4: Ethical Considerations in Business Writing

Chapter Objectives

The purpose of this chapter is to:

• Explain the meaning of ethics and business ethics
• Describe the role of ethics in a business environment
• Explain what it means to be a professional of integrity
• Demonstrate ethical writing responsibilities
• Distinguish between ethical and legal responsibilities
• Describe four approaches for examining the ethical nature of a decision

The Importance of Ethical Responsibility

Safety, security, and confidentiality are foundational for establishing consumer confidence. In order to build a business relationship of trust, consumers rely on the reputation and identity a company projects. When employees behave unethically, illegal, or immorally, all trust is lost. It is often difficult to regain it.

In September 2017, Equifax, one of the leading credit reporting agencies was hacked, resulting in the private information of approximately 147 million consumers, from around the world, being compromised. Investigations by the Federal Trade Commission and congressional oversight committees concluded that Equifax administrators knew the company’s computer technology and software were vulnerable to encroachment. They had not implemented basic security measures and policies to prevent such a breach. Because of their unethical actions, the company was ordered to pay up to $425 million, as part of a global settlement. The fallout of the breach is anticipated to last several years, as the...
Federal Trade Commission has set up the opportunity for individuals to file claims against Equifax until the year 2024 (Federal Trade Commission, 2020).

Ethical Considerations

Should we care about ethics in our lives? Should we care about ethics in our practices in business and the professions? In all of our business writing media? Your goal is to understand why the answer to these questions is yes.

- Documentation
- Citation
- Responsibility
- Integrity
- Trust
- Truth
- Principles
- Transparency
- Justice
- Equity
- Ethical Intelligence
- Outreach
- Citation
- Regulations

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**Ethical Writing: Setting a Firm Ethical Tone**

**Ethics** consists of the individual standards of behavior you exhibit in your personal and professional lives. It establishes the levels of honesty, empathy, trustworthiness, and other virtues that identify your personal behavior and your public reputation.

In your personal life, ethics sets norms for the ways in which you interact with family, friends, and colleagues. Ethical acts are generally considered voluntary and personal—often based on your perception or position on what is right or what is wrong. In business, each employee has a choice in making an ethical or unethical decision. Whenever you think about the behavior you expect of yourself in your personal life and as a professional, you are engaging in a philosophical dialog with yourself to establish the standards of behavior you choose to uphold. That is your ethical position.

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**Business Ethics**

Your success at work entails more than simply earning money and promotions. It may also mean treating stakeholders—employees, customers, clients—with honesty and respect. It may come from the sense of pride you feel about engaging in honest transactions, not just because the law or policy demands it, but because you demand it of yourself. It may lie in knowing the profit we make does not come from shortchanging others. Thus, **business ethics** guides the conduct by
which companies and their representatives abide by laws, regulations, and policies. Business ethics means respecting the rights of stakeholders and the communities in which they live. Business ethics centers on principles of good conduct through civil, social, economical, environmental, and lawful actions.

**Corporate culture** is the acceptance of what is the normal operations of a business. It is a set of values and practices to which employees are expected to follow. Corporate leadership and governance usually sets what is acceptable and what will be tolerated. One way in which this occurs in business is through company policies and procedures. Policies are a set of organizational standards put in place to achieve a desired communication outcome. Procedures are the official ways in which a task is completed and approved.

To see an example of a corporate ethical code or mission statement, visit Johnson & Johnson and read "Our Credo" written by former chair Robert Wood Johnson. (Note: This link was viable at the time of publication; it may be inoperable now.)

*Forbes* provides a list of companies recently deemed the most reputable companies for corporate responsibility in 2019 according to their standards and research. (Note: This link was viable at the time of publication; it may be inoperable now.)

In our professional lives, ethics guides our interactions. Business ethics consist of businesses having a reputation of composing standards and displaying conduct that exemplifies civil and lawful actions that build trust, confidence, and goodwill amongst the business and its stakeholders.

The size of a company and whether it is public or private often determines its hierarchy. Whether it is a small business or a fortune 500 company, the business owner/CEO/manager/supervisor/employee will be the front person to represent the company and to communicate its message. That person’s image, ethics, opinions, and words, even if expressed during personal time, can be intertwined with the business. Stakeholders directly attach the unethical, racist, or otherwise controversial views and actions of an employee to the company’s image. Therefore, ethical codes of conduct and ethical standards must be written in a company’s culture.

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**Ethical Outreach: The Importance of Connecting With the Audience**

Clients, customers, suppliers, investors, retailers, employees, the media, the government, members of the surrounding community, competitors, and even the environment are **stakeholders** in a business; they are the individuals and entities affected by the business’s decisions, as Figure 1.1 illustrates.
Acting With Integrity

**Integrity** is unity between what we say and what we do. Being a professional of integrity means consistently striving to be the best person you can be in all your interactions with others. It means you practice what you do based upon reasoning, laws, morality, and justice. Integrity in business brings many advantages, not the least of which is that it is a critical factor in allowing business and society to function ethically and responsibly.

Successful corporate leaders and the companies they represent will take pride in their enterprise if they engage in business interactions with honesty and fair play. To treat stakeholders and all those affected by a business with dignity and respect is ethical. Laudable business practices serve the long-term interests of corporations. Why? Because customers, clients, employees, and society at large will much more willingly patronize a business and work hard on its behalf if that business is perceived as caring about the community it serves. And what type of firm has long-term customers and employees? One whose track record gives evidence of honest business practice. Should gaps in integrity appear, companies with an ethical base will react quickly and rectify improprieties that may occur. Company **policies** and regulations should not only consider the profit margin for the company but also the good the company brings to the communities that it represents.

Although ethics are an individual choice, in business, ethical choices by employees often define the success of a business. To show a connection and relationship with stakeholders, both near and far, successful companies adapt social, economical, legal, and voluntary responsibilities.

**Social responsibility** represents the interaction and collaboration with stakeholders to reflect the concerns of communities which a business serves. Social responsibility includes:
• Practices that are inclusive and diverse
• Activities that help local communities and stakeholders

An example of a business implementing social responsibility is Warby Parker. Executives at Warby Parker, an online prescription glasses retailer, displayed social responsibility by pledging $1 million to organizations and initiatives that focused on combating systemic racism. This outreach demonstrates that executives understand the importance of addressing inclusion and diversity.

Source: "Work Ethic (1 of 2)" by Brett Jordan is licensed under CC BY 2.0

**Economical responsibility** represents the obligation businesses have to offer and produce quality goods and services at an equitable price; and to pay employees equitable wages and benefits.

In essence, the first question any company should ask itself is: “Do we have a moral purpose?” Having a moral purpose requires focusing on the common good, which precedes the accumulation of profit and results in economic and social benefits. If companies seek the common good, profits generally will follow.

**Legal responsibility** represents practices that are in compliance with local, state, federal, and industry regulations and laws.

Many people conflate legal and ethical compliance. They are, however, totally different and call for different standards of behavior. What is legal isn't always ethical. The purpose of a law is to establish and maintain a functioning society. Compliance with these legal standards is strictly mandatory: If we violate these standards, we are subject to punishment. Therefore, **compliance** in terms of business ethics generally refers to the extent by which a company conducts its business operations in accordance with applicable regulations, statutes, and laws. Yet this represents only a baseline minimum. Companies today need to be focused not only on complying with the letter of the law but also on
going above and beyond that basic mandatory requirement to consider ethical practices for their stakeholders and do what is right.

Ethical Considerations for Legal Responsibility

Ethical reasoning often is more topical and reflects the changes in consciousness that individuals and society undergo. Often, ethical thought precedes and sets the stage for changes in the law.

Some professions, such as engineering, journalism, and medicine have traditional codes of ethics. Essentially, a code of ethics is a commitment to treat with honesty and integrity customers, clients, employees, and others affiliated with a profession. The Hippocratic Oath, for example, is embraced by most professionals in health care today as an appropriate standard always owed to patients by physicians, nurses, and others in the field. This obligation traces its etymology to ancient Greece and the physician Hippocrates.

Source: "Code of Ethics for Government Service" by GovdocsGwen is marked with CC PDM 1.0

Voluntary responsibility represents the activities stakeholders would like company employees to partake to improve their local communities. Examples include volunteering at a local food bank or building a community playground.
Ethical Writing Considerations

Aristotle and the Concept of Phronesis, or Practical Wisdom

Phrónēsis (fro-NEE-sis) is a type of practical wisdom that enables us to act virtuously. In “The Big Idea: The Wise Leader,” a Harvard Business Review article on leadership and ethical decision-making, Ikujiro Nonaka, a Japanese organizational theorist, and Hirotaka Takeuchi (2011), a professor of Management Practice at Harvard Business School, discuss the gap between the theory and practice of ethics and the characteristics that make a wise leader. The authors conclude that chief executive officers (CEOs) must incorporate practical wisdom by leading with values and morals. The concept of practical wisdom dates back to Aristotle, who considered phrónēsis, which can also be defined as prudence, to be a key intellectual virtue. Phrónēsis enables people to make ethically sound judgments.

From a business writing perspective, effective writers impart practical wisdom by:

- Providing details and explanations
- Including information that is pertinent to the topic
- Analyzing content to determine its efficacy
- Providing introductions, overviews, and transitions
- Analyzing content to envision the consequences of possible actions or responses
- Including information that reflects the concerns and feedback of stakeholders
- Composing content that is easy to read and follow
- Creating a shared sense of purpose among the document, readers, and stakeholders and inspire people to work together in pursuit of a common goal
- Engaging as many people as possible in conversation and communicate using an audience-centered approach

Plagiarizing is misrepresenting the source or facts, most commonly when you claim the ideas you are writing about are yours. When you are researching professional documents, make sure you are using material with permission. If you are writing about what you’ve researched, make sure you are citing the sources of your information and giving credit to all the necessary researchers.

Attribution refers to acknowledging and recognizing the source of information used in writing, ideas, concepts, and creations. Depending on the creation, the attribution is valid in various forms.

This rule also extends beyond writing to what is referred to as intellectual property. Intellectual property includes the following:

Patents and trademarks are company names (WalMart), logos (the Target bullseye), processes or slogans (I’m lovin’ it) that belong to a person or company. None of these things can be used without proper recognition of or approval from the appropriate company or individual involved.

A company uses a ™ to show something is trademarked or an ® for something registered with the U.S Patent and Trademark Office. An example would be Nike™ and their famous swoosh symbol.

The legal consequences are most notable when writing in the professional world. While plagiarizing may give you a
failing grade in a class, plagiarizing in the workplace can not only get you fired, but could result in a costly lawsuit or possibly even jail time. It is not only ethical to follow these rules, it is an enforced law. Make sure you properly document all sources so as not to mislead a reader.

Spend a few minutes viewing the following website for clarification on copyright, trademark, and registered trademark: United States Patent and Trademark Office

**Copyright** law includes items whose distribution is protected by law (books, movies, or software). The copyright symbol is shown with a ©. Copyright is different from plagiarism in that it is a legal issue. Only the copyright holder, the person/organization who owns the protected item, can copy it.

Any written document, once produced, is copyrighted by law. That means if you are borrowing a good idea from a friend at another company, you must cite them as a source. Also, it is a good idea to cite sources from inside your own company, as well. You wouldn’t want someone else taking credit for your ideas. Why should you treat others any differently?

**A Business Document is a Legal Document**

Most documents written by employees represent the position and commitments of the organization itself. There are always legal issues to consider when writing a professional document and they reflect in writing style and content. Professional documents can serve as evidence in disputes over contracts and in product liability lawsuits. A lawsuit is a civil action brought in court. Today, the average company is involved in 400 lawsuits at any given time. While most companies win their lawsuits, being caught in a lawsuit has many consequences. Lawsuits cost companies time and money. The money spent on lawyers and the time spent in court takes away resources a company could use for improving business and products, or hiring additional employees. Lawsuits also have ramifications for a company’s reputation.

One of the main reasons a company gets involved in a lawsuit is because of unclear writing. When in a lawsuit, all documents may be subpoenaed. This means that any document from memos and emails to proposals and tweets can be subject to review by a court of law.

**A Boilerplate for Consistency and Legality**

Many companies also like to form a “custom” way of writing. Companies like Microsoft want all documents to be written in the same style and format. The only way to do this is to customize the “correct” way to write in order to represent Microsoft in a consistent manner. This is referred to as boilerplates. **Boilerplates** are text strings that appear in various company documents, without modification.

What many people may not know is that Microsoft does this is to provide legal cover. If every document for a specific purpose is written using the same cadence, the opportunity for readers to understand the entire document may increase. Therefore, a boilerplate is a form of legalese writing in which language from previous documents is used in a new document. Boilerplates are acceptable for legal documents such as applications, contracts, descriptions, and mission statements.

Remember that in business writing, you are trying to persuade the reader using an ethical style. This means avoiding
content that will not stand up in court. Make sure that the documents you write for your company are correct, persuasive, and ethical while also preserving your company’s competitive edge.

**A Clear Writing Style**

Ethical writing decisions include word selection, content, organization, and tone. There should be no clichés and idioms in documents because they may pose a problem with comprehension. A *cliché* is a worn-out or overused expression that tends to sound trite and often doesn’t express what you truly mean to say. Examples include: *the bottom line is*, *head over heels*, or *take it or leave it*. Idioms, also known as jargon, are words or expressions that are specialized, usually industry-specific vocabulary. When it is necessary to use jargon, be sure to explain its meaning to increase understandability by various audiences. Opinions and jokes should also be avoided in business documents. Inform and persuade your readers through facts and data instead of opinions and beliefs.

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**Ethical Infractions in Business Writing**

You have learned what constitutes ethical behavior in business and business writing. In addition to discussing what to do, it is also necessary to discuss ethical infractions to avoid in order to strengthen your ethical knowledge and writing.

An *ethical infraction* is a decision that results in an ethical and moral breach. In business, the following breaches pertain to business writing and communication.

<table>
<thead>
<tr>
<th>Infraction</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defamation</td>
<td>Causing harm to one's reputation or character by communication false and malicious information.</td>
</tr>
<tr>
<td>Example:</td>
<td>Communicating that the CEO of a company was arrested for drunk driving.</td>
</tr>
<tr>
<td>Libel</td>
<td>Causing harm to one's reputation or character by writing false and malicious information.</td>
</tr>
<tr>
<td>Slander</td>
<td>Causing harm to one's good name or character by speaking false and malicious information.</td>
</tr>
<tr>
<td>Fraud</td>
<td>Misrepresenting the truth for personal or professional gain.</td>
</tr>
<tr>
<td>Example:</td>
<td>Someone claiming to be an investor who deposits customers’ funds in her/his bank account instead of the customer's stock account.</td>
</tr>
<tr>
<td>Invasion of privacy</td>
<td>Intruding in the business records of employees or stakeholders.</td>
</tr>
<tr>
<td>Example:</td>
<td>Communicating that a colleague is seeking assistance to overcome depression.</td>
</tr>
</tbody>
</table>

Proprietary refers to company-specific confidential information. Only employees working on the project know the information. They usually sign an agreement stating they will maintain confidentiality, even after they leave the company. Confidentiality is important for companies to maintain a competitive edge.
Confidentiality does not mean that employees should not reveal a company’s unethical behavior. Whistler Blower laws are in place to assist workers who report unethical business behavior.

**Ethical Sins of Commission and Omission**

Unethical actions are classified into two categories: Sins of commission and sins of omission.

**Sins of commission** refer to unethical actions that includes manipulating or changing information to benefit a person or company a person represents.

To avoid using misleading or manipulating words and phrases, it is important to be open to alternative viewpoints; conduct an audience analysis. In preparing any type of writing, you may come across conflicting viewpoints. Keep your readers' needs in mind and consider what lies behind their concerns. To help solve these problems it may also be good to make statements based on not only the primary audience, but also the secondary and gatekeeper audiences. Discussing several points of view and ideas on the subject will make your writing more persuasive and inclusive, resulting in the avoidance of sins of omission. In addition, be aware of biased language; make sure you have not included anything that may point to discriminatory assumptions or stereotypes.

**Sins of omission** refer to withholding or using inaccurate information in order to benefit a person or company a person represents. Do not use false or skewed facts or argue from such premises because you may deceive readers and cause them to make an uninformed decision.

**Ethical Principles**

Here are ethical principles specific to business writing.

**Transparency**

Include an in-depth discussion of content and data; place the information in a document so that it is easy to find and understand.

**Neutrality**

State information objectively and in a reporting voice.

**Comprehensively**

Compose information clearly to help your audience understand.

**Integrity**

Follow the rules of copyright. Attribute ideas, text, and visuals; cite and document sources.

**Ethical Considerations for Success**

Whatever hopes you have for your future, you almost certainly want to be successful in whatever career you choose. But what does success mean to you, and how will you know you have achieved it? Will you measure it in terms of
wealth, status, power, or recognition?

Before blindly embarking on a quest to achieve these goals, which society considers important, stop and think about what a successful career means to you personally. Does it include a stellar reputation, colleagues whose good opinion you value, and the ability to think well of yourself? How might ethics guide your decision-making and contribute to your achievement of these goals? It is important to consider the answer to these questions before you are faced with a decision that you must make in the moment.

Ethical Considerations Checklist

**What is social responsibility?**

The interaction and collaboration with stakeholders to reflect the concerns of communities which a business serves.

**What is ethics?**

A principle of right or good conduct; the general nature of morals and of specific moral choices; the individual standards of behavior exhibited in personal and professional lives.

**What is business ethics?**

The conduct by which companies and their representatives abide by laws, regulations, and policies. Businesses displaying principles of right or good conduct through acting civilly and lawfully, and building goodwill.

**What are the categories of ethical responsibility?**

Following accepted principles that govern the conduct of an organization, group, person, people, culture, or movement. Ethical responsibility includes:

- Social
- Economical
- Legal
- Voluntary

**What are sins of commission?**

Changing facts for one’s benefit or the benefit of the company a person represents.

**What are sins of omission?**

Deleting facts for one’s benefit or the benefit of the company a person represents.

**What is in-text citation?**

Attributing an idea, quote, or fact to its source in the body of the document.

**What is the importance of documentation?**
Documentation includes the bibliographic information of a source to lead the reader to the source. Documentation acknowledges the research and writing of others.

What is boilerplating?

A form of legalese writing in which language from previous documents is used in a new document.

What are the four ethical principles?

1. Reveal information or data to reveal factual communication
2. Present unfavorable data
3. Present the information clearly to help your audience understand
4. Respect copyright information

What is proprietary information?

Company-specific confidential information.

What is slander?

Defamation is causing injury to one’s reputation by communicating malicious and false information by slander—oral communication.

What is defamation?

Causing injury to one’s reputation by communicating malicious and false information.

What is invasion of privacy?

Unreasonable intrusion into an individual’s personal life.

What is corporate culture?

A set of values and norms practiced within a company that is well established to which each employee is expected to conform.

How can corporate culture influence ethical behavior?

Corporate culture sets the level of social responsibility commitment a company displays.

General Ethical Tips

When you are faced with an ethical dilemma, answer these questions to assist you with determining your next steps.

• What is the nature of the ethical dilemma?
• What are the specific aspects of this dilemma that make me uncomfortable?
• What are my competing obligations in this dilemma?
• What advice does a trusted supervisor or mentor offer?
• Does my company’s code of conduct address this issue?
• Does my professional association’s code of conduct address this issue?
• What am I unwilling to do? What am I willing to do?
• How will I explain or justify my decision?

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All links live as of July 2021.

References


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