, uchwał opracowań poświęconych systemom informacyjnym, jak również aktów prawnych regulujących funkcjonowanie jednostek samorządu terytorialnego. Wyniki realizacji pierwszego etapu badawczego zostały przedstawione w pozycji¹¹.

¹¹ Ibidem; Sorychta-Wojczyk B.: Strategia a zarządzanie portfelem projektów w jednostkach samorządu terytorialnego – studium literatury. Zeszyty Naukowe, s. Organizacja i Zarządzanie, z. 63. Politechnika Śląska, Gliwice 2013.

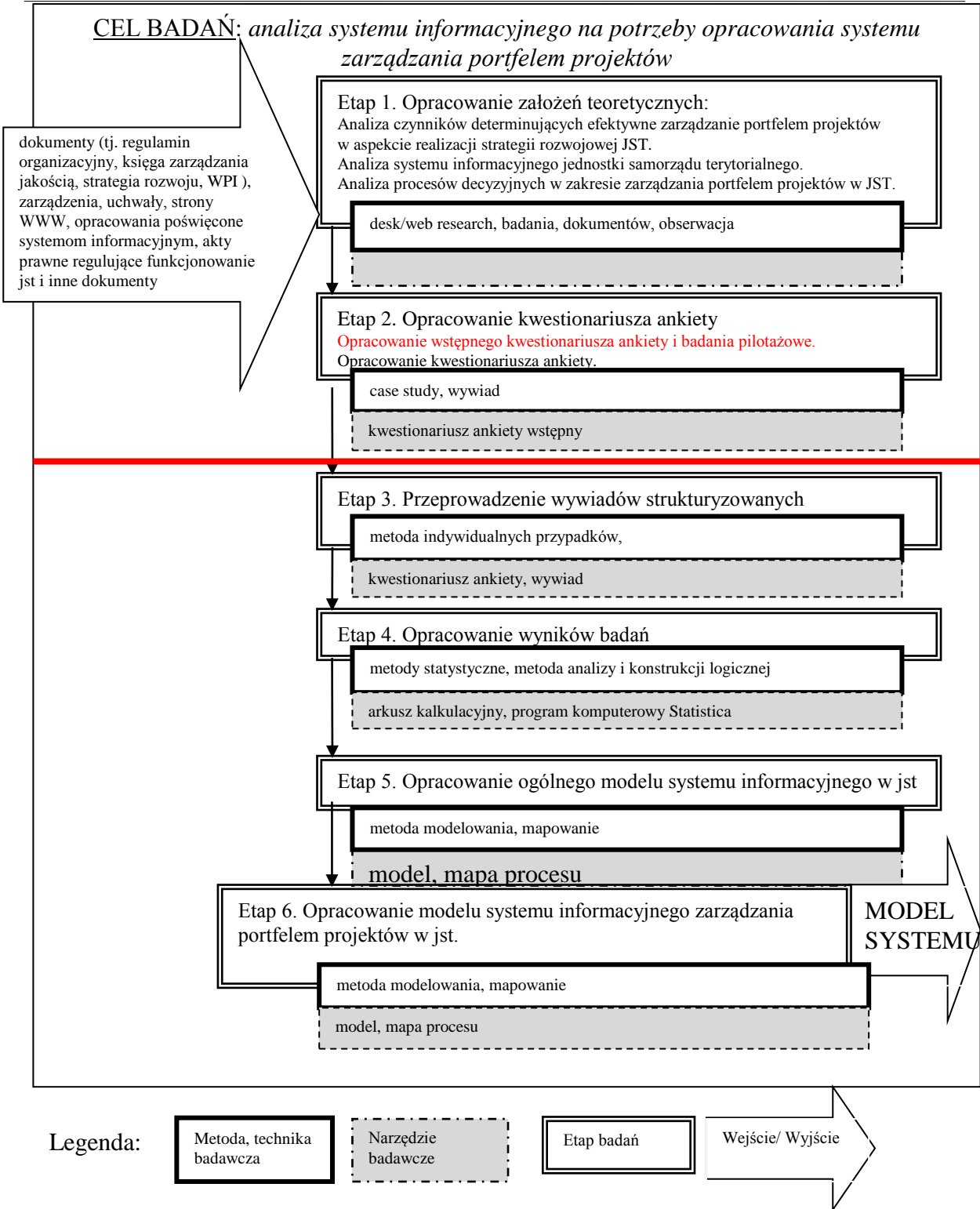
Etap 2. Opracowanie kwestionariusza ankiety. Zastosowanie narzędzi opracowanych i stosowanych skutecznie w procesie analizy systemów informacyjnych przedsiębiorstw nie zawsze da się skutecznie przenieść na grunt jst, stąd konieczność przeprowadzenia tego etapu badań w 2 fazach. W pierwszej fazie zostanie przygotowany wstępny kwestionariusz ankiety, który następnie zostanie zweryfikowany w trakcie przeprowadzonych badań pilotażowych (i wywiadów strukturyzowanych) w wybranych jst. W drugiej fazie tego etapu zostanie opracowane narzędzie badawcze – kwestionariusz ankiety, który posłuży do przeprowadzenia badań właściwych.

Etap 3. Przeprowadzenie wywiadów strukturyzowanych. Badania zostaną przeprowadzone w formie wywiadu strukturyzowanego z wykorzystaniem kwestionariusza ankiety. Do poszczególnych pytań zawartych w kwestionariuszu będą zadawane dodatkowe pytania, które pozwolą na szersze spojrzenie na badany problem.

Etap 4. Opracowanie wyników badań. Do opracowania uzyskanych wyników badań wykorzystany zostanie arkusz kalkulacyjny oraz program komputerowy Statistica. Analiza wyników badań ankietowych pozwoli na określenie najważniejszych problemów dotyczących systemów informacyjnych i deficytów w zakresie stosowanych narzędzi informatycznych w wybranych obszarach zarządzania jst, a także w zakresie zarządzania portfelem projektów.

Etap 5. Opracowanie ogólnego modelu systemu informacyjnego w jst. Pozyskane informacje i wyniki z przeprowadzonych badań z etapów wcześniejszych pozwolą na opracowanie ogólnego modelu systemu informacyjnego jst.

Etap 6. Opracowanie modelu systemu informacyjnego zarządzania portfelem projektów w jst. Analiza wyników części drugiej badań kwestionariuszowych pozwoli na opracowanie modelu systemu informacyjnego zarządzania portfelem projektów w jst, który będzie elementem ogólnego systemu informacyjnego tej jst.



Rys. 1. Schemat procedury badawczej
 Fig. 1. The scheme of a research procedure
 Źródło: Opracowanie własne.

5. Analiza wyników wstępnych badań pilotażowych

Kwestionariusz ankiety do badań pilotażowych składa się z 3 głównych części. Pierwsza część obejmuje pytania z zakresu systemu informacyjnego w jst i zawiera pytania dotyczące stanu wdrożenia systemów zarządzania w jst oraz problemów związanych z ich wdrażaniem i funkcjonowaniem. Druga część kwestionariusza dotyczy strategii rozwoju jst i obejmuje pytania dotyczące metod stosowanych przy formułowaniu strategii, barier implementacji i oceny stopnia realizacji strategii. Trzecia część kwestionariusza obejmuje pytania z zakresu zarządzania portfelem projektów w jst i zawiera pytania z zakresu stosowanej metodyki zarządzania projektami, narzędzi IT wykorzystywanych w procesach zarządzania projektem, tworzenia zespołu projektowego, opracowywania harmonogramu i budżetu projektu, zarządzania ryzykiem w projekcie, kontroli realizacji projektu i kompetencji pracowniczych w zarządzaniu projektami w gminie oraz problemów występujących na etapie planowania, realizacji i kontroli portfela projektów.

W celu weryfikacji opracowanego kwestionariusza ankiety przeprowadzono badania ankietowe pilotażowe w 3 wybranych jednostkach samorządu terytorialnego województwa śląskiego – miastach na prawach powiatu. Z przeprowadzonych badań wynika, że:

- a. w odniesieniu do systemu informacyjnego w jst:
 - w badanych jst funkcjonują zintegrowane systemy zarządzania,
 - stosowane jest różne oprogramowanie, tj.: KSAT2000, OTAGO, Ratusz,
 - tylko w jednej z badanych jst nie wskazano żadnych problemów pojawiających się w trakcie funkcjonowania systemu, w pozostałych dwóch największy problem związany jest z finansowaniem;
- b. w odniesieniu do strategii rozwoju jst:
 - w badanych jst występuje podejście partycypacyjne do formułowania strategii jst,
 - podczas formułowania strategii jst stosuje się modele zasobowe, analizy wskaźnikowe, metody SWOT oraz marketing terytorialny,
 - istotność zidentyfikowanych barier implementacji strategii jst została oceniona przez jedną jst na poziomie bardzo niskim, pozostałe natomiast wskazały, że największymi barierami implementacji strategii jst są: niejednoznaczność sformułowanych celów, brak realizmu w opracowanej strategii oraz brak aktualizacji strategii i w konsekwencji zaniechanie jej realizacji w sytuacji zachodzących zmian w otoczeniu. Ponadto jako ważne bariery wskazano: brak utożsamiania się ze strategią, opór wobec zmian, brak powiązań strategii z faktycznymi możliwościami finansowymi, kadrowymi i rzeczowymi oraz innymi,

- kadencyjność władzy, brak akcji informacyjno-komunikacyjnej, brak mierników stopnia realizacji strategii;
- wskazanymi czynnikami wpływającymi na konieczność dokonania aktualizacji strategii są: zmiany prawne i nowa perspektywa finansowania projektów z UE;
- c. w odniesieniu do zarządzania portfelem projektów w jst:
- w badanych jst nadrzędnym kryterium decydującym o konstruowaniu portfela projektów jest budżet,
 - największym problemem pojawiającym się na etapie planowania portfela projektów są niezgodności natury prawnej, dotyczące uregulowań w zakresie pozyskania środków zewnętrznych,
 - największym wskazanym problemem pojawiającym się na etapie realizacji i kontroli portfela projektów jest opóźnienie w realizacji zadań projektu;
 - w zakresie stosowanej metodyki zarządzania projektami badane jst stosują elementy metodyki PRINCE 2, AGILE oraz PMI,
 - badane jst w zakresie narzędzi IT wykorzystywanych do zarządzania projektami stosują wybrane elementy MS Project, Ms Excell stosowane jest również oprogramowanie dedykowane albo planowane jest wdrożenie takiego oprogramowania,
 - w badanych jst nie istnieje Biuro Zarządzania Projektami, ale jego wybrane funkcje pełnią wydziały ds strategii i rozwoju miasta.

6. Wskazówki do dalszych badań (modyfikacji kwestionariusza)

Opracowanie systemu informacyjnego zarządzania portfelem projektów w jst, a następnie oprogramowanie takiego rozwiązania wymaga integracji z funkcjonującymi systemami informatycznymi. Konieczne jest więc poznanie tych systemów, ich funkcjonalności i ograniczeń. Należy zatem rozwinąć pytania dotyczące możliwości integracji funkcjonujących systemów z systemem zarządzania portfelem projektów w jst.

Ograniczoność środków finansowych powoduje, że dla miast na prawach powiatu (m.n.p.p.) najistotniejszym kryterium decydującym o konstruowaniu portfela projektów jest budżet. W naszym przekonaniu nie może to być jedyne kryterium decydujące o wyborze projektów do realizacji. Dlatego też konieczne wydaje się opracowanie i określenie hierarchii kryteriów decydujących o wyborze projektów do portfela projektów. Takich pytań brakuje w opracowanym kwestionariuszu i wydaje się być celowe ich uwzględnienie. Ponadto z uwagi na dość obszerną ilość pytań w kwestionariuszu postanowiono zrezygnować z części

dotyczącej systemu zarządzania jakością oraz z metod stosowanych podczas formułowania strategii rozwoju jst. Z punktu widzenia celu badań istotniejsze są pytania związane z implementacją strategii rozwoju.

7. Podsumowanie

Sprawne i skuteczne zarządzanie projektami i portfelem projektów wymaga łatwego i szybkiego dostępu do aktualnych informacji. Jest to warunek niezbędny, którego spełnienie pozwoli na trafne podejmowanie decyzji w tym zakresie. Odpowiedzią na taką potrzebę jest opracowanie i wdrożenie systemu informacyjnego zarządzania portfelem projektów w jst.

Przeprowadzenie badań w zakresie analizy systemu informacyjnego pozwolą dokonać diagnozy systemu informacyjnego w wybranych obszarach w poszczególnych gminach i miastach województwa śląskiego, a także opracować system zarządzania portfelem projektów w tych jednostkach, ze szczególnym uwzględnieniem przepływów informacyjnych.

Opracowanie systemu informacyjnego zarządzania portfelem projektów w jst wymaga przeprowadzenia wieloetapowych badań, które pozwolą na opracowanie narzędzia dedykowanego jst, analizy uzyskanych wyników i opracowanie modelu systemu informacyjnego zarządzania portfelem projektów w jst.

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EVIL IN ORGANIZATIONS AND CORPORATIONS: THE CONCEPT OF MORAL BLINDNESS

Summary. This paper provides an analysis of evil in corporations and organizations by presenting the concept of moral blindness in relation to business organizations and public administration on the basis of the concept of administrative evil as it has been developed by Hannah Arendt and her followers. After a discussion of the definition of the concept from Hannah Arendt's to Philip Zimbardo's social psychology, the paper gives a general definition of the concept as the basis for application and case studies in public administration and private business corporations.

Keywords: Evil, moral blindness, ethics, social roles, organizational bureaucracy

ZŁO W ORGANIZACJACH I KORPORACJACH: KONCEPCJA ŚLEPOTY MORALNEJ

Streszczenie. W artykule zaprezentowano analizę zła w korporacjach i organizacjach, przedstawiając koncepcję ślepoty moralnej w odniesieniu do organizacji biznesowych i administracji publicznej, na podstawie koncepcji zła administracyjnego, zgodnie z teorią Hannah Arendt i jej zwolenników. Po dyskusji definicji koncepcji od Hannah Arendt do psychologii społecznej Philipa Zimbardo, artykuł przedstawia ogólną definicję pojęcia ślepoty moralnej jako podstawy dla wniosków i analiz przypadków w administracji publicznej oraz w przedsiębiorstwach prywatnych.

Słowa kluczowe: zło, ślepotą moralną, etyka, role społeczne, biurokracja organizacyjna

1. Introduction

Evil or harm is arguably something that is often caused by the structure of organizations and institutions. We can refer to military institutions, public administrations and private corporations. One definition of administrative evil is the following: “So evil is really about the exercise of power to inflict harm, hurt, and destruction of others individually or collectively and it occurs on the institutional scale, to commit crimes against humanity” (Adams, Balafour, 2009: xv). There are many historical examples of evil in public and private organizations. We can refer to the Holocaust and the killing of the Jews, the Vietnam War crimes and other massacres where military and political administrations are involved. In private organizations the cases of Enron, Arthur Andersen, Bernard Madoff or the tobacco industry and all the corporations that went down after the financial crisis can be mentioned as cases of harm caused by organizations.

The problem is how we should define such kind of organizational evil. It is not really evil in the traditional sense but rather a kind of moral blindness that is formal, rational and efficient permitting harm to be inflicted upon human beings as a violation of their dignity and humanity. In this paper, I will analyze the concept of moral blindness on the basis of the concept of administrative evil as it has been developed by Hannah Arendt and her followers. After a discussion of the definition of the concept from Hannah Arendt’s to Philip Zimbardo’s social psychology, I will provide a general definition of the concept as the basis for application and case studies in public administration and private business corporations. Thus, the paper has the following parts 1) Hannah Arendt and moral blindness, 2) From Hannah Arendt to social psychology, 3) The concept of moral blindness, 4) Moral blindness in public administration, 5) moral blindness in business administration, 6) Conclusions and perspectives.

2. Hannah Arendt’s concept of moral blindness

My starting point for this research is Hannah Arendt’s definition of the banality of evil in her report *Eichmann in Jerusalem* from the trial against the Nazi-criminal Adolf Eichmann who was charged with the accusation of being responsible for the killing of the Jews. According to Arendt, Eichmann is the representative of a new type of bureaucratic and administrative evil. The problem of Eichmann is that he was neither perverted nor sadistic, but “terrifyingly normal” (Arendt, 1994: 276). Eichmann said that he was only following orders and he interpreted Kant’s categorical imperative as the imperative of “Der Führer” where it is the duty of the administrator to obey the imperative of chief of the system, in this

case Hitler. With this justification he thought that he had done nothing wrong and that he has only acted according to the duty of the good and obedient bureaucrat when he send millions of people to the gas chambers. It is this inability to think and lack of moral sensibility and judgment that Arendt considers as totally incomprehensible and representing “the lesson of the fearsome, word-and thought-defying “banality of evil (Arendt, 1994: 252).

According to Arendt in the *Origins of Totalitarianism* (1951), this “banality of evil” is closely connected to radical evil that is manifested in Nazism, but also connected to Stalinism, which combined the use of administrative and bureaucratic goal rationality in organizational systems in combination with technological and scientific ideology of totalitarianism and imperialism in order to provide a systematic destruction of humanity and dignity by technical means. Indeed, it is worth noting that the notion of imperialism that binds together totalitarian systems – the notion of unlimited economic growth and domination – has replaced legitimate politics. Similarly, we find a connection between the bureaucratic administrator of the system of power politics and the imperialist businessman who is aiming for profit and unlimited growth without any concern for humanity or morality.

In addition to the thoughtlessness and lack of moral sensibility of the administrators of the Nazi system, Arendt points to another disturbing element of the banality of evil, namely the fact that radical evil implied a forced collaboration between victims and perpetrators. The Jews elected themselves to be their own police in the ghettos in order to avoid greater evil. And in Auschwitz certain prisoners were elected to help in the killing process and they replaced the guards in some respect. Moreover, even though they knew little about the concentration camps, the people of the German population remained silent so that the legitimacy of the actions in the camps was never publicly questioned. At the same time the Jews who were the objects of the work of the administration were stripped of their humanity. Legally they were made into stateless persons, and Nazi legal bureaucrats worked to make them stateless and outside jurisdiction so that they were without papers and not recognized as legal subjects. This dehumanization was carried all the way through to the concentration camps (Arendt, 1951: 458).

It is arguable that Zygmunt Bauman in his book *Modernity and the Holocaust* (Bauman, 1989) presents some important points of Arendt’s theory about bureaucratic rationality and the banality of evil in Holocaust behind the moral blindness of the administrator. According to Bauman the Holocaust was only possible within a modern technological organization. Together with the SS-soldiers and Nazi-doctors, Eichmann and other administrators used goal-rational organizational systems to realize the Holocaust as a strict clinical operation where modern science, bureaucracy and technology was unified.

That the Holocaust was an integrated part of modernity implies that it was a meeting between factors that both were unique and extremely ordinary (Bauman, 1991: 81ff.).

The Holocaust indicates the weaknesses of modern society because this monstrous event was only possible in a fully goal-oriented, organized, manipulated and controlled world. Bauman argues that the Holocaust shows the hidden potentialities of modernity (Bauman, 1991: 12). Auschwitz is, according to this point of view, similar to the modern factory with raw material as concrete people and the final product death. According to Bauman the imperialist destruction of the nation-state with the institutionalization of mass society and the ideological creation of new human beings as the vision of the totalitarian regime is an important insight in Hannah Arendt's philosophy. Totalitarianism views social reality as a contingent construction that can be changed.

It is an intriguing question whether Arendt's analysis of the banality of evil and moral blindness refers not only to contemporary public organizations and institutions, but also can be used to understand recent phenomena of the financial crisis of the corporations in the Western world. At least it may say something about the origins of the crisis as a "new burden of our times" equivalent to the burden of totalitarianism of the time of Arendt. The current financial crisis can be seen as an illustration of how the global financial actors of imperialism take over the power of the nation-state. Aimless expansion of profits was the basis for the financial crisis where the system took over the power at the expense of values and ethics. Human beings are reduced to consumers: *homo sapiens* in the modern world have become *homo economicus*. With this perspective we can argue that the role of many businesspeople in the financial crisis also was characterized by a kind of moral blindness where individual greed and self-interest replaced responsibility, moral thinking and concern for other human beings.

3. From Hannah Arendt to social psychology

Social psychologists like Stanley Milgram and more recently Philip Zimbardo have taken up the challenge of explaining the concept of moral blindness where ordinary human beings contribute incomprehensible harm and evil. Milgram showed how research subjects under pressure of obedience to satisfy the demands of authority are likely to give innocent people high voltage of electric shocks in an experimental situation where research subjects function as executors of orders of punishment by scientific "teachers" to "learners".

The results of Milgram's study of obedience to authority are that ordinary people can be pushed to limitless obedience as long as the following conditions are present: 1) Pre-arranged pseudo-legal contractual obligation. 2) Participants have meaningful "positive" roles to play in the experiment ("teacher" and "learner"). 3) Basic rules are to be followed that later are used arbitrarily and impersonally to justify mindless compliance, insisting on the fact that rules

are rules. 4) Altering the semantics of hurting victims to a higher goal using positive words. 5) Diffusion of responsibility for negative outcomes from the subordinate to the authority. 6) Beginning with insignificant steps eventually leading to a slippery slope towards greater harm. 7) By making small steps (only 15-volt increase) no one notices the increasing harm. 8) The authority figure (in Milgram's study the scientific expert) changes from being just, to becoming more and more demanding and irrational. 9) High exit costs implies that the victim with difficulties can dissent. 10) An ideology is used as a rationale for justifying the operation as an excuse for the maintenance of power in the authority relationship (See "Ten lessons from the Milgram experiment", Zimbardo, 2007: 275)

After having worked with hundreds of research subjects in his experiments Milgram tried to come up with a theoretical analysis of obedience. He thought that obedience was based on the placement of humanity in a hierarchical and disciplinarian system that characterizes human interactions in organizations. Milgram does not refuse biological and individualist psychological explanations, but proposes most of all a cybernetic and system-theoretical perspective on obedience. Human beings have a potential for obedience that is created in socialization (Milgram, 1974: 125). We are able to take part in organizations as automatic and self-regulating agents in organizations where we eliminate or suspend our own conception of morality and operate exclusively on the premises of the organizational system and in this sense we can say that instrumental action in the organizational system is a condition for moral blindness.

In his recent book *The Lucifer Effect* (2007) Philip Zimbardo – a friend and class mate of Milgram – who was responsible for a very similar and equally controversial experiment, namely the infamous Stanford Prison experiment (1971), takes up the challenge from Arendt and Milgram and presents a comprehensive accounts of his own experiment more than 30 years later. Among others it is an attempt to want to understand the case of the Abu Ghraib prison abuses of inmates by the US soldiers in the prison that motivated Zimbardo to write this book about how ordinary people can do evil things implying strong dehumanization and humiliation due to a combination of moral insensibility, situations and system roles.

In contrast to Milgram's study that focuses on obedience to authority we can say that the core of Zimbardo's analysis is role-playing and role-adaption in organizations, i.e. the "social construction of compliance" (Adams, Balafour, 2009: 9). In the basement of the Stanford psychology department Zimbardo constructed a prison-simulation social psychology study having ordinary middle class psychology students volunteering to be guardians and prisoners. During the experiment, which was supposed to last two weeks but was stopped after 6 days due to the semi-pornographic aggression and humiliation of prisoners by the guards and the strong hysterical reactions of the prisoners, the participants in the experiment identified very

well their roles and just started to act as though they were real guards and prisoners without any moral or social reservations to their roles.

In the experiment the borderline between reality and fake started to blur and the participants in their surroundings identified so much with their roles that they tended to forget that it was not real. So the conventional and arbitrary separation of the participants into prisoners and guardians was forgotten, and the introduction of new rules in the prison made guards become more sadistic and the prisoners identified with their roles as victims. Both sides of the game started to take their roles seriously. Accordingly, certain prisoners experienced very strong personality transformations where they changed from being independent and critical students into subordinate and stressed prisoners. The same thing happened to the guards who very soon moved from being normal and anti-authoritarian students into the role of brutal and authoritarian guards. The explanation of this change may be said to be the effect of role playing and the power it has on social structure and reality in constructing human patterns of behavior in the sense that the institution [of the prison] automatically structures human role-abiding behavior in terms of specific patterns of action based on an “alchemy of character transformations” (Zimbardo, 2007: 194).

Even Zimbardo himself began to like his role as superintendent of a mock prison. It was only when he went out on Saturday with his girlfriend, who was also a psychology professor, and after several arguments they had had over the developments of the experiment, that he began to realize that he had to stop the experiment (Zimbardo 2007). Being confronted with her heroic resistance and immediate reaction as an outsider helped him to realize that something was really wrong. And after a week he thought that he had to stop the experiment due to the aggressive and sadistic developments of the role-playing and role identification within the institutional setting of the fake prison that had become more and more a model of a real violent prison.

In his interpretation of the experiment Zimbardo emphasizes the close relation between good and evil as two sides of the same coin in the construction of social reality. We adopt certain roles and we aim at realizing these roles without looking at their general impact on human beings. In this sense evil is produced as a part of this general production of roles. We can say that evil is produced as a part or a function of the system and institutional conditions of the role that individuals have to adopt. When we deal with authoritarian systems and institutions we are confronted with institutional structures where it is not the individual actions but their functions and roles in the system that is important. We can say that evil is a part of this general role production. Moral blindness is situated and becomes institutionalized in the system.

When he heard about the abuses in Abu Ghraib in Iraq Zimbardo became aware of the striking similarities with the Stanford Prison Experiment: Young, normal and ordinary people

– in this case the soldiers in the Iraqi war prison – are suddenly in situations where they are guardians and abuse and inflict a lot of evil on people who they torture and humiliate through sexual abuse. What was the case in the Abu Ghraib prison was that of compartmentalization of experiences; role-identification and role-playing in the system contributed to the creation of evil and changed the personalities of the prison guards in the system. Individuals are exposed to the pressure of the system, and therefore once they have identified with their roles they tend to conform even more to these roles. The organizational process implied in this “Lucifer effect” where good and evil merge is a combination of the system and the situation, obedience to authority, group-thinking, dehumanization, gradual escalation from little to higher degree abuse (Zimbardo, 2007: 355).

So with this analysis of the relation between the person, the situation and the system, Zimbardo ends by calling for (and arguing in favour of) heroism. Heroism as defined by an act that is voluntary, risking integrity and health, and community-serving without personal gain. For example, uncompromising criticism or whistle-blowing as the only way to break away from the abuses within the system. Otherwise the leaders of the system would not change the structures and chain of command.

4. The concept of moral blindness

I would now like to point to some structural and conceptual content of the concept of moral blindness that we can deduce from the previous analysis.

The essential content of the concept moral blindness can be said to include the following dimensions: 1. Moral blindness implies that the administrator, manager or business leader has no capacity of moral thinking 2. The administrator, manager and business leader only follows orders and justifies his or her actions by reference to the technical goal-rationality of the organizational system. 3. The manager or business leader is strongly influenced by the ideology, principles or instrumental values of the organization. 4. This attachment includes an abstraction from concrete human needs and concerns in the business organization. 5. In many cases the moral blindness strangely enough, due to role identification, includes collaboration from the victims of the harm. 6. The victims follow the rationality of the system and they identify with their roles either motivated by pure obedience or rather motivated by an attempt to minimize a greater harm. 7. Moral blindness contains a dehumanization of the victims and people or stakeholders implied in the process. They are considered not as human beings but as elements, things or functions of the system. 8. Moral blindness relies on total obedience by the administrators or managers of the system. 9. Technology and instrumental rationality is an essential element in the administration of the organization. 10. Each participant in the

organization is accomplishing a specific work function with role identification and a specific task but he or she has no general overview of the organizational system. 11. Top managers, political administrators and leaders may behave opportunistically to follow their own interest with regard to the main goal of the instrumental system. 12. Top administrators, managers and leaders may act irrationally beyond common human understandings of morality in order to serve the instrumental rationality of the organizational system. 13. Administrators of the system at lower levels are pressured to become increasingly irrational and arbitrarily role implementing. 14. The administrative obedience to realize the organizational aim becomes the central interest of the managers of the organization. 15. Obedience, role identification and task commitment remains the central and ultimate virtue of the commitment of members of the organization to the organizational system. 16. Each member of the organizational system commits themselves to the values of the organizational goal of the system without questioning the legitimacy of the system as a whole.

These elements can be said to constitute the essential structural and functional elements of the concept of moral blindness. However, we can also consider moral blindness from the point of view of a rather phenomenological or hermeneutical perspective. This is the approach that we find in Frederick Bruce Bird's book *The Muted Conscience. Moral Silence and Practice of Ethics in Business* (1996).

In fact Bird extends the concept of moral blindness to include moral muteness and moral deafness. Moral muteness is defined as the inability of people to defend their ideas and ideals (Bird, 1996: 2). Moral deafness is the inability to listen to and hear moral concerns and moral blindness can be said to complement and include moral muteness and moral deafness (Bird, 1996: 2). In his book Bird claims that we may be able to understand the moral vacuum of public and private organizations by reference to moral blindness, muteness and deafness and this is what we can understand as an application of the idea of the banality of evil in contemporary organizations and institutions.

Many people fail to express their moral convictions due to moral silence, moral blindness, moral muteness and deafness. This is defined as the opposite to hypocrisy where people speak about morality without doing anything. Here people have some feeling of morality, but they remain morally blind, mute and deaf with regard to speaking up and taking action against the morality in the organization. We can say that in this approach the banality of evil includes that I "do the evil that I don't want, while I don't do the good that I want" as St. Paul said. Moral silence is defined as the situation where people fail to communicate their moral concerns with reference to common moral standards.

Moral muteness may indeed imply the inability of political administrators and managers to speak up about moral concerns. In the case of the banality of evil in organizational systems with immoral functionality this would include the failure to speak up against the internal

inhumanity of the organization. However, Bird also points to another general failure of managers, namely their inability to voice moral convictions in relation to the performance of employees in organizations. Moral silence with regard to the evaluation of activities of employees who may behave immorally with regard to treatment of customers or other stakeholders shows a lack of moral accountability of managers and leads to a system with no communication about morality.

When we look at moral deafness as another characteristic trait of moral blindness and moral silence in organizations, Bird defines moral deafness by saying that people are morally deaf when they “do not hear or respond to moral issues that have been raised by others” (Bird, 1996: 55). Moral deafness implies the inability to listen to and to hear particular moral concerns of the people involved. In general moral deafness implies inattentiveness to moral messages and to listen to genuine moral convictions. Bird refers to the concern towards others as the foundation of moral hearing as proposed in the phenomenology of Emmanuel Levinas (Bird, 1996: 57). In this perspective to be attentive includes the ability to comprehend and to focus with sympathy on the moral issues of concern; to be morally deaf is not to be attentive and not to have the ability to listen with sympathy.

We can say that to be morally deaf is one element of not being able to put oneself in the place of the other and have the ability for moral concern and for moral thinking. In particular Bird emphasizes that organizations that are morally deaf are organization that ignore problems and bad news for the organization that requires a moral decision-making, e.g. the Ford Pinto Case or the Nestlé infant formula case or the 1987 boat disaster in Zeebrugge where 188 passengers died (Bird, 1996: 63-65). Moral deafness implies the tendency to suppress moral concerns and not see potential moral problems because the organization refuses to be attentive to the problems due to concern for the functional efficiency of the organizational system.

In Bird’s analysis we can say that moral blindness is a sort of cover notion that includes the concepts of moral muteness and moral deafness (Bird, 1996: 85). Moral deafness and muteness can be considered as forms of moral blindness. But moral blindness implies something more than just not seeing.

In contrast, moral alertness is something more than just seeing. It is a special ability to perceive, recognize, understand and foresee. It is the ability to have moral vision and to put one self in the place of the others and perceive, understand and recognize the moral concerns that are relevant for the other human person or group of persons or organizations.

We can say that different ethical theories contribute to the development of the capacity to have moral sight. When we have the ability to perceive moral issues of concern we also have the ability to have ethical formulation competency and this competency to understand ethical issues rely on the knowledge of different ethical theories and arguments. When people are

morally blind they do not have this kind of ethical formulation competency and they are only focused on specific instrumental concerns of organizational efficiency. Bird combines moral blindness with moral shortsightedness which can be considered as the inability to foresee moral factors in relation to organizational decision-making (Bird, 1996: 101). It is a kind of narrow-mindedness that is not capable of seeing morality as an important dimension of organizational activities.

5. Moral blindness in public administration

In the book *Unmasking administrative evil* (third edition, 2009) Guy B. Adams and Daniel L Balafour gives us indications of the concept of moral blindness in public affairs. They ask the question of whether contemporary society is subject to a terrible cunning of history where we repeat elements of history, for example the evil of the Holocaust in the present (with reference to the book by Richard L. Rubenstein: *The Holocaust and the American Future*).

Adams and Balafour propose the concept of administrative evil as an interpretation of Hannah Arendt's concept of moral blindness. The typical figure of moral blindness is in this perspective Kazuo Ishiguro's figure from the novel *the remains of the Day* (1988). The butler Steven is so interested in doing his job as well as possible that he forgets to question the legitimacy of what he is doing. He is serving a boss, Lord Darlington who is complicit with Nazism. Steven never questions what he is doing and he thinks that he has done everything right. Steven is a figure very similar to Eichmann and he is characterized by his loyalty to his job and position as a professional employee.

Together Eichmann and Steven may be said to incarnate the moral blindness in organizations and institutions. According to Adams and Balafour, moral blindness implies a moral inversion where something evil suddenly is defined as a good (Adams, Balafour, 2009: 4). The problem is that the modern organization is so complex that it is impossible for the individual to have an overview and the result is a situation where the individual cannot see the consequences of particular actions in the overall organizational process. The result of this technological bureaucracy may be unforeseen evil and general destruction of human beings.

Adams and Balafour argue that the scientific analytic mindset of the technical-rational approach to social and political problems create a new kind of administrative evil which is masked and therefore we can say that it makes us blind and suddenly ordinary people are doing evil although they don't intend to. Moral inversion emerges because no one really knows they are doing evil since evil is presented to them as a part of their job in

a technological rational system. This moral inversion is what Adams and Balafour calls the “mask of evil”. This is a complication of moral blindness and in a sense we are “double-blind” because evil wears a mask in addition to our blindness.

The masks of evil are present in the cases where people do evil without knowing that they do evil. They are engaged in activities that lead to evil, but they are morally blind because they do not see that they contribute to the inversion of the moral situation and create blindness. Sometimes even ethical codes and other rules of conduct may be inefficient because the technological analytical mindset of the administration is so powerful that the members of the administration do not see that they participate in processes that lead to greater harm.

The instrumental scientific approach to public policy problem solving may be in danger of creating more problems than it solves. Technical problem solving may contribute to solutions to social problems that forget the human dimension. This is for example the case when public administrators use metaphors of disease in their approach to welfare and health policy issues. The same may be the case when they deal with migration policies with the danger of applying metaphors of surplus population or racism.

Indeed some administrators cannot see that they do evil because they think they are doing well. The concept of moral blindness in administrative evil may be following Plato’s idea that one cannot with knowledge about it do evil. Distance from the victims and moral disengagement are essential tools for creating a mask of evil. Moreover, rhetoric language modification with special terms like “final solution” in order to conceal the real content of the activity is an element of masking evil. We can also mention the dehumanization and destruction of human values and dignity in the analytical mindset and technical rational approach to social and political problems. Also, the compartmentalization of knowledge and the creation of too narrow professional identities contributes to the masking of evil (Adams, Balafour, 2009: 30). The horror can end up in a grotesque combination of ordinariness, compliance and evil in technical bureaucratic organizations.

The connection between the holocaust and the modern world that is proposed by Adams and Balafour is the Challenger Space Shuttle disaster. They argue that there is a connection because the scientists who during the war worked in the Nazi V2 rocket production facility with the help of slave labor camps continued to work on the US space program after the war. In the Nazi production facility 20.000 slave laborers died out of 60.000 prisoners. Von Braun who was a leading German scientist became later a director at the NASA space shuttle program. And here he was responsible for the authoritarian organizational culture that later lead to the space shuttle disaster where bad communication between employees, management and politicians lead to the blow up of the Columbia Space Shuttle few minutes after

departure. Indeed, this presence of Nazism in a democratic society is the irony of modern administrative system (Adams, Balafour, 2009: 81).

Even though there may not have been strong, direct evil intentions involved, Adams and Balafour argue that the organizational culture was marked by elements of moral negligence, denial and cover-up that created an atmosphere of potential risk of evil actions (Adams, Balafour, 2009: 87). The problem was that the culture did not face up to the risk of a disaster when politicians pressured for the launch of the space shuttle with the first civilian on board. Von Braun's leadership was characterized by a defensive control of anxiety with lives put at unnecessary risk to reach objectives; with cover-up actions; with allowance of dirty hands where ends justify means. So according to this, the Challenger disaster was a result of an evil turn in management.

6. Moral blindness in business administration

In business organizations, extreme focus on profit and greed has been considered to be a kind of moral blindness. Bird mentions for example Milton Friedman's idea that "the social responsibility of business is to increase its profits" as an example of this kind of narrow-mindedness (Bird, 1996: 102) where the economic concern for profit and efficiency becomes a kind of stereotype that blocks for other understanding of the moral concerns implied in the activity of the organization.

The essential harm of the concept of moral blindness in the business organization is the inability of the business manager to think morally and this implies the same kind of moral blindness that we found in the social engineers of totalitarian systems. Moral blindness is found in its extreme form by the administrators of the Nazi bureaucracy, like Eichmann, who was only following orders without giving his actions any moral evaluation.

In fact we find a connection between the business world and doctrine of the banality of evil with a thought-provoking case which is Edwin Black's controversial discussion of the role of IBM in the Holocaust in his book *IBM and the Holocaust. The Strategic Alliance between Nazi-Germany and America's Most Powerful Corporation* from 2001.

This case illustrates an ethical crisis of a corporation based on moral blindness and moral muteness. The book can be understood as a discussion of the reach of corporate responsibilities in relation to society and about the requirement of society for corporations to be good citizens. Black analyzes the relation between lack of responsibility, ethical and moral blindness, and the importance of information technology for Hitler's Holocaust of murdering the Jews in Nazi-Germany. Black investigates how IBM helped Nazi-Germany to produce and up-date the Hollerith punch card technology that was an important enabling technology

for Hitler's step by step identification and cataloging of Jews in the 1930s and 1940s (Black, 2001: 427-488).

Black argues that it would have been much more difficult for Nazi-Germany to accomplish the Holocaust if the IBM punch card technology had not been available. All the difficult work of confiscation of property, ghettoization and deportation was an organizational challenge that needed the IBM punch card technology. This technology which was produced by a firm partly owned by IBM operating in Nazi-Germany was used to identify and locate the Jews as Jews and differentiate between Jews and non-Jews in the categorization of the population by public authorities. Therefore, automatization of the genocide was important for the efficiency of the activity and this process was facilitated by IBM-technology through its German firm that designed the particular and special solution for Hitler's Germany.

The role of IBM in the selling and production of punch card technology for Nazi-Germany was according to Black not only to sell the machines, but also to lease the machines for high fees and IBM was the most important contributor with punch card technology to Nazi-Germany. Hitler gave IBM founder and director Thomas Watson a medal for his sales of punch card technology to the Germans. The sales were done by the German part of IBM, of which 90% of the shares were owned by IBM in the US.

The punch card technology was an important statistical instrument to identify Jews. With this technology it was possible to store efficiently information about race, family, gender, occupation, religion, maternal language etc. and the statistics of population became much more efficient with regard to identification of each individual. The Nazis used the technology as an efficient measure for the identification of Jews among the population. Therefore it can be argued that the Holocaust did not only presuppose bureaucratic rationality but implied modern information technology. Black states: "The Dawn of the information age began at the sunset of human decency" (Black, 2001: 104).

So Black's analysis provides us with the link between moral blindness of the Holocaust and the modern corporation. But we have also mentioned Hannah Arendt's analysis of imperialism as a basis for understanding the origins of the financial crisis as the "burden of our times". Here we can use the character of Gordon Gekko from the two fiction movies about Wall Street from 1987 and from 2010 as an illustration of the function of moral blindness among the investment managers and the general mentality that led to the financial crisis. Gekko's statement that "greed is good" became the motto of capitalism without anybody questioning the moral soundness of the doctrine. The two versions of the movie relate to the idea that on Wall Street greed is considered to be the core of the organizational motivation for action.

In the first movie Gekko has eliminated every moral concern of both deontological respect for humanity and of virtues of integrity and moral compassion, openness and concern for the other. Instead Gekko only warships a belief in the utilitarian, functional and organizational dimensions of greed and he conceives profit and endless search for more money as the foundation of the striving of the capitalist system. Gekko can be said to illustrate the moral blindness of the capitalist manager in the same sense as Eichmann illustrates the moral blindness of administrative bureaucrat in the work of Hannah Arendt. Although there are considerable differences between the two figures, they have in common that they are morally blind for other things than a misunderstood functionality of the organizational system.

However, in the recent movie from 2010 we see that Gekko is more reflective although still very cynical with regard to his understanding of the capitalist system. In the second movie he shows a concern for his family and human values that places him at the limit of the doctrine of moral blindness and we can say that the movie represents an openness towards overcoming moral blindness, muteness and deafness.

In both movies the fundamental message is that it is an amoral logic of self-interest and greed that is at the basis of the modern business system. It is this mentality of egoism, hedonism and narcissism that characterizes post-industrial capitalism. We can say that although there are considerable differences between the “grey organization man” of the bureaucratic corporation or organization who works in total obedience without questioning the organization and the charismatic investment manager with his hedonist search for power. They are both characterized by fundamental moral blindness and as such they represent what Arendt understood as the banality of evil, namely the inability to think morally, have compassion and put oneself in the place of the other.

7. Conclusion

What conclusion can we draw from this kind of analysis? The general conclusion is that the findings of the philosophy and sociology of the banality of evil and the whole social psychology tradition relating to evil and moral blindness is very important for our understanding of business ethics and administrative ethics. In order to prevent the chaos of moral blindness and the double-blind masking of evil, we have to educate people in organizations as to increase their capacity and competency of ethical formulation and give them the capacity of critical moral thinking. In contrast to the limited possibility to disagree and speak up about moral issues under Nazi dictatorship, people in corporations in democratic societies luckily have more opportunities to protest and speak up against moral

blindness, muteness or deafness. We do not only need heroism, but consequent critical democratic attitudes in organizations.

The obligation to speak up was for Hannah Arendt very important for preventing banality. She thinks there is a moral duty to detect moral blindness and the need for critical moral thinking based on the autonomy of reason and the role of critical judgment. The use of good common sense as opposed to the ideology, lies and ignorance of moral problems in organizations. Arendt emphasizes the political dimension of human action and it is a part of her republican political philosophy that human beings at all levels of their existence must be personally responsible and morally sensible according to critical judgment. This is necessary in order to protect humanity and human dignity in organizations and their environments.

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ORGANIZATIONAL CULTURE OF INNOVATIVE COMPANIES

Summary. The era of globalization and the knowledge-based economy have created new challenges for management. Innovation has to be developed faster and more effectively. The determinants supporting an innovative economy and innovative enterprises need to be analyzed. One of the leading determinant being organizational culture.

The organizational culture impact on innovation is important, although it has not been examined in the macro context very well. The paper tries to fulfill the gap by presenting a comparison of pro-innovative indicators as well as the organizational culture of selected countries. One of the key areas of analysis in this paper is to identify the influence that cultural differences have on innovation.

The aim of the study is to identify factors underlying the innovativeness of countries and regions, those well-developed and those less developed as well. The analysis will be performed taking into consideration characteristics which differ among European and Asian countries and the United States of America. The analyses will be performed on the basis of the indices and data collected in the Global Innovation Index. The work will also present an analysis of the influence of corporate culture on innovativeness.

Keywords: organizational culture, business culture, pro-innovative culture

KULTURA ORGANIZACYJNA INNOWACYJNYCH PRZEDSIĘBIORSTW

Streszczenie. Celem artykułu jest wskazanie wpływów kultury organizacyjnej na innowacyjność przedsiębiorstw. Zaprezentowane zostaną wyniki Globalnego Indeksu Innowacyjności oraz wartości kulturowe w wybranych krajach Europy, USA i Tajlandii. Zidentyfikowane będą związki wartości kulturowych z innowacyjnością.

Słowa kluczowe: kultura organizacyjna, kultura biznesu, kultura proinnowacyjna

1. Introduction

In the era of globalization, present sources of economic growth such as relatively low labour costs, availability of cheap resources or favourable geographical location are insufficient. It is necessary to search for new sources of competitive advantage, and developmental tendencies in highly developed countries show that the only way to guarantee permanent development is to build up a competitive advantage based on knowledge and innovation. Moreover, it is believed that innovativeness is a multidimensional phenomenon which should not be perceived merely as a linear transition from research activities to launching a new product on the market.

Innovation was introduced into formal economic growth models in 1957 by Robert Solow, a professor at MIT. He was awarded a Nobel Prize in Economics for this and related work in 1987. Solow defined growth as the increase in GDP per hour of labour per unit time. According to theory, innovation gives a chance to increase the competitiveness and economic growth of a country.

There is a view that a factor which influences the innovativeness of an organization is organizational culture¹. Since organizational culture influences employee behaviour, it may lead them to accept innovation as a fundamental value of the organization and to feel more involved in the business². Consequently, the literature considers organizational culture to be one of the factors that can most stimulate innovative behaviour among the members of an organization. Furthermore, we suggest that different organizational cultures will be required depending on the innovation models in various countries. Regarding organizational culture, there is agreement in the literature about its importance for innovation³.

There have been some attempts to separate cultural differences from other environmental differences in research⁴ but their overlap in most models for cross-cultural comparisons remains

¹ Carmeli A.: The relationship between organizational culture and withdrawal intentions and behavior. "International Journal of Manpower", Vol. 26, No. 2, 2005.

² Hartmann A.: The role of organizational culture in motivating innovative behavior in construction firms. "Construction Innovation", Vol. 6, No. 3, 2006.

³ Chang S.C., Lee M.S.: The effects of organizational culture and knowledge management mechanisms on organizational innovation: An empirical study in Taiwan. "The Business Review", Vol. 7, No. 1, 2007; Lau C.M., Ngo H.Y.: The HR system, organizational culture and product innovation. "International Business Review", Vol. 13, No. 6, 2004; Martins E., Terblanche F.: Building organizational culture that stimulates creativity and innovation. "European Journal of Innovation Management", Vol. 6, No. 1, 2003; Mumford M.D.: Managing creative people: Strategies and tactics for innovation. "Human Resource Management Review", Vol. 10, No. 3, 2000; Obenchain A., Johnson W.: Product and process innovation in service organizations: The influence of org. "Journal of Applied Management and Entrepreneurship", Vol. 9, No. 3, 2004.

⁴ Saha Managing HR: China versus the West. "Canadian Journal of Administrative Sciences", 1993; Easterby-Smith M., Malina Y.: How culture-sensitive is HRM? A comparative analysis of practice in Chinese and UK companies. "International Journal of Human Resource Management", Vol. 6, No. 1, 1995.

problematic⁵ in that economic systems and culture are part of the same circle; this would imply that there is no need to separate local environment from culture. However, this assumes that political and economic structures and systems in a country arise from a consensus – then these could be seen to represent an articulate part of national culture.

As culture represents or expresses values, behaviours and attitudes, it is important to understand cultural differences in order to understand which management methods will work, and how to develop innovation.

There are many manifestations of cultural differences. These are evident in national and regional differences in style, taste, family relations, government structures etc. There is also evidence of differences in working methods and business organisation from one country to another: German co-determination, Japanese management methods etc. The following are a few examples of definitions and methods used to compare cultures.

Hofstede⁶ defines culture as “collective mental programming of human mind which distinguishes one group of people from another. This programming influences the patterns of thinking which are reflected in the meaning people attach the various aspects of life and which become crystallized in the institutions of society”.

Hofstede’s method of analysing culture was derived from a survey of work values conducted at IBM between 1968 and 1973. The four dimensions concerned attitudes to authority, group membership, risk and competition versus co-operation. Later work led by Bond at the Chinese University of Hong Kong added a fifth dimension: Confucian dynamism⁷. The basis of this model is that the dimensions can be measured and compared. The dimensions represent a system of values which are related to behaviour, management practices and methods of organising systems. Schein⁸ disagrees with these methods – he replaces values with ‘basic assumptions’ which are both taken for granted and non-negotiable. Schein does not agree that cultural assumptions (or values) can be broken down and measured by a survey method.

In the era of globalization, present sources of economic growth such as relatively low labour costs, availability of cheap resources or favourable geographical location are insufficient. It is necessary to search for new sources of competitive advantage, and developmental tendencies in highly developed countries show that the only way to guarantee permanent development is to build up a competitive advantage based on knowledge and innovation. Moreover, it is believed that innovativeness is a multidimensional

⁵ Hofstede G.: An American in Paris. “Organization Studies”, Vol. 17, No. 3, 1996.

⁶ Hofstede G., Hofstede G.J., Minkov M.: Cultures and Organizations: Software of mind: Intercultural Cooperation and its Importance for Survival. McGraw-Hill, London 2010.

⁷ Bond et al.: (The Chinese Cultural Connection) Chinese Values and the Search for Culture-Free Dimensions of Culture. “Journal of Cross-Cultural Psychology”, Vol. 18, part 2 (June), 1987.

⁸ Schein E.: Organizational Culture and Leadership Jossey Bass, San Francisco 1992.

phenomenon which should not be perceived merely as a linear transition from research activities to launching a new product on the market.

Innovation was introduced into formal economic growth models in 1957 by Robert Solow, a professor at MIT. He was awarded a Nobel Prize in Economics for this and related work in 1987. Solow defined growth as the increase in GDP per hour of labour per unit time. According to theory, innovation gives a chance to increase the competitiveness and economic growth of a country.

2. Research methodology

The research focused on the comparison of five countries: Poland, Slovenia, Thailand, Ukraine and USA. These countries were not selected randomly; they were selected for the variety in values, the variety in dimensions of innovation, as well as to represent the triad variety throughout the America, Asia and Europe. The comparative analysis was performed based on the following: the Global Innovation Index and Hofstede Culture Index.

The following research methods were used to achieve the above mentioned aims and to possibly acquire objective results of the study:

1. Specialist literature studies.
2. Quantitative studies based on questionnaire research.

The selection of the research group was purposeful and the studies were addressed at IT enterprises in Poland as a representation of an innovative sector of industry. After performing pilot studies and a verification of the research tool, the proper study was organized among 101 IT companies, including a total of 415 managers and specialists. In order to analyse the study results acquired from the questionnaires, the following statistical methods were used: quantitative analysis, the analysis obtained interdependencies and multiple regression.

3. In order to organize the data from the research, an MS Excel spreadsheet was used.
4. Statistical calculations were performed with the help of the CSS Statistica 6.0 program.

2.1. National innovation system

Innovativeness is one of the factors which have an essential effect on the level of economic competitiveness. Innovation capacity has been widely acknowledged as a critical

force to national economic growth for developed countries⁹. Competition and innovation are important for countries in building up their innovation capability as they provide possible pathways to accelerate the process of technological catch-up as well as to sustain productivity growth and competitiveness¹⁰. Clearly observed differences among particular countries at the level of innovativeness of their economy provided us with an impulse to analyse the agents conditioning their degree. Conditionings concerning the development of innovations are determined by economic, cultural, social and technological factors which are characteristic of individual countries, economies or regions. Although it is commonly argued that countries need to innovate in order to grow and achieve success, it is important to know which factors determinate innovation. Innovation capacity can be defined on a micro (company) level or on a macro (national) level.

National innovation capacity may only be considered via a properly functioning national innovation system (NIS). The term was coined by C. Freeman and developed in the following years¹¹.

In OECD countries, NIS was standardized and analysis of technology performance and policies has traditionally focused on inputs (such as expenditures on research and development and the number of research personnel) and outputs (such as patents)¹². The national innovative capacity framework seeks to integrate three perspectives regarding the sources of innovation: ideas-driven growth theory, microeconomics-based models of national competitive advantage and industrial clusters, and research on national innovation systems. While these perspectives contain common elements, each highlights distinct drivers of the innovation process at the national level¹³.

An innovation system is a network of organizations, enterprises, and individuals focused on bringing new products, new processes, and new forms of organization into economic use, together with the institutions and policies that affect their behaviour and performance¹⁴.

National innovative capacity is not the realized level of innovative output per se but reflects more fundamental determinants of the innovation process. Differences in national

⁹ Nelson R.: *National Innovations Systems: A Comparative Analysis*. University of Illinois at Urbana-Campaign's Academy for Entrepreneurial Leadership Historical Research Reference in Entrepreneurship, 1993; Porter M.E.: *The Competitive Advantage of Nations*. Free Press, New York, NY 1990.

¹⁰ Porter M.E.: *Clusters and Competition: New Agendas for Companies, Governments and Institutions, On Competition*. Harvard Business School Press, Boston, MA 1998.

¹¹ Lundvall B-Å. (ed.): *National Systems of Innovation: Towards a Theory of Innovation and Interactive learning*. Pinter, London 1992; Nelson R.: *National Innovations Systems: A Comparative Analysis*, University of Illinois at Urbana – Campaign's Academy for Entrepreneurial Leadership Historical Research Reference in Entrepreneurship, 1993; Edquist C. (ed.): *Systems of Innovation: Technologies, Institutions and Organizations*. Pinter/Cassell, London 1997.

¹² OECD, 1997.

¹³ Stern S., Porter M.E., Furman J.L.: *The Determinants of National Innovative Capacity*, Working paper 7876. Cambridge, Massachusetts, National Bureau of Economic Research, 2004, p. 4.

¹⁴ World Bank, 2006.

innovative capacity reflect variation in both economic geography (e.g. the level of spillovers between local firms) as well as cross-country differences in innovation policy (e.g. the level of public support for basic research or legal protection for intellectual property (IP)).

The actual output of innovation in terms of new goods and services or improved processes is already captured in the gross domestic product (GDP) and the National Income and Product Accounts (NIPAs). The amount and type of investment that lead to innovation, however, are not captured. This type of information is needed to improve our understanding of economic growth¹⁵.

2.2. Measurement of innovation

For a national innovation system the relationship between innovation inputs and outputs seems crucial. Countries and market agents aspiring to strengthen innovation performance must be efficient in transforming innovation inputs into innovation outputs.

In order to measure national economies' innovation, attempts at standardization utilizing various definitions and data collecting methods have been in progress. Numerous organisations such as OECD, Eurostat, Statistics Canada, Statistics Sweden, INSEAD and World Intellectual Property Organisation (WIPO) have developed guidelines for the development of innovation indicators.

It is also noteworthy that there exists no perfect set of indicators applying to innovation policies. However, such indicators constitute a useful tool for making international comparisons. The innovation index could also help assess what a country ought to do in order to boost innovation, resulting in fostering economic growth and stimulation of the creation of new workplaces. Furthermore, the innovation index highlights policy challenges – national policies to craft new national innovation strategies. However, conditionings will not replace analyses aiming at establishment of correlations and causal dependencies.

Due to its influence upon economic progress and competitiveness, innovation is a fundamental phenomenon both for developed and developing economies. Innovation is more complex and multidimensional and the level of innovation is not solely influenced by R&D expenditures, which constitute one of the many conditionings.

Innovation is important for driving economic progress and competitiveness – both for developed and developing economies. Many governments are putting innovation at the centre of their growth strategies. There exists awareness that the definition of innovation has broadened – it is no longer restricted to R&D laboratories and to published scientific papers. Innovation could be and is more general and horizontal in nature, and includes social

¹⁵ Rose S., Shipp S., Lal B., Stone A.: Frameworks for Measuring Innovation: Initial Approaches, A. Working Paper #06, Athena Alliance, Science and Technology Policy Institute, 2009, p. 1.

innovation and business model innovation as well. It is seen as crucial for inspiring people, especially the next generation of entrepreneurs¹⁶.

The GII¹⁷ model includes 141 economies, which represent 94.9% of the world's population and 99.4% of the world's GDP (in current US dollars). The advantage of the study lies both in the number of countries the study encompassed and the amount of statistical data collected and applicable to a more in-depth analysis in the present paper. Moreover, the GII helps to create an environment in which innovation factors are under continual evaluation, and it provides a key tool and a rich database of detailed metrics for refining innovation policies¹⁸.

As regards to the Global Innovation Index 2012, countries such as Switzerland, Sweden, Singapore and United Kingdom occupy leading positions.

In order to evaluate the influence of economic factors upon the level of innovation, countries of various sizes and level of development were selected. The USA, Poland and Slovenia were selected from among high income economies, Thailand from upper-middle economies and the Ukraine from low-middle economies¹⁹. The Global Innovation Index for the selected countries was presented in Table 1. Individual categories can be scored 0 to 100.

Table 1

Global Innovation Index ranking for studied countries

| Country | Rank | Score (0-100) |
|--------------------------|------|---------------|
| United States of America | 10 | 57,7 |
| Slovenia | 26 | 49,9 |
| Poland | 44 | 40,4 |
| Thailand | 57 | 36,9 |
| Ukraine | 63 | 36,1 |

Source: Authors' own study based on data from the Global Innovation Index 2012.

The Global Innovation Index (GII) relies on two sub-indices, the Innovation Input Sub-Index and the Innovation Output Sub-Index, each built around pillars. Each pillar is divided into three sub-pillars and each sub-pillar is composed of individual indicators, for a total of 84 indicators. The data used in the report are 35% from 2010, 21% from 2009.

¹⁶ The Global Innovation Index 2012, *Stronger Innovation Linkages for Global Growth*, edited by Dutta S., INSEAD and the World Intellectual Property Organization (WIPO), 2012, www.globalinnovationindex.org/gii/main/fullreport/index.html, p. 4.

¹⁷ The Global Innovation Index 2012, *op.cit.*, p. 6.

¹⁸ The Global Innovation Index 2012, *op.cit.*, p. 4.

¹⁹ Categorisation as regards to the value of income was conducted by World Bank Income Group Classification (April 2012).

3. Organizational Culture Indicators – Macro Context

In Hofstede's original research, data was collected from a large multinational business corporation (IBM) with subsidiaries in 64 countries. This initial structure consisted of four individual cultural value dimensions.

The first one is *power distance* (PDI). According to Hofstede²⁰, power distance is the extent to which the less powerful individuals in a society accept inequity in power and consider it as normal. In high power distance cultures, individuals respect their superiors and avoid criticizing them, while in low power cultures, it is acceptable to challenge superiors, albeit with respect. The second dimension is *individualism versus collectivism* (IND), reflecting the degree to which a society views its members as individuals or as group members. In individualistic cultures, individuals are mostly concerned with their own interests, while in highly collective countries, they are not defined by their own actions but rather the group's actions. The third dimension is *masculinity versus femininity*. The first one is described as cultures where the dominant values are expected to be ambitious, assertive and competitive, while in feminine cultures there is a dominance of values such as "friendly atmosphere, position security, and physical conditions"²¹. The last dimension is uncertainty avoidance presenting the degree to which people in a culture generally prefer structure to risk²². Societies high in uncertainty avoidance feel anxious by situations that are unstructured, unclear and unpredictable, while cultures low in this dimension are reflective, less aggressive, relatively tolerant, and unemotional.

The fifth dimension was added by Michael Harris Bond²³ and was originally labeled "*Confucian dynamism*". It refers to time orientation on life and work. With the long one there is the preference for delayed reward versus the instant one. The most recently²⁴ proposed three new dimensions: Exclusionism versus Universalism, Indulgence versus Restraint, and Monumentalism versus Flexhumanity.

²⁰ Hofstede G.: *Culture's Consequences: International Differences in Work-Related Values*. Sage, 1980.

²¹ Hofstede G., Hofstede G.J, Minkov M.: *Cultures and Organizations: Software of mind: Intercultural Cooperation and its Importance for Survival*". McGraw-Hill, London 2010, p. 281.

²² Hofstede G.: *Culture's Consequences: International Differences in Work-Related Values*, Sage, 1980.

²³ Bond et al.: (The Chinese Cultural Connection) *Chinese Values and the Search for Culture-Free Dimensions of Culture*. "Journal of Cross-Cultural Psychology", Vol. 18, part 2 (June), 1987.

²⁴ Minkov M.: *What Make us Different and Similar: A New interpretation of the Word Values Survey and other cross-culture data*. Klasika i Stil Publishing House, 2007.

Table 2

Organizational Culture of counties

| Country | PDI | IND | MAS | UAI | LTO |
|----------|------------|------|------|------------|-----|
| Poland | 68 | 60 | 64 | 93 | 32 |
| Slovenia | 71 | 27 | 19 | 88 | - |
| Thailand | 64 | 20 | 34 | 64 | 56 |
| Ukraine | very high* | low* | low* | Very high* | - |
| USA | 40 | 91 | 62 | 46 | 29 |

Source: Hofstede G., Hofstede G.J., Minkov M.: *Cultures and Organizations: Software of mind: Intercultural Cooperation and its Importance for Survival*?. McGraw-Hill, London 2010, p. 255-258; Sitko-Lutek A.: *Kulturowe uwarunkowania doskonalenia menedżerów*. PWN, Warszawa 2004.

Summing up there are three culture models – the European one containing Poland, Slovenia and Ukraine, the Asian – in which Thailand is contained, and the American – with the USA. They are closely connected in terms of innovation preferences and building a competitive advantage. Cultural values limit the innovative approach in the European model through two dimensions: high power distance and resistance to change expressed by high uncertainty avoidance.

There are also internal differences between the researched counties – Slovenia very much favours the collective approach, which helps to stimulate proactive projects.

The Asian model represented by Thailand supports innovation in terms of long term orientation and patient, systematic, and even life-time approach to innovation. It allows to receive systematic results.

The basic support for innovation in the American model seems to be high individualism and low uncertainty avoidance. It stimulates the activity of employees and openness to change.

A cultural values review shows that the organizational culture of each country influences the specific innovation model applied in particular region. It is very important to identify it in order to focus on the supporting ones and reducing the barriers.

Although shaping organizational culture is a difficult process due to its complexity, the knowledge of this fact requires that management takes into consideration existing cultural factors in the implementation of proper operational solutions.

4. Summary

One ought to remember that when discussing the innovativeness of an economy, the general state of technical development of a country is a function of three main actors (science, industry and government). The level of innovation depends largely on their involvement and the results of their activities.

Summing up there are three culture models – the European one containing Poland, Slovenia and Ukraine, the Asian – in which Thailand is contained, and the American – with the USA. They are closely connected in terms of innovation preferences and building a competitive advantage. Cultural values limit the innovative approach in the European model through two dimensions: high power distance and resistance to change expressed by high uncertainty avoidance.

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A cultural values review shows that the organizational culture of each country influences the specific innovation model applied in particular region. It is very important to identify it in order to focus on the supporting ones and reducing the barriers.

In order to boost economic development, increasing the level of innovation seems crucial. The increase is only possible when conditionings exerting influence on it are clearly defined. The analysis indicates that the level of innovation is influenced both by economic and social conditionings presented in the paper. The analysis indicated that countries with higher scores in the Global Innovation Index 2012 exhibit a higher level of economic development.

It is noteworthy that innovation rankings constitute a yardstick and a benchmarking tool for innovation performance across countries. These tools enable for the observation of activities undertaken by individual countries, adoption of worked-out solutions and introduction of changes in innovation policies.

5. Findings

It is clear that different business environments and cultural environments exist throughout the triad partners and it influences different innovation approaches to development.

There are national culture values strengthening and limiting innovativeness. Analysing organizational culture models – in Poland, Slovenia and Ukraine with their high power distance and high uncertainty avoidance can turn out to be barriers, in Thailand – long term orientation helps to build a lifelong innovative approach, and in the USA high individualism and low avoidance of uncertainty helps to generate innovations.

The awareness of the organizational culture values, both supportive and limiting, should be used in every day management and international cooperation.

The interrelations of organizational culture and economic phenomenon are of great importance not only for a certain company but also on the macro level, and it worth analysing the relations in more details. This points out to the need of further research focused on mutual influences analysis.

The analysis of the collected data indicates that countries with a higher score in the Global Innovation Index 2012 exhibit a higher level of regional development.

6. Research limitations and implications

The research and theory on cross-cultural comparisons is then limited to the acknowledgement that cultural differences exist. The models which have been created to evaluate the transferability or application of theory to a different culture can identify some areas in which problems may be expected but they cannot prescribe methods or techniques to be used in another culture. More intensive research which investigates how culture influence innovation on macro, micro and project level and what leads to effective innovation development in different cultures may lead to working out more useful models. At the moment any cross-cultural application must be made with great care.

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THE ETHICS OF TEACHING ANTI-CORRUPTION AND INTEGRITY

Summary. Attitudes and anti-corruption activities, integrity, honesty and diligence should be the fundamental features of modern managers both in companies as well as in public organizations. However current social and economic reality issues a challenge and carries a lot of temptations that make it difficult to managers to behave ethically and take morally right decisions. In this article the author focuses on the role of teachers, especially academic, in shaping of future professionals and preparing them to right and honest management of organizations

Keywords: integrity, honesty, ethics, anti-corruption behaviors, teaching

ETYKA NAUCZANIA POSTAW ANTYKORUPCYJNYCH

Streszczenie. Postawy i działania antykorupcyjne, prawość, uczciwość i rzetelność winny stanowić fundamentalne cechy współczesnych menedżerów, zarówno w przedsiębiorstwach, jak i organizacjach publicznych. Dzisiejsza codzienność społeczno-gospodarcza rzuca jednak wyzwanie i niesie ze sobą wiele pokus, które utrudniają etyczne zachowania menedżerów i podejmowanie moralnie właściwych decyzji. W artykule autor koncentruje się na roli nauczycieli, zwłaszcza akademickich, w przygotowaniu przyszłych profesjonalistów do prawego i uczciwego zarządzania organizacjami.

Słowa kluczowe: prawość, uczciwość, etyka, zachowania antykorupcyjne, nauczanie

1. Introduction

Teachers of anti-corruption and integrity in universities and colleges have an important role to play in society. They have the duty and opportunity to help prepare the future professionals and public officials to work without corruption and live with integrity when they graduate from university. This mission is especially critical in societies where corruption is rife; where preparedness to deal with corruption may mean success or failure of these young people in pursuing a career without corruption or living a life of integrity. In challenging governance environments, university graduates and young professionals who wish to behave ethically and live according to their moral values face a daunting task. In these contexts, lying, cheating, and stealing have become accepted as a way to get ahead in professions. Bribery, fraud and kickbacks are systematically used and even encouraged in corporations as a means of doing business. In lowly-paid government jobs in some countries, pressure from superiors to extort citizens for money in exchange for public services or special treatment is a common malpractice. Even in the charity or civil society sector, the competition for resources can also drive people to use “whatever means possible” to win grants, contracts, and to secure public acclaim.

Although some executives consider integrity as a “personal matter”, its practice is often deeply embedded in social situations and organizational contexts. People working in organizations are profoundly affected by the organizational culture, policies and processes in their decisions and conduct (Paine, 1994). Graduates must not only know what they believe in and how to reason ethically in real-life situations, they must also content themselves with pressures, expectations and obligations that come with being a member of an organization. These may cause the incumbent to make moral compromises in order to achieve the expected results, or just to keep their job. They might also induce a member of the organization to overlook ethical hazards and moral consequences of questionable practices in order to fit in with the work group. In other instances, pressures from corrupt supervisors and colleagues may force a professional to take part in a conspiracy for malfeasance or cover-up of a wrongdoing. Organizational dynamics, hence, can make it even harder for young professionals in resisting corruption and working with integrity.

Universities around the world offer courses in various disciplines to prepare students for the real world of work; they train the students in acquiring professional knowledge, solving problems, or undertaking administrative roles, as required by the professions. They typically offer curricula to enable their students to gain a competitive edge and to compete and function adequately in different sectors, professions and organizations. Invariably, graduates from universities in corruption-prone societies and industries will have to content themselves with corruption and other moral issues in their professions and daily lives when they graduate

from college. For most of them, the only opportunity, if any, for learning how to cope with corruption and the difficult ethical issues in the workplace might indeed be the courses on anti-corruption and integrity.

However, universities often overlook the need to prepare their graduates to safeguard their integrity in challenging ethical situations and corrupting work environments. When business schools teach only idealized “textbook” models and theoretical constructs on how the business world works, which is not how they function in real life, they may leave out the thorny issues and more realistic practices such as cut-throat tactics and competitive strategies involving the use of bribery and fraud. It is not uncommon for students of public administration to be taught the skills and knowledge of the art and craft of government – as they should be, not as they are practiced in real life. This orientation will not adequately prepare future civil servants for a challenging career in the civil service where government officials are lowly paid, and are constantly exposed to the practices of bribery, kickbacks and nepotism. Similarly, if a law professor teaches only what is in the law books, but ignores the realism of how court cases are actually prosecuted and the judgments to the cases made, is he fully informing and adequately preparing his students for their future legal practices?

Among the pantheon of courses offered in universities around the world, courses on anti-corruption are very few and far between. Take China for example. There were over 400 academics and researchers writing and publishing in the subject area of anti-corruption in 2011, and they come from some 45 universities, colleges and research centers. However, only 7 universities were known to offer semester-length courses in anti-corruption and integrity. The subject area of anti-corruption is considered sensitive to some university administrators in China, and content of these courses may also be closely monitored. Some administrators even perceive these courses as being critical to or subversive of the practices in the Chinese government and business elites, and hence look at such courses with suspicion. New courses in anti-corruption often have to compete with existing courses for time slots in the fully-packed curricula, and hence introducing them will not be easy. Where these courses exist, teachers of anti-corruption and integrity may be the only people standing between the cohorts of students learning the skills of their trade and professions and their future work-lives ridden with temptations of corruption.

To meet this pressing need for ethical competence, the roles of teachers of anti-corruption and integrity must be more broadly defined to help students meet the challenges of the real world (Applbaum, 1999). A teacher’s mission in the classroom is not merely to teach a good course, engage students in the subject matter, organize and grade their assignments, and turn in the grades on time. These are the basic minimum requirements of a teaching professional. Her more challenging and meaningful task is to imbue in her students the skills, knowledge and values for living a life of integrity and working without corruption. In other words, anti-

corruption courses must be aimed at and organized around the imperatives of preparing future graduates to practice their professions with integrity and without corruption in business, government and civil society.

2. Difficult Ethical Quandaries

With this more inclusive role and mandate for educators, the work of teaching anti-corruption is elevated from the cozy realm of doing-the-minimum in teaching of a satisfactory course to a much more challenging mission that would test the ability of any teacher. She now faces several challenging ethical questions of her own. Is she able to fulfill her duty and mission with honesty, competence, and accountability? Is she fully ready to deal with the most salient and most difficult moral dilemmas of her trade? Three questions epitomize her moral quandaries:

1. What is the real impact on students when they complete an anti-corruption course? Would they be able to live and work with integrity when they graduate from university and enter a competitive commercial environment, where many are willing to lie, cheat, steal and bribe to get what they want?
2. Would some of the students have a real chance to practice in public service what they learned in class, particularly in societies where civil servants have very low salaries (barely above the living wage) and the corrupt bureaucratic cultures pressure members to fit in or get out?
3. How do professors deal with the issue of corruption in universities in which they have very little influence over the institutional environment; where admissions fraud, cheating in examinations, sexual harassment of students by teachers, and plagiarism are commonplace?

A morally reflective professor in the field of anti-corruption, integrity or ethics (or for that matter, any teacher in a professional school) who cares about the future and welfare of her students must be concerned with these questions. These questions relate to the accountability and professional competence of teachers because they address the real impact and moral consequences of their anti-corruption courses on the future graduates' ability to cope with actual problems of practicing their professions. Teachers of anti-corruption have a duty to adequately prepare students to resist corruption and manage the related ethical problems that they might commonly face in the work life. They have a moral duty to account for the type of skills, knowledge and values that students learn in their classrooms; a duty to the students, their parents, and even the university. Apart from relevance and realism, the third of the three quandaries also highlights the ethical issues of how authentic or truthful

anti-corruption courses are in addressing integrity gaps in the classrooms and on campus. Corruption in universities ranges from admissions fraud, cheating in examinations, sexual harassments of students by teachers, plagiarism and even procurement corruption in the construction of university buildings and the purchasing of textbooks and teaching equipment. Are anti-corruption teachers able and willing to address some of these issues as part of the discussion on how corruption manifests itself in university life?

Some 700 academics and teachers from over 50 countries around the world belong to a loosely connected community of practice known as the Public Integrity Education Network. The network was managed by Tiri – Making Integrity Work, an international non-governmental organization and funded by various international donors. Its members were academics who are teaching anti-corruption, integrity, ethics and related subjects or scholars who are researching in these fields. The network organizes regular meetings for sharing of resources, mutual learning and networking on topics such as curriculum development and teaching methods in anti-corruption and integrity. I served as the Director of Integrity Education at Tiri – Making Integrity Work from 2009 to 2011 and was responsible for managing the network and its activities. During the network meetings, I have often discussed the above three ethical issues and moral dilemma with participants from many different nationalities, universities, and disciplines. Many of them were actively engaged in days of heated discussion and deep sharing concerning the practice of anti-corruption and integrity education and related issues of their research interests. Although very few of them could offer comprehensive solutions to these questions that are intimately connected to their teaching and scholarly pursuits, diverse insights and ideas were gleaned from these exchanges. Without exception, the scholars agree that the questions are highly germane to their work and intimately related to the ethical issues of accountability, authenticity and competence of an anti-corruption teacher.

The scholars of the Public Integrity Education Network agreed that temptations and trials for fresh graduates from universities are many, and how they are handled will have severe and lasting moral consequences on careers and lives. In China, for instance, young professionals have to “look the other way” when kickbacks from contracts are distributed within the company itself (Xin, Wang, 2011). “Corruption is a pervasive and endemic problem that affects everyone in China – in the classrooms, marketplace, hospitals, and practically every public service. These practices benefit a lot of people. Bribes are usually used to get permits from corrupt officials. Small car sales skyrocketed in China because developers buy them to bribe officials and are a powerful means of getting permits, licenses and protection. More BMW 7-Series cars are sold in Shanghai than in the whole of Europe! Businesses cannot tackle these problems alone, as the corrupt usually have political backing from high level authorities. It would be very difficult for professionals to stay clean if they

want to get ahead! ” These are the lamentations of a senior manager at an international chemical company in Beijing. He also opined that anti-corruption and integrity education has its role in China, but the prospect of fully practicing in the real-world what is learned in the classroom is bleak.

The governance environment is equally challenging in Indonesia, where many students are enrolled in over 2,300 universities and colleges. In Jakarta, there is a course on investigative reporting at Paramadina University, where undergraduate students from the second year were sent out in teams to ferret out corrupt practices from all walks of life in Jakarta. They used hidden cameras, camcorders, voice recorders and a myriad other devices to document evidence of corrupt, fraud and abuse in many sectors and professions, beginning with the university campus itself. Each year, students returned with recorded observations and multi-media evidence spanning many different professions that they can gain access to. Their evidence ranged from the overcharging of clients at food outlets and cheating of passengers by taxi drivers to kickbacks at vehicle toll booths and the issue of fake university certificates to students in the black market. Their findings and many reports, year after year, confirmed what the public already knows and is commonly reported in the news media: corruption is alive and well and its practitioners are regularly inventing more novel and sophisticated ways to derive wrongful gain and evade detection.

In the sections that follow, the ideas, emerging practices and solutions by the members of the Public Integrity Education Network are analyzed and evaluated to create a clearer picture on how the critical ethical quandaries could be tackled in practice around the world. Anti-corruption educators who are confronted with these key ethical questions relating to their practice must seek solutions or suffer from moral dissonance as a result. The issues of the intended impact on their students’ ethical competence and decision making, the relevance of their teachings to professional practice and public service, and the questions on corruption in universities are simply too important to their mission as educators to be left unanswered.

3. The Usual Answers

The first two sets of questions are closely inter-linked as they deal with the relevance and impact of anti-corruption courses to the real world. One relates more to impact on work in the private sector and the other is clearly concerned about public sector careers: *How can integrity educators prepare their students for a competitive, cut-throat marketplace, where many are willing to lie, cheat, steal and bribe to get what they want? How could future graduates practice their public service careers without corruption, particularly where civil servants are poorly paid and are under pressure from corrupt colleagues to do what*

everyone does or do as they are told? Both these questions drew parallel responses and very similar solutions from anti-corruption scholars around the world, particularly those in the Public Integrity Education Network. Many anti-corruption professors were challenged by these questions about the outcome of their courses in the students' lives and careers after graduation. They are directly concerned with many of the professors' professional mission and ethos as transformers of young minds in the cause of anti-corruption. Nevertheless, these are not problems faced by anti-corruption educators alone, as questions of relevance and impact of tertiary courses could easily have been directed at scholars from a myriad other disciplines or professional schools.

With the anti-corruption teachers within the Public Integrity Education Network, answers that emerged from our discourse to the questions on relevance and impact typically fell into three categories: (1) I don't care (or it is not part of my job!); (2) I can't tell (or how they work and live after my course I have no way of knowing!); and (3) I can't do anything about it (or what can I do to change these students in just one semester!). The first category of responses is embedded in a narrowly defined educator's role: her job is to teach a good course and that is what the university or school paid her to do. Her professional mandate was to impart knowledge to her students; not to change their professional ethos. This category of scholars may be genuinely defining their vocation as one focusing on transferring knowledge, engaging students in class, and testing their understanding and recall of course materials, and certifying their completion of a course. One such scholar quipped: "Whether my students will live a life of integrity when they leave the university is really up to them! My work is done when the course ended and the tests are graded. It is the students' job to determine how to pursue their careers and seek their own paths in life after graduation." Such an approach to teaching is very common in academic institutions where teachers are explicitly instructed to teach a certain prescribed course and not stray from the authorized syllabi and pedagogical approaches. They are expected to use primarily the lecturing approach to convey knowledge of the subjects within the syllabus and test the students for their understanding and recollection of this knowledge. For instance, several lecturers of universities in Armenia admitted that their sole method of instruction is to give lectures, and all tests they give the students on the subject are random selections of what was presented in the classrooms and the course materials. Given the low salaries of professors in Armenia, some of them have to teach 13 class sessions a week in different schools or universities. Given this daunting workload, an efficient approach is to focus almost exclusively on the delivery of identical lectures and use of standardized tests. An Armenian lecturer argued: "How can we expect to do more for each class when we are pay a few hundred dollars a month for teaching each semester? What I am responsible for is to teach each class, conduct the assessments and tests, and hope that some lessons will stick in the students' mind when they graduate!"

The second category of professors had their answers focused on the difficulty of determining how the knowledge (perhaps values and skills if they are taught in class) from anti-corruption courses could be assessed to be internalized or used by the students post-graduation. A lecturer in this category sees himself as ill-equipped to measure or to gather evidence to show if his classes could really equip the students to resist corruption and embrace integrity in the workplace, years after graduation. His argument is that an educator is not responsible for something he does not know. He is unable to manage or influence the students' learning for professional application, if he has very little information on the latter. Educators lament the fact that they are interested in knowing the impact of their courses on actual behavior but they have limited resources to track and measure it in graduates dispersed into various localities, industries and organizations. One teacher from Cairo, Egypt, who pondered these questions, replied: "We cannot easily follow the career paths of students and monitor their private moral decisions! Even when we interview or survey them, how many will tell the truth about their moral decisions and admit to corrupt practices?" A professor in Indonesia commented: "Even if we can find out how our students behaved ethically in their professional careers, how can we assign credit or blame for such behaviors on the anti-corruption course they have taken some years ago? We are lecturers. Not counselors, coaches or mentors for all the students that came through my classes. I think my students will look back one day and remember some of my lessons, but they will likely forget most of what I taught them after a few years!"

The third and last category of responses contends that an anti-corruption teacher can teach the knowledge of the subject, but he cannot be held responsible for their application in the trenches of the professions. There is often a significant time lag between the taking of an anti-corruption course and the opportunities to apply its knowledge in the professions. It is difficult, if not impossible, to empirically isolate the outcomes of a semester-long course (much less shorter anti-corruption modules) on students' conduct and behavior in the work place. An educator, who is highly motivated to influence his students' ethos and behaviors, may design her course and conduct his classes to impart practice-oriented knowledge and skills that are relevant to ethical problem solving in real life. However, he cannot follow through in promoting their actual use in the hard moral choices in their careers. A Lebanese university lecturer from Beirut reflected on the concern for impact in her anti-corruption course and commented: "Even if I have the means to find out how they lead their lives, practice their trade, or behave in their offices [after graduation], what can I do in a semester's time to change all that? How can I possibly attempt to influence their most difficult ethical decisions concerning corruption and integrity in real life? I can feed their minds, but I cannot change their morality." This is a compelling argument, as academics may be experts in their field of study, they are not specifically trained or institutionally equipped to change moral

attitudes and work ethos. An anti-corruption teacher from Beijing, China, made a related observation: “While my course on anti-corruption teaches them how to recognize and resist wrong practices, the other courses in the school, parents’ expectations, difficult life experiences, and peer pressure may influence the young person to get rich and win promotions at all costs! Influenced by the media and popular culture, so many of our young people today want material success quickly, and they are willing to compromise their morals to get there.”

In most universities, beyond the occasional anecdotal evidence, very little data is collected to demonstrate how much of university course materials are actually learned and applied. Testing of the comprehension of course content and the recollection of course material is possible with continuous assessment and examinations, although these are still imperfect measures of how anti-corruption knowledge and skills were internalized. The effective application of anti-corruption knowledge and skills in practice requires mastery as well as the conviction and courage to make difficult moral decisions. It is not easily tested. Furthermore, ethical decisions often come at a cost, and moral dilemmas are commonly resolved through mobilizing the strength of character and a clear conscience, all of which are difficult to teach in class.

4. Some Answers and Residual Issues

The questions on how to prepare students of anti-corruption courses to practice their professions with integrity present an interesting ethical dilemma for anti-corruption educators around the world. Most teachers of anti-corruption are acutely aware that they are morally obligated to teach students to recognize and resist corruption and its related malpractices. Indeed, some of their syllabi explicitly mentioned imparting knowledge to students to raise their awareness and improve their abilities to understand and tackle corruption-related issues commonly found in society. Most would even agree that they must have good answers for those students who wish to learn how to apply the theories and frameworks of their classes to their professional lives. Yet, many of these teachers also feel that they are powerless to help students resolve corruption-related problems in real life situations. Through the interviews and discussions, most of them especially feel inadequate in dealing with the quandary of how graduates could survive in competitive, cut-throat work environments, where integrity and governance is not valued or rewarded, and where corrupt people tend to survive and thrive. Others are resigned to the fact that they cannot find viable solutions or good advice for students who aspire to work in the public service, where civil servants are poorly paid and are under constant pressure to go along with or participate actively in corrupt practices. Indeed,

many cohorts of graduates have entered public service and private corporations, and yet few universities have been able to identify models of integrity among alumni who have become successful in government and business. In fact, most of the corrupt practitioners in society – crooked business leaders, corrupt officials, and dirty politicians – who have been caught or exposed through the mass media – are graduates from universities. This led one senior university official from Indonesia to comment: “If universities cannot produce people who fight and resist corruption, they are producing corruptors! You can read in the news that the majority of the corrupt are university graduates!”

To these challenges, we have a few answers, if not partial solutions, that may help educators resolve these persistent quandaries. First, while anti-corruption courses may not be able to cure all the ills of workplace corruption and immunize students from this harm, they can provide a first line of defense in terms of raising awareness and promoting understanding of corruption and its consequences on individuals, organizations and society. Courses typically highlight the malevolent impact of bribery and fraud on the personal integrity of professionals, on the morale and reputation in organizations and the loss of public trust and social welfare for society as a whole. The knowledge of the consequences of one’s action can assist future professionals in making more informed decisions when they are presented with difficult choices and ethical decisions. Lessons on anti-corruption can also alert students to the various forms of corruption as forewarnings, or familiarize them with the provisions of the laws and civil service regulations that proscribe these practices. Class discussion on the convicted corruption cases can warn future public servants and deter some of them from such mistakes. Anti-corruption courses, through case teaching and problem solving approaches, may also present strategies and tactics on how to avoid being ensnarled in conspiracies for wrongdoing and prevent corrupt practices from taking place. Studies on procurement governance, for example, may provide ideas to future executives on how to prevent malpractices in procurement, using good practices such as open call for bids, selection by a committee, and the segregation of duties in the entire bidding process.

Another approach is to increase the level of engagement in class activities through interactive and problem-solving activities to raise students’ interest and make it easier for them to internalize the lessons learned for future application. Studies have shown that teaching methods that involve students in interactive learning, research and writing, and participating in group work tend to promote understanding and recollection than more passive methods such as listening to lectures and reading (citation). To create a deeper and more lasting impact on students, courses can be taught in interactive, student-centered teaching styles that engages the students’ imagination and sensory faculties. In addition to being informative and persuasive, these courses must also empower students. If educators only teach students to identify the problems, without providing insights into practical solutions and

effective alternatives, their courses may actually engender cynicism and disenchantment. Hence, it would be of greater benefit if anti-corruption courses can combine insights from lectures and classroom exercises with real-world engagement such as legal clinics, investigative reports by students, field visits, and social monitoring. Traditional forms of rote learning and random memorization are not particularly effective in nurturing the students' moral courage and ethical convictions to resist corruption and to initiate positive change for integrity (citation). Hence, anti-corruption lessons that seek a greater real-world impact, must consider the more creative and engaging pedagogical methods ranging from case studies and scenario exercises to role-playing and creative writing. While anti-corruption teachers typically cannot track the careers and moral trajectory of their students after graduation, they can certainly do so within the given time of a semester to make their courses and lessons more engaging and empowering.

From the foregoing discussion, it is evident that educators at the driving seat of students' learning can do a lot to help maximize the chances of students internalizing and applying the values, knowledge and skills of anti-corruption. In many countries, these may be the only courses the students will ever take that has content in moral reasoning and ethical problem solving before they begin their careers. Courses can provide the moral concepts, ethical frameworks and practical solutions that students may turn to later in life; hence they can significantly influence how students think about moral issues and live their lives. By constantly improving their courses, renewing course content, updating teaching methods, teachers of anti-corruption can also greatly strengthen the interests of students in the subject matter. Much can be done by them to make courses practical, relevant to the problems of the day and grounded in the realities of the societies into which the students will graduate. These activities are within the academic mandate and role of university teachers, even in those institutions where pedagogical content and methods are centrally controlled and closely monitored.

While individual professors may not have the resources and know-how to track the impact of their courses in the students' lives after graduation, most universities may have resources (such as centers for instruction or teaching) that can study the impact of various course contents and teaching methods. Paramadina University in Jakarta, Indonesia used simple text messages and emails to survey their students on alumni records for up to three years from graduation to get a sense of the how they perceive the relevance of the mandatory anti-corruption course they took in school. The results may not be highly statistically robust but they indicated that recall rates were good for the first two years before sharply declining. Alternatively, published research results widely accessible in the public domain or presented in conferences may help to update their content and inform on their teaching methods. Hence, the concerns of circumscribed mandate, limited resources, and inadequate knowledge are less

of a real constraint to those professors who are committed to improving the impact of their courses in real world practice.

The issue of the impact of anti-corruption education is one that deserves deeper and broader study. Educational programs in anti-corruption are typically rated in terms of their outputs and activities (e.g. number of students who successfully completed the course, or the number of classes taught) rather than the larger social impact of the courses (i.e. ascertained student learning and understanding of concepts, or change in attitudes and behavior toward corrupt practices). In recent years the MIT Poverty Action Lab (Poor Economics, 2008) is at the forefront of a new approach of using randomized controlled trials (RCTs) in international development projects to test the efficacy of different designs, incentives and interventions. A randomized controlled trial is a type of scientific experiment using clinical trials, most commonly used in testing the effectiveness of social change programs, such as healthcare services or educational approaches. The distinguishing feature of the RCT is that the subjects of the interventions (students of anti-corruption courses) are randomly assigned to different types of treatments (e.g. interactive learning approaches vs. lectures). Research similar to this can also focus on knowledge transfer (lectures, class discussions) versus those using social involvement and “reflective” approaches (e.g. investigative reporting, internships and action research). The subjects (must be at least two groups) are then observed/followed up in exactly the same way (e.g. interviewed every 6 months, tested annually). The observed outcomes or impact will testify to the efficacy of different approaches in the teaching of anti-corruption courses. The most important advantage of randomization is that it reduces allocation bias, and help to balance the allocation or spread of relevant attributes, in the assignment of treatments to give comparable treatment groups. To-date, there is little attention given to evidence-based approaches to show how results are linked to factors relating to anti-corruption education such as, training of lecturers, and the lecturers’ use of interactive case studies and films. Universities have done very little inquiry on how different pedagogy and content can make a more lasting impact on the professional integrity of their graduates. Research in these areas can shed light on the emerging field of anti-corruption practice around the world.

A third approach to help resolve the dilemma is to go beyond the fight against corruption with an integrity building focus. While professors of anti-corruption may not be able to solve the most entrenched problems of corruption in their university and classrooms for their students, they can do much to build their integrity. As an antidote against corruption, integrity is an attractive value and a powerful principle. Practically everyone we know wants to work and live in an integral manner. Organizations around the world hold it up as a core value. Companies big and small profess allegiance to integrity as their ethos for doing business. Religions from both east and west consider versions of this virtue as cornerstone of the pious life. Anti-corruption courses can take a strong tag in teaching students the values, practices,

and principles of integrity and how to apply them in professional and personal life. Integrity-building skills include the art of moral reasoning, awareness of the rights and interests of others and the public, respect for the laws of the land and rules of organizations, and practices of transparency and accountability in organizational life. These competencies provide a strong foundation for living a morally good life, and practicing one's profession with honesty and dignity. At Harvard Business School, the faculty is considering offering ethics and integrity lessons with planted "tiny time pills" that will be activated later in the students' careers (Rosenberg, 2006). Equally important, ethics and integrity are the underpinnings of a strong character that resists temptation and pressures for moral compromise.

While most anti-corruption courses focus on the fight against corruption on the national, organizational and personal levels, a few courses are beginning to experiment with a strong integrity-building focus. One anti-corruption trainer based in Indonesia observed: "Courses of anti-corruption tend to be so corruption-focused that students are exposed to various forms of corruption throughout the semester. I wonder if they are given ideas on how to do wrong. Very few of them would graduate into jobs in anti-corruption agencies anyway. If courses are more oriented towards learning about integrity and its practices, its relevance to the students may be even greater." Indeed, many anti-corruption courses present case after case of corrupt practices to students, but they do not always provide solutions or counter-measures to corruption. Thus, these lessons leave students wondering if corruption might be inevitable and if anything can be done about it. In the shift of focus towards integrity, a group of teachers and administrators at the Nantong University in Southern China were able to advocate to the university's leadership to have an 8-hour and 16-hour anti-corruption module taught in the Moral Education core curriculum for all basic degree students. Such modules have their content focused on addressing corruption and also on building integrity and the moral character of students. The modules are also taught with case methods and they utilize actual cases of corruption drawn from court document and media articles from all over China. Today more than 6000 students each year undergo the standardized anti-corruption curriculum.

Integrity is more than the absence of corruption. Building the integrity of students will do more for them in their professional lives than strategies to overcome the pressures from corrupting business and bureaucratic environments. Through lessons on integrity competence, students will learn the principles of integrity: sound moral judgment; uprightness, honesty, sincerity, and also involving the firm adherence to codes of ethical conduct. They will learn how organizations can improve policies and practices to strengthen integrity. Integrity in one's work life may also include the quality of being complete and undivided, being true to the mission and mandate of the organization as well as being trustworthy, and being diligent in honoring personal obligations and professional

commitments. To prepare for a professional life of integrity, students learn how to manage their ethical conduct and actions in an organizational setting. In social discourse and relationships with others they learn how to adhere to truth-telling, promise-keeping and respecting the rights of others and rules of society. These integrity practices will open up an anti-corruption course to an array of theories, concepts, skills and practical examples. At the very least, they will bring a balance to those courses that are totally focused on the study of corruption.

5. Corruption in Universities

Another set of difficult ethical questions for anti-corruption educators is related to university corruption. These questions have drawn both heated debate in some countries and cautious muted discussions in others, but the interest of the academics in this topic was undeniable. The university lecturers who teach anti-corruption were generally willing to discuss corruption in society and specific cases published in the mass media. However, they tended to be cautious to criticize university governance and practices that might incur the displeasure or backlash from university administrations. Scholars did not feel safe to make accusations about hidden practices without sufficient evidence, even where suspicions are strong. Their usual answers are identifiable with three main themes: (1) I don't know (I cannot make accusations without proof of malpractices); (2) I don't care (this is beyond the scope of my syllabus!); and (3) I can't change things around here (these are matters to be dealt with by the administration).

The first category of responses was elicited from a wide range of academics. One young and eloquent college professor in a university in Makassar, Indonesia, opined: "Such things exist at many universities, we know. Students copying from one another [in tests and exams], faculty members plagiarizing research, wealthy parents buying good grades and examination questions, and even students purchasing university degree certificates from the black market. But we have to be careful not to make strong statements on corruption about our universities without evidence or first-hand experience. What we say can get to the ears of the authorities!" Nevertheless, most of the scholars interviewed have personally experienced the effects of admissions fraud, cheating in examinations, sexual harassments of students by teachers, and plagiarism during their careers. They have seen them in their earlier times as students of universities, and now as teachers and researchers. Most of them have also suffered from poor quality workmanship of buildings on campus or the use of sub-standard classroom equipment that are most likely the result of procurement corruption in university purchases.

The second category of answers expressed the assertion that corruption on campus is not part of the syllabus of an anti-corruption course. A semester-length course on anti-corruption typically resides in the disciplines of political science, public administration, business administration or in the case of Indonesia, religious studies. Some shorter modules (1-3 classes in most cases) on corruption may be incorporated into a professional course, such as law, finance or engineering. Long courses are generally taught from social science lenses that focus on the theory and concepts of corruption in a society at large and around the world. Short modules deal with corruption cases and risks that are relevant to the particular professions. Very few, if any, of these courses and modules, explicitly deal with university corruption. Whether professors consider this to be a sensitive topic to be included in their syllabi or that it may raise too many unanswered questions and embarrassing issues, corruption in the classrooms and colleges is very rarely spoken of publicly in academic circles, much less taught in classes. A bold exception to this might be Paramadina Universitas, the privately-managed university in Jakarta that organized mandatory anti-corruption courses for all its undergraduate students. In its widely popular course on investigative reporting earlier mentioned, student groups gathered evidence of corrupt practices and abuse. They were allowed to investigate into cases of corruption in the university itself, and some groups have unearthed evidence ranging from minor cases of absenteeism of university security guards to suspected mismanagement of university building projects. The enlightened university leadership chose not to censor such findings but to openly address them and use them as catalysts for reforms to improve university management. A senior administrator at the university opined: "Unless we openly deal with issues of mismanagement on campus, how can we have the legitimacy to teach students about corruption in the larger society?"

Respondents with the third category of answers appeal to a narrow definition of their role on morality. They have a similar approach as those who circumscribe their teaching mission to exclude anything beyond teaching the course and grading assignments. In their view, university governance is the responsibility of administrators and overseers. If they come across a case of plagiarism or cheating in tests, they would report the matter up the chain of command. Beyond that, they would content themselves with teaching their courses and not "rock the boat". When Chinese academics were asked about how they would deal with allegations and convicted cases of sexual harassment, plagiarism and cheating in the schools, they would prefer to discuss them as part of official case studies. When it comes to remedial measures and reforms, their refrains were: "The authorities will deal with this; as a lecturer I can't change things around here. All I can do is to report misconduct to my superiors. When cases are published in the news media, I may use them as lessons from real life and a warning to my students."

6. Some Answers and Residual Issues

Questions on corruption in the universities present professors of anti-corruption with an equally severe moral dilemma as the questions about the relevance and impact of their teaching. Professors are bound by their intellectual honesty and pride in their craft to address practical issues raised by students in relation to the subject area. Yet the many manifestations of corrupt practices in universities have a great impact on the legitimacy of anti-corruption lessons in the eyes of students and the learning environment on the campuses. Take for example when there are huge integrity problems in the classroom, with students bribing teachers for higher grades, cheating in tests, and abuse of authority by lecturers. Lessons on fighting corruption sound like hollow theoretical exercises. In the larger university governance context, where there is wanton plagiarism in research by lecturers, widespread admissions fraud and nepotism in the hiring of university staff, the strife for excellence and honest competition for results will be seriously stifled. The university loses its edge as an institution promoting intellectual honesty, enterprise, creativity and learning.

Arguably, the teaching of anti-corruption in a corruption-ridden setting can create much dissonance in the minds of students. These students might actually internalize the lesson that corruption practitioners are so powerful they can get away with anything, even in public institutions of higher learning. An Indonesian lecturer noted: “When students witness poor workmanship, sub-standard equipment and badly managed university construction projects, the lessons they take away with them from their university experience: corruption is inevitable, or you can do anything to get ahead as long as you do not get caught. These lessons are more powerful and influential than the theories and practices of anti-corruption we teach them in the classrooms.” These abovementioned moral dilemmas relating to university governance must be resolved as a pre-condition for effective anti-corruption teaching in the classrooms, for they cannot be easily side-stepped by educators seeking to teach students to resist and fight corruption in real life.

There are several approaches or strategies to this moral problem faced by teachers of anti-corruption working in poorly governed universities. First, the lecturers may not be able to change the larger system of university governance, but they can do much to shape the atmosphere and management of their anti-corruption courses. Course governance may be safeguarded through clear and enforced rules and guidelines against plagiarism in student research and writing, cheating in tests and examinations, faculty’s and students’ responsibility for punctuality and accountability in conduct in the classrooms, and even an atmosphere of respect throughout the course. Taken together these create an enabling environment that promotes intellectual honesty, fairness, and personal responsibility that shore up the integrity of the course and all its participants. Several courses on anti-corruption,

for example, have a significant part of their first organizing sessions focused on the course governance principles and expectations before delving into the course contents in subsequent sessions.

Second, anti-corruption lecturers can indirectly deal with issues of corruption in universities by using case studies from published cases of university corruption or plagiarism in their home country or abroad. When they do not have the evidence or data to deal with suspected cases of corruption within their own campuses, these are the next best option. Students do not need actual cases close to home to vicariously learn lessons of corruption on campus; they can gain as much insight through other universities' experiences. They may learn about the pitfalls of plagiarism in doing research, the consequences of cheating in tests, methods for preventing nepotism in university hiring, and the strategies for reporting suspected wrongdoings. From the reported cases in the mass media, classes can learn how dishonorable or irresponsible behavior has ruined the careers of scholars and derail the academic promise of students. Classes may also use examples from around the world to examine how fraud and corrupt practices have brought down university administrators and tarnished the reputations of established institutions. In fact, faculty and students can be more objective and less emotional when they speak to the experience of others rather to deal with issues of their own.

Third, students concerned with university governance problems would also benefit from learning about integrity interventions or governance reforms in academic institutions, beyond studying the corrupt practices in universities. The discourse in the class can go beyond "what is wrong" to "how to do right". This is akin to complementing the learning about corruption with acquiring knowledge on how to build integrity in the professions. How do some other countries address the issues of university reform and governance? What reforms and interventions are effective and sustainable in the academic environment? What does it take to transform a university that is vulnerable to corruption to one that is strong in governance? More interestingly, how does an institution improve its integrity in an environment where good governance is not valued and continuously challenged? In many countries, a good university degree is a passport to good jobs and a promising career; the stakes involved in academic pursuits are high. Consequently, life in university presents many integrity traps and temptations, as students and university staff alike seek ways to get ahead in a competitive environment.

Students, in particular, may not yet have the ethical competence to deal with the competition for grades and admission to programs. Lessons on academic integrity and university governance will strengthen students' knowledge about how to conduct themselves with integrity; they will also deter some from the painful mistakes of dishonesty or irresponsibility. From the above discussion, it is evident that much can be done to address the

issues of corruption in a university within the roles, responsibilities, and resources of anti-corruption educators. Through creative and flexible approaches, they can address the students' concerns, teach the lessons and yet avoid the risks of critiquing their own institutions and its members.

7. Concluding Remarks

Anti-corruption educators in universities have a special role and responsibility to change the way their students think about corruption. Their students will form the future professionals and public leaders of society. Anti-corruption activists in many countries around the world often wage a lonely and dangerous battle against the powerful forces of graft in high places and the widespread street-level corruption. With only rare exceptions, the political and business elites of all countries are graduates of universities. Universities are among the rare institutions that can produce a critical mass of integrity builders to confront these challenges. Yet, institutions of higher learning have produced politicians, public officials, military leaders, and business executives who are heavily represented amongst those indicted or convicted for corrupt practices. The corrupt behaviors and abuses of graduates entering these professions suggest that the universities responsible for educating them for professional life can do more to equip them with the knowledge, skills and knowledge needed to practice their professions with integrity. Hence, the questions addressed above are not just moral quandaries for university professors seeking to teach anti-corruption to their classes of students. They must be the concern of university administrators, parents, employers and leaders of all sectors of society. How a country's universities prepare its graduates for real life must go beyond the transfer of knowledge and skills to enable them to become productive members of society and responsible citizens of the nation. They must be taught the competencies on how to act and behave with integrity, and to confront and resolve the ethical problems that professional careers present them. Only then, could society count on their best and brightest to respond to these problems in the workplace, manage corporations and lead public institutions with high standards of integrity.

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THE USE OF MODERN MEANS OF COMMUNICATION IN VARIOUS SPHERES OF SOCIO-ECONOMIC LIFE

Summary. Intense technological progress, advanced science and new information and communication technologies are increasingly important in today's social and economic phenomena. The article presents the possibility of using modern means of communication in many areas of life and economic activities (e.g. in medicine, in administration, for the police, in business, in education). Modern means of communication – computers, tablets, mobile phones and smartphones, especially those with Internet access, are an important tool for gaining information, for learning, for work and entertainment, yet may also lead to dependence.

Keywords: modern means of communication, Internet, Internet addiction, dependence on a mobile phone, the field of socio-economic

WYKORZYSTANIE NOWOCZESNYCH ŚRODKÓW KOMUNIKACJI W RÓŻNYCH DZIEDZINACH ŻYCIA SPOŁECZNO- EKONOMICZNEGO

Streszczenie. Intensywny postęp technologiczny, zaawansowany rozwój nauki i nowe technologie informacyjno-komunikacyjne mają coraz większe znaczenie dla współczesnych zjawisk społecznych i ekonomicznych. W artykule zaprezentowano możliwości zastosowania nowoczesnych środków komunikacji w wielu dziedzinach życia i działalności gospodarczych (np. w medycynie, w administracji, w policji, w biznesie, w edukacji). Nowoczesne środki komunikacji – komputery, tablety, telefony komórkowe i smartfony, szczególnie te z dostępem do Internetu, są ważnym narzędziem zdobywania informacji, nauki, pracy i rozrywki, a także mogą przyczynić się do uzależnienia.

Słowa kluczowe: nowoczesne środki komunikacji, Internet, uzależnienie od Internetu, uzależnienie od telefonu komórkowego, dziedziny życia społeczno-gospodarczego

1. Introduction

Intense technological progress, advanced development of science and new information and communication technologies are proving to have more and more influence on contemporary social and economic phenomena. There is a rapid increase in the number of Internet users, the capacity of the World Wide Web and the unlimited opportunities to use modern means of communication in various spheres of life and business activities (e.g.: in medicine, administration, police, business, education) as well. Modern means of communication – computers, tablets, mobile phones and smartphones with Internet access in particular have become a very important tool for gaining information, for education, for work and for entertainment. The Internet is an invaluable source of knowledge and is a means of trade, instant communication, and is also a source of social and cultural life. It is hard to imagine a day of a modern man without these technological conveniences. It can be argued that modern information and communication technologies (ICT) are tools used in the reduction of social inequality and in the increase of opportunities for those people experiencing exclusion.

According to the Global Digital Statistics 2015 report¹ (from January 2015), access to the Internet was available for 42% of the overall world's population, 68% of Europeans regularly use the Internet (67% of the overall population in Poland has access to the Internet). The active users of social networks account for 29% of overall world population (34% in Poland) where 23% of the world's population use mobile devices to connect to social networks (mobile phones) – for Poland it is 24%. Almost 1,366 billion people in the world are users of Facebook where 83% of them have access to social networks by mobile devices. There is a rapid growth of users of messenger services and chat apps (in January 2015 the number of active users was respectively WhatsApp – 600 million, WeChat – 468 million, Facebook Messenger – 500 million, Viber – 209 million, SnapChat – 100 million). The penetration of mobile phone networks reached 51% of the overall world population in January 2015 (132% of the population in Europe and 147% of the population in Poland). From the data of the European Commission² it is clearly visible that 1 out of 4 Europeans have never used the Internet. Moreover, consumers and companies very quickly change

¹ Global Digital Statistics 2015 (<http://wearesocial.net>).

² <http://ec.europa.eu/digital-agenda/en/informacje-o-kraju-polska>; <http://ec.europa.eu/digital-agenda/en/scoreboard>.

mobile services. The popularity of mobile Internet rose to 62%, reaching 217 million subscribers to mobile broadband networks.

2. The use of modern means of communication in various spheres of socio-economic life in Poland – opportunities and threats

Technological development influences the functioning of the economy in a broad sense, and modern information and communication technologies (ICT) exert positive and negative results on various spheres of socio-economic life.

2.1. The positive influence of ICT development in selected spheres of socio-economic life

The XXI century is the time of the so-called information revolution. It means that information has become the most important element of everyday life (because we are spending more and more time on the Internet – Polish people stay in front of a computer or use a tablet to browse the Internet about 5 hours a day; they use mobile phones for browsing web pages for about 2 hours a day; social networks are as well visited for about 2 hours a day – the data originating from Global Digital Statistics 2015 report), and the most important element of monitoring economic, social, trade and business matters. In a modern global economy the competitiveness of companies depends on their innovativeness and the knowledge at their possession. The great “introduction of information technology” in economic activity allows for a simpler integration of economies at the national and regional level. The use of information technology in economic activities contributes to the overall increase of performance of companies on the market due to the advance of management procedures, due to the improvement of the quality and quickness of carrying out many operations, and due to the availability of many administrative, medical or educational services.

Electronic business

The positive impact on the Polish economy brought upon by the development of electronic business, which can be conducted through the Internet and the mobile phone, is the effective exchange of data between the market participants, contracts signing, video-conferencing, trainings, advertising of products and services, and access to a wide audience and prospective customers. Online shops are coming into being and the electronic banking and teleworking are developing. Many companies in Poland use their own websites to present their catalogs, goods or services (in 2015 the share of companies with a website was 65,4%). A tool used in business in a wider form is social media. Companies use social media mainly

for marketing purposes, but also for cooperation with business partners (more than one fifth of all companies in Poland benefited from the possibilities given by social media – Społeczeństwo informacyjne w Polsce w 2015 r., GUS (Information Society in Poland in 2015, Central Statistical Office of Poland)). According to data obtained from the Global Digital Statistics 2015 report, shopping through the Internet during the last month was done by 44% of Polish people (the data from January 2015), and shopping through the Internet with the use of a mobile phone was done by 14% of Polish people.

The market of computer games

In the modern world of omnipresent computers, tablets and mobile phones, the computer games market is a rapidly developing branch of the entertainment industry, which is earning enormous profits. From the Newzoo³ research, in 2012 the value of the global gaming market was estimated at 66,3 billion USD, while in 2015 (data from October 2015) the same market was estimated at 91,3 billion USD, therefore the income in this branch of industry has increased by 38% in comparison to 2012. The highest revenue-generating region for the gaming market in 2015 was the APAC region (Asia – Pacific), generating 41,6 billion USD of income. The first three countries in terms of revenue for the computer games market are: China (22,2 billion USD), the United States (22 billion USD) and Japan (12,3 billion USD). Poland, among the 100 researched countries, takes 19th position, and the second position in eastern Europe, right behind the Russian Federation. According to the available data, the value of the Polish gaming market in 2015 was estimated at about 408 million USD. Our home games producers have a 0,98% shares in the worldwide gaming market. It is forecasted that the income of the Polish gaming branch should increase by 5,4% until 2018. From the available data 4,4 million Polish people in 2015 were the active users of the Internet, where 12,3 million used computer games. More than one half of gamers (52%) in Poland spent money on games, on average 63,74 USD per year, buying games legally in a traditional and digital way as well. The Polish gamers most frequently play on computers (98% of players) and 70% of players uses mobile phones. Tablets and portable consoles are among the popular devices and they are used by 20% of players. Of greatest popularity in Poland are social and casual games (there are 12 million people playing, with the most popular games being Diamond Dash and Farmville). Smartphones, due to their more and more specialized models and the widening of broadband Internet coverage, are used by 5,6 million people, while desktop consoles of the PS3 or Xbox 360 type are used by 6,2 million players.⁴

³ Newzoo research company researches and analyzes the computer games market. The data accessible at: www.newzoo.com, 9.11.2015.

⁴ The data accessible at: http://polygamia.pl/Polygamia/1,107162,15330472,Gra_juz_13_4_miliona_Polakow__Jestesmy_pecetowa_potega.html, 10.11.2015.

E-administration

Electronic administration is based on the use of information and telecommunication technologies in public administration in order to achieve better accessibility and to introduce improvements in the process of delivery of public services. The advantages of e-administration⁵ are among others:

- the organizational improvements, modernization and optimization of administrative processes from a perspective of the increase in effectiveness,
- standardization of e-administration systems within the framework of EU countries,
- the simpler access to services for disabled people,
- the cheapest and the most effective method for citizens to access public information, the accessibility on the Internet (24 hours a day, 7 days a week) and the possibility to check the status of the matter in any place and at any time,
- the smaller probability of making a mistake (the automation of processes eliminates the human factor).

Examples of e-administration in Poland:

- ePUAP – Electronic Platform of Public Administration Services (Elektroniczna Platforma Usług Administracji Publicznej) – provides services to the general public by electronic means,
- e-signature,
- Public Procurement System – Central Portal (System Zamówień Publicznych – Portal Centralny),
- European Document Exchange System – Poland (Elektroniczna Wymiana Dokumentów – Polska (EWD-P)),
- Electronic identification of citizens (electronic identification, project PESEL 2).

In 2014, 92,4% of companies in Poland used e-administration services at least in one of the described above areas (obtaining information, downloading forms and sending filled out forms). Almost 92% of the sampled companies sent filled out forms, 83% of companies used the Internet to download the forms and in 56% of the companies the administrative procedures were run using electronic means. In Poland in 2014, individuals using the public administration services by the Internet accounted for 27% of the population between 16 and 74 years old. The e-administration was used most frequently to browse through information on the public administration websites; the least frequently used service was the sending of filled out forms.

⁵ cf. <http://www.eadministracja.pl/>.

E- health

There are tools and services using information and communication technologies (ICT) which can improve prevention, diagnostics, treatment, monitoring and management in health care services. There are tools or solutions that include products, systems and services for authorities and employees of health care for the purpose of individual patients and citizens' needs (e.g. the services within the scope of tele-health care, applications used to monitor the health condition, portals dedicated to health). The implementation of electronic medical documentation (e-prescription, e-referral, e-doctor's leave, e-order) makes administrative customer service easier and more economical. The introduction of information technology into health care and the increase in e-services contributes to development of the electronic sector of the economy and to the creation of new places of work.

National e-health projects in Poland (Ministry of Health):

- Electronic Platform for Collection, Analysis and Sharing of Digital Medical Records (P1) (Elektroniczna Platforma Gromadzenia, Analizy i Udostępniania Zasobów Cyfrowych o Zdarzeniach Medycznych (P1)).

The main aim of the project is the creation of an electronic platform of public services in the scope of health care which will enable public administration bodies and citizens to gather, analyze and process data of medical records made available to every citizen (either citizens of Poland, the European Union or of other countries) who made use of health care services in Poland. The implementation of P1 Project will contribute to the increase of health awareness of patients by the availability of data on their own health condition, medical records, medical procedures that were used, and prescribed medicines. Patients will regularly obtain information about necessary preventive examinations in their individual inbox of their Patient Internet Account (Internetowe Konto Pacjenta (IKP)). The patient and the doctor as well will have access to medical record and the results of examinations which will advance the diagnosis and the choice over the effective treatment. Electronic prescription provides better quality customer service since it eliminates mistakes when prescriptions are handwritten. Moreover, the database of medicines and the therapeutic guide will be of help to the doctors.

- Platform for sharing services and resources of digital medical records with on-line businesses (P2) (Platforma udostępniania on-line przedsiębiorstwom usług i zasobów cyfrowych rejestrów medycznych (P2)).

This is an information technology tool used to keep registers, provide electronic services and to ensure an optimal level of safety.

- Operational Programme – Digital Poland 2014 – 2020.

This is a national programme in scope of which investments and activities connected with health will be supported:

- the expansion of access to broadband networks, common access to fast Internet and the development of services based on ICT (e.g.: e-administration⁶, e-integration, e-culture, e-health care, e-registration), electronic card of health insurance, electronic medical records of patients,
- supporting telemedicine: consultation between doctors, contact between patient and doctor, the development of digital applications supporting the monitoring of health condition, illness prevention, creation of the Telemedic Platform of Ministry of Health,
- e-blood – introduction of information technology to public blood services and increasing the supervision over the Centre of Blood Donation.

In Poland, people using the Internet in cases related to health browse for information about themselves. The percentage of such people reached 38,9% in 2015. The respondents used the Internet on rare occasions to order health related products (3,8%) and to make an appointment with a doctor (4,3%) (Central Statistical Office of Poland (GUS) 2015).⁷

2.2. The threats as a result of technological advance, popularization of communication and the Internet

Internet crime

UN defines computer crimes as: illegal procedures made with the use of electronic operations, aimed against the safety of computer systems and processed by databases, including illegal possession, making the information public and distributing the information with the use of systems or computer networks (more information:⁸).

Cybercrime is defined as “forbidden action committed in cyber space”⁹.

The kinds of cybercrimes are as follows:

- cyberbullying – the use of violence through persecuting, intimidating, plaguing and deriding people with the use of the Internet or a mobile phone (SMS, e-mails, discussion forum, social network portals),
- cyberstalking – is plaguing or tormenting of individuals or groups of people or whole organizations with the use of the internet, false accusations, illegal monitoring,

⁶ Odlanicka-Poczobutt M.: Rola technologii informacyjno-komunikacyjnych (ICT) w sądownictwie powszechnym – wyzwania i możliwości, [w:] Buko J. (red.): Ekonomiczno-społeczne i techniczne wartości w gospodarce opartej na wiedzy. Zeszyty Naukowe, Nr 808, tom II. Uniwersytet Szczeciński, Szczecin 2014, s. 93-101.

⁷ Społeczeństwo informacyjne w Polsce 2015, GUS (<http://stat.gov.pl>).

⁸ Suchorzewska A.: Ochrona prawna systemów informatycznych wobec zagrożeń cyberterroryzmem. Oficyna Wolters Kluwer business, Warszawa 2010.

⁹ Polityka ochrony cyberprzestrzeni Rzeczypospolitej Polskiej. Warszawa, 25.06.2013.

threats, identity theft, damage of equipment or data, inflicting oneself with sexual intentions and gathering information about the aggrieved party in order to torment this person,

- grooming – the actions taken with the use of the Internet by an adult person in order to make friends and establish emotional connection with a child and finally in order to sexually abuse the child,
- cyberpornography and cyberterrorism,
- phishing (password harvesting fishing – obtaining passwords) – in other words obtaining confidential information from the individual person (e.g.: login, the cash machine PIN, credit card number) pretending to be a trustworthy person (e.g.: bank employee),
- SMiShing (SMS phishing) – sending text messages to a victim with the instructions for actions that should be made on a website which later will cause the unwanted installation of malware on the computer,
- pharming – redirection of the Internet user to a fabricated website (very similar to the real bank or online shop website) in order to gain data and to steal money from the bank account,
- Internet fraud and computer hacking,
- telecommunication crimes (e.g.: cloning IMEI numbers of mobile phones),
- hacking e-mail accounts and profiles on social networks, pretending to be the owner of the account.¹⁰

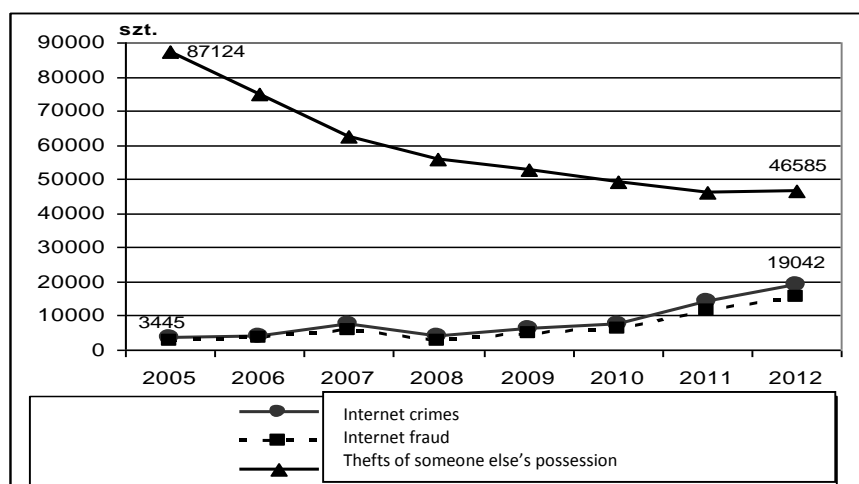
The amount of crime connected with modern technologies and fraud inside networks in Poland is shown in Figure 1. As it is shown in Figure 1, during the last 8 years the amount of Internet crime has increased 5 times (crime rose year by year, on average, by about 1,943 incidents) including Internet fraud (increasing year by year, on average, by about 1,533 incidents). According to Polish police, the amount of cybercrime will increase in connection to the growing number of Internet users.

There are more and more sellers who offer various goods and services via Internet. Illegal Internet trade is growing and it is among others: drugs and arms trafficking, designer drugs or endangered species of animal trade.¹¹ The Internet websites contain materials and contents connected with pedophilia, instigation to terrorist actions. There are mass attacks on information systems, institutions and individuals. According to police statistics, the theft of physical mobile phones are less frequently the subject of crime since they are now available at reasonable prices and they are no longer objects desired by the thieves. The amount of theft

¹⁰ Czyżak M.: Cyberprzestępczość a rozwój społeczeństwa informacyjnego, Pluciński M. (ed.). Zeszyty Naukowe, No. 852, s. Ekonomiczne Problemy Usług, No. 117. Uniwersytet Szczeciński, Szczecin 2015.

¹¹ Ibidem.

of personal possessions in 2012 compared to 2005 was down almost by half. This was a gradual year by year decrease (between 2005 and 2012 declining by about 5,600 incidents each year).



*The theft of someone else's possession including crimes where a mobile phone was the main object of the crime (although not necessarily the only one)

Fig. 1. The number of Internet crimes, Internet fraud incidents and thefts of someone's possession in Poland between 2005- 2012

Rys. 1. Liczba przestępstw w sieci, oszustw i kradzieży cudzej rzeczy w Polsce w latach 2005- 2012
Source: Own work.

The threats of Internet and mobile phone addiction

Mobile phones and computers with Internet have access became indispensable equipment and the main means of communication of modern man due to their affordable price. Prolonged surfing of the Internet or using mobile phones in connection to web browsing leads to negative changes in a teenager's mind and may lead to addiction. Research made by Rutland¹² and his team on a group of students showed that there are people addicted to sending text messages in such a way that they were even writing messages to themselves. According to Lu¹³ and his team, 3,1% of men and 5,4% of women in Japan are close to becoming addicted to sending text messages from their mobile phones. However, other research conducted by Ha¹⁴ and his team show that there are people who pathologically buy new models of mobile phones which enter the market. The pathological use of mobile phones

¹² Rutland J.B., Sheets T., Young T.: Development of a scale to measure problem use of short message service: the SMS problem use diagnostic questionnaire. "CyberPsychology & Behavior", No. 10, 2007.

¹³ Lu X., Watanabe J., Liu Q., Uji M., Shono M., Kitamura T.: Internet and mobile phone text-messaging dependency: Factor structure and correlation with dysphoric mood among Japanese adults. "Comput Human Behavior", Vol. 27(5), 2011.

¹⁴ Ha J.H., Chin B., Prk D.H., Ryu S.H., Yu J.: Characteristics of excessive cellular phone use in Korean adolescents. "CyberPsychology & Behavior", No. 11, 2008.

in Italy is visible in 6,3% of teenagers¹⁵ and in 20% of Spanish teenagers between 13-20 years old, including 26,1% of women and 13% of men.¹⁶ When it comes to British teenagers, 10% of those between the age 11-18 pathologically uses mobile phones.¹⁷ On the basis of the author's own research¹⁸ on a group of 319 of Silesian students with a given criteria for being at risk of addiction and being addicted to using mobile phones, one out of four persons fulfilled the criteria; while the criteria for being addicted to the Internet were fulfilled by 2,2% of respondents, and 42% of respondents were at risk of addiction to using the Web. Dividing the group according to sex, 29% of women and 22% of men were at threat of being addicted or were addicted to using mobile phones, and 42% of women and 58% of men were at threat of being addicted or they were addicted to the Internet. On the basis of Pawłowska and Potembska's research about 3% of Polish young people between 13-24 years old (including 2,9% of women and 2,5% of men) fulfill the criteria of being addicted to mobile phones, 3,5% of respondents fulfill the criteria of being addicted to the Internet and 34% of respondents were at risk of being addicted to the Internet.¹⁹ The research indicates that the problematic use of mobile phones is connected with young age, extroversion, low level of amicability and a high level of depression.²⁰

¹⁵ Martinotti G., Vilella C., Di Thiene D. et al.: Problematic mobile phone use in adolescence: a cross-sectional study. "Journal Public Health", Vol. 19(6), 2011.

¹⁶ Sánchez-Martinez M., Otero A.: Factors associated with cell phone use in adolescents in the community of Madrid (Spain), "CyberPsychology & Behavior", Vol. 12(2), 2009.

¹⁷ Lopez-Fernandez O., Honrubia-Serrano L., Freixa-Blanxart M., Gibson W.: Prevalence of Problematic Mobile Phone Use in British Adolescents. "Cyberpsychology, Behavior and Social Networking", Vol. 17(2), 2014.

¹⁸ Warzecha K.: Internet w życiu współczesnego studenta. Cele i intensywność korzystania a zagrożenie uzależnieniem, [w:] Buko J. (ed.): Ekonomiczno-społeczne i techniczne wartości w gospodarce opartej na wiedzy. Zeszyty Naukowe, No. 809, s. Ekonomiczne Problemy Usług, No. 113, tom II. Uniwersytet Szczeciński, Szczecin 2014; Warzecha K.: Telefon komórkowy w komunikacji i edukacji śląskich studentów [w:] Cyfryzacja i wirtualizacja gospodarki, Pluciński M. (ed.). Zeszyty Naukowe, No. 852, s. Ekonomiczne Problemy Usług, No. 117. Uniwersytet Szczeciński, Szczecin 2015; Warzecha K.: Aktywność wykazywana w sieci przez śląskich studentów niezagrażonych i zagrożonych uzależnieniem od Internetu – analiza statystyczna, Barczak A.S., Warzecha K. (red.). Studia Ekonomiczne. Zeszyty Naukowe, No. 220. Uniwersytet Ekonomiczny, Katowice 2015.

¹⁹ Pawłowska B., Potembska E.: Objawy zagrożenia i uzależnienia od telefonu komórkowego mierzonego Kwestionariuszem do Badania Uzależnienia od Telefonu Komórkowego, autorstwa Potembskiej i Pawłowskiej u młodzieży w wieku do 13 do 24 lat. „Curr. Probl. Psychiatrii”, Vol. 12(4), 2011.

²⁰ Izdebski P., Kotyśko M.: Personality variables and depression as determinants of problematic use of mobile phones in Poland. "Polish Journal Appl. Psychol.", No. 11, 2013.

3. Conclusions

The modern means of communication used in various spheres of socio-economic life give opportunities for socio-economic development, yet they can also be treated as a threat.

The ICT solutions are very attractive as regards the economic factors which leave great reserves resulting from the opportunity to use integrated information distribution and to manage it effectively. The interlinking of many software programs leads to lowering the cost of many associated tasks and processes, as is the case for functioning of the e-administration and e-health care platforms. Mobile applications are replacing traditional ways to transfer knowledge. E- and m-learning are innovative and modern forms of teaching which are gaining more and more supporters.

The proper development of the e-economy is dependent upon many external factors, including the pathological phenomenon – cybercrime. Cybercrime has a negative impact on the general financial results of companies, trade, competitiveness and innovation. The actual scale of this phenomenon is difficult to determine because of the various forms of criminal activity. The world's economic loss caused by cybercrime was estimated at 445 billion USD, which results in a decline of GDP at the level of 0,9% in developed countries and the loss of 150,000 work positions in the European Union in 2013.²¹

The modern means of communication are as well a threat resulting from the improper and dysfunctional way of using them. In modern times it is very important to monitor the exploited use of modern means of communication in populations which are at risk (young people in particular who frequently spend many hours talking on the phone or using the phone to surf the Internet, playing games and spending time on social networks). It is necessary to educate young people, their parents and guardians that a computer and a mobile phone, with access to the Internet in particular, can play a useful role, and that applications (which are widely available) and computer programs can be used to broaden knowledge and to facilitate the lives of young people in the modern world.

²¹ 445 mld dolarów strat z powodu cyberprzestępczości (445 billion USD loss because of cybercrime), www.ekonomia.rp.pl, 21.06.2014.

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