

# Human Resource Management Ethics and Professionals' Dilemmas: A Review and Research Agenda

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**Abstract** The global nature of competition, new and ever changing employee expectations, changing societal values and constant revisions of employment law have propelled human resource management (HRM) as one of the critical business function for continued organisational competitiveness in contemporary times. This increased importance of HRM has arguably added new set of responsibilities with wide-ranging implications for HR professionals. In specific terms, the emergence of HRM as a panacea for integrating business strategy and people management has exposed personnel practitioners to a new set of role demands, professional challenges and management expectations. The ethical implications of these demands and expectations are significant and needs to be critically analysed. But whilst there has been an increasing interest generally in business ethics amongst scholars and practitioners, the employment of people in contemporary times, gives rise to unique and critical ethical dilemmas on the part of HR practitioners which have been largely ignored. This is a significant gap in the literature which needs to be addressed. This paper makes a contribution towards addressing this gap. Synthesising literatures in HRM, philosophy and management studies, the paper critically examines frameworks, contemporary debates and emerging themes around HR ethics, raising a number of fundamental issues that should be addressed by scholars, in line with the changing realities of contemporary business environment, particularly the management of people. The main aim of this analysis is to highlight some of the emerging or sometimes ignored aspects of HR ethics with a view of situating a future research agenda to help identify appropriate conceptual lenses and realistic strategies for addressing issues of practitioner dilemmas in contemporary people management.

**Keywords** Ethics, Human resource management, Business ethics, Ethical framework, Ethical climate

## 1. Introduction

So much has been written about the role of the Human Resource Management (HRM) function and its ability to respond to competitive pressures (Foote, 2001). In recent times, notions of 'best practice' HRM exemplified in the works of Huselid (1995), Guest (2001) and several others, have emphasised the importance of people as a source of competitive advantage and advocated the use of combinations of specific HRM practices to achieve this. Within such approaches is an implicit assumption that gaining employee commitment to the organisation's goals is possible and indeed crucial (Foote, 2001).

There is evidence, however, of a gap between the rhetoric and reality of HRM in that many organisations are eroding job security, while at the same time increasing the demands made of employees (Foote, 2001). It is this gap that has led researchers such as Legge (1995) and Purcell and Hutchinson (1996) for instance, to postulate that

restructuring initiatives and work intensification have contributed to employee demoralisation, de-motivation and alienation, instead of enhanced engagement thereof and raises critical ethical concerns.

In determining the ethical course of action, HR professionals have to consider their dual memberships in the business organization and in the profession. Their professional loyalties may place them in direct conflict with their organization's business goals (Wiley, 1998: 147). It is not unusual for the HR practitioner's values and expectations to be contrary to the organization's values (Archer, 1986: 97-98, cited in Wiley 1998: 147). Because professionals place a premium on expertise, specialization and objectivity, they are appalled when they observe managers making decisions based upon non-objective techniques, intuitive speculation or seat-of-the-pants approaches (Wiley, 1998).

Given the foregoing, the salient question that then follows is: how can HR reconcile the need for professionalism and current propensities and pressures for organisational profit maximization on the one hand, and the need to promote positive values, adhere to ethical standards and enhance employees' welfare, expectations and general engagement on the other? Admittedly, there is no one right

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approach to illuminating and understanding this question. Yet, as Wiley (1999: 157) observes, this does not mean that nothing should be done, as research in this area is necessary and researchers and other interested parties must continue to explore the perceptions and practices among HR managers to better understand and learn from them. Indeed, there has been an increasing interest generally in business ethics, particularly in the U.S. and increasingly in the U.K. (e.g. Winstanley & Woodhall, 2000), however, the employment of people particularly in contemporary times, gives rise to unique and critical ethical dilemmas on the part of HR practitioners which have been largely ignored.

Through the integration of literatures in human resources, management studies and philosophy, this paper seeks to direct the attention of scholars and practitioners alike to these ignored aspects of HR ethics. In doing this, the paper critically examines contemporary debates and emerging themes around HR ethics, raising a number of fundamental ethical questions which current literatures alluded to but failed to address in line with the changing realities of contemporary business environment, particularly the management of people. This analysis is intended to help explain and elicit further debates on the many shortcomings inherent in contemporary thinking about HR ethics. In this regard therefore, the overall aim of the article is to provide a research agenda to identifying realistic strategies and conceptual lenses for addressing issues of HR ethics in contemporary people management.

## 2. Conceptualizing Ethics

The theory of ethics can be extremely complex, and in order to be of any use in day – to – day work contexts, it must be made practical (Kew & Stradwick, 2008). It is this critical need that presents the immediate major challenge to management scholars and Human Resource (HR) practitioners and engenders most of the theory – practice gap. As Stewart and Rigg (2011) point out, despite the long-standing effort at theorising and understanding the concept of ethics and making it practical, there is relatively little agreement or certainties, even as there are many different perspectives on meanings and applications.

Indeed, the concept has defied a univocal definition; neither is there any single understanding. Fisher and Lovell (2009) attribute this development partly due to the fact that there are very few studies of ethics built on theoretical positions, but are largely based on beliefs and arguments. It is this line of reasoning that perhaps, informs Stewart and Rigg (2011: 287) argument that 'ethics cannot be taught; rather it is incumbent on individuals to decipher ethical positions for themselves'. What can be taught in Stewart and Rigg's (2011) opinion is a range of ideas and tools that can help with that deciphering or working out process.

This development notwithstanding, some scholars have attempted to provide a better understanding of the concept. Legge (2007: 39) for instance, presents a very succinct definition of the concept as 'the identification of the good

and its just or fair distribution'. This view is consistent with that of Stewart and Rigg (2011: 288) who see ethics as 'the study of right and wrong as well as to a specification of what is right and what is wrong'. Torrington and Hall (1998: 682) cited in Stewart and Rigg (2011: 288) suggest an important distinction between the singular and plural forms of the word, arguing that the singular refers to 'moral value' and the 'principles that ought to govern conduct'; while the plural describes 'codes of behaviour considered to be correct, especially that of a particular group or profession'. A broader definition of the concept is presented by Cornock and Johns (1995) to include:

- Fairness.
- Deciding what is right and wrong.
- The practices and rules that underpin responsible conduct between individuals and groups.

Billington (2003: 20-25) cited in Kew and Stradwick (2008: 274) lists some of the distinctive characteristics of ethics to include:

- Nobody can avoid ethical decisions. We all make ethical decisions every day.
- Other people are always involved in ethical decisions. There is no such thing as private morality.
- Ethical decisions matter – they affect the lives of others.
- Although ethics is about right and wrong, there are no definitive answers. The philosopher can forward principles which should guide decisions, but the ultimate decision is always down to the individual.
- Ethics is always about choice – a decision where the individual has no choice cannot be considered unethical.

Beauchamp and Bowie (1997) further note that ethics involves an inquiry into the justification or rationale for those standards. While by no means exhaustive, the foregoing definitions emphasise the importance of morals, fairness and the centrality of the individual in the practicality of the concept of ethics. Billington (2003) corroborates this position, when arguing that ethics entails the values that a person seeks to express in a certain situation and the morals that direct how he/she intends to achieve this. Morality (although contested) has been defined as 'a social institution composed of a set of standards pervasively acknowledged by members of a culture' (Beauchamp & Bowie, 1997:1).

Given the foregoing, it is plausible to argue that while it is true that there is no consensus on definition, there seems to be a general agreement that ethics is concerned with 'establishing the principles of what is right or moral and subsequently transmitting what is established as right or moral into a system of codes or rules which govern behaviour of individuals in a particular context (Stewart & Rigg, 2011). What is important therefore is to be clear about what is being established and about which meaning is being applied to it. Indeed, the need to be clear about what is being established and the meaning applied thereof becomes even

more critical, considering the eclectic and contested nature of the concept of ethics.

### 3. The Nature of Business and HR Ethics

All The application of the study of ethics to business, particularly to organisation and management theory, is a relatively recent development (Stewart & Rigg, 2011). Winstanley and Woodhall (2000) and Torrington and Hall (1998) in their various works, suggest that ethical issues have been of marginal significance to the unfolding academic debates around management practice, particularly HRM and that the concept can be for many people, 'incongruous' in the context of business organisations. However, as Palmer (2007) notes, theorists from different backgrounds, have pondered the ethical basis of businesses and employment relations for decades. Fisher and Lovell (2009) cited in Stewart and Rigg (2011: 287) present a similar perspective when they argued that while it is true that applying the notion of ethics to organisations, businesses and otherwise is relatively recent, the notion has been the focus of human enquiry for centuries.

In a contemporary context, the increasing importance of Corporate Social Responsibility (CSR) associated with publicised scandals such as the well-known Enron case has led to a sustained interest in and more attention to the concept of ethics in business and management practice and research (Stewart & Rigg, 2011). Consequently, business ethics as a field of study and as an issue with currency in broader community has grown considerably in recent times.

Recent research on business ethics indicate that HR-related issues are increasingly prominent in the day-to-day practice of contemporary managers (Wooten, 2001). As Winstanley, Woodall & Heery (1996) observe, the relationship between ethics and human resource management is emerging as a subject of serious academic enquiry. While some (e.g. Welch, 1993) have argued that general organisational ethics and ethics of HRM practice are not indistinguishable, a contrary perspective can nonetheless be presented. In line with Wooten's (2001) argument, the relative circumstances and ethical challenges of HRM professionals who develop and maintain distinctive competencies and engage in highly specialised functions and duties, must be unique in several respects to those of other management practitioners.

Admittedly, many organisational members engage in HRM activities (e.g. training, selection, appraisal and so on) as a function of their job roles, however, the fact remains that they are often never required nor expected to have the same level of competence as an HRM professional nor are they held to the same standard of practice (Wooten, 2001). Given the above, it is plausible to conclude therefore, that the ethics of HRM while sharing many features with general organisational ethics must at least be relatively unique in several respects.

That said, the debate on ethical issues in the employment relationship can be linked to extant debates in employment

(Greenwood & De Cieri, 2007). In recent times, HRM has come under intense criticism as being very manipulative, exploitative and in fact immoral. Critical writers such as Townley (1993), Keenoy & Anthony (1992), Sennett (1999) and Guest (1998) have suggested in their various works that HRM practice objectifies individuals; suppresses resistance and confrontation and creates a new reality through its rhetoric and manipulative tendencies.

This argument is not unconnected with the fact that in a globalising world of increased emphasis on competitiveness and profitability, HR has emerged as a major panacea for effective management of people to achieve organisational goals and sustainable advantage. However as Greenwood (2002: 261) argues, the word 'management' in this context is a euphemism for 'use'. It is this that has led some (e.g. Stone, 1998: 4) to define HRM as 'the productive use of people in achieving the organisation's strategic business objectives and the satisfaction of individual employee needs'. As Greenwood (2002: 4) succinctly sums it:

Whether *hard* or *soft* (HR), or some combination of the two, it is only the nature and extent of this 'use' which varies; and HRM implicitly accepts such 'use'...it is also hazardous to justify HRM on the basis that it maximises positive outcomes for those affected. Who is to say what is good and who should be included?

Consistent with the perspective of the Theory 'X' (McGregor, 1960) in the context of HRM, there is a popular image of the profit motivated HR manager – just like any other manager – whose primary concern is the reduction of cost of production and profit maximization, and for whom it has been argued, ethics is a veneer to cloak greed. In this view and in the context of HR ethics, the manager is seen as amoral and does not find ethical considerations central to his decisions. For him, it would appear that winning is the only thing that matters and maximizing people's potentials to win is the only important priority (Danley et al, 1996). While this might not necessarily represent the contemporary HR manager's ethical stand (who is guided and bound by several professional and work ethics), the mantra of maximizing worker's potentials, enhancing efficiency and achieving strategic objectives, makes it difficult for HR to totally disassociate itself from these allegations.

Whatever the case, what is clear and should not elicit much debate is that HRM maximizes employees' potentials and helps in achieving strategic business objectives, through a combination of different HR strategies and policies. What is important therefore, and of primary concern to this study, is how HR delivers on these important functions, considering the many ethical challenges that it presents in a contemporary context. Herein lay the importance of ethical consideration in HRM and the linkages thereof.

An assessment of several works on Business and HR ethics, indicate that much of the literature argues explicitly or implicitly that HRM as an approach to management, with its prescriptions of labour flexibility, unitarism,

individualisation, and business strategy integration, requires ethical evaluation and critical analysis (Cornelius & Gagnon, 1999: 226). A developing literature on the ethical dimensions of HRM has begun to critically examine these issues; and while some (e.g. Danley et al, 1996) have presented a fairly positive assessment of the situation; others (e.g. Greenwood, 2002) have not been that very complimentary.

Winstanley & Woodhall (2000a) in their edited compilation summarise several recent debates about ethics and HRM. They briefly highlighted how various management theories might be seen to approach ethics and HRM, and then explore some ethical dilemmas associated with particular HRM practices, such as recruitment and selection, training and development, work practices, remuneration and employee participation. They were quick to observe that practitioners face tremendous dilemmas in the course of their work and concluded that there are significant constraints facing ethical HRM (Palmer, 2007). What they however failed to do is provide a panacea or at least a framework that might help mitigate these identified constraints.

In the same vein, Pinnington, Macklin & Campbell (2007) in their own edited compilation: *Human Resource Management: Ethics and Employment*, similarly examine ethics and employment issues in contemporary Human Resource Management. They note that bringing ethical awareness into the core of HRM is all the more important given the trend in Western societies towards the decline of trade unionism and the emergence of more individualist approaches to employment, arguing that the decline of collectivist arrangements has left many employees potentially more vulnerable to opportunistic and unethical behavior. While this position is relatively valid, it pertinent to note that the decline of unionism or the increasing individualist approach to employment, does not in themselves lead to an increase in unethical behaviour. Rather, it could be argued that increasing global competition and the need to cut costs are more valid sources of unethical behaviour in our view.

Overall, one of the most highly evident themes in both Winstanley & Woodhall's (2000a) and Pinnington et al., (2007) works is the ideological tension between individualism and collectivism and especially the increasing vulnerability of many employees when trade union protection is reduced while the collective power of the corporation is enhanced. It is this that has led Cornelius and Gagnon (1999) to argue that the increasing focus on HR ethics may be seen as filling a vacuum left by the declining presence and power of trade union in British and indeed, other societies' employment relations.

As Pinnington et al., (2007: 19) rightly note, while this may benefit economic performance and may be justified in terms of the general well-being, it has some stark and, for some, unacceptable consequences for those whose economic security is at the mercy of market imperatives. Given the above, the fundamental question is: can and should HRM

simply seek to mitigate these consequences in individual cases, or could there be a more positive and systematic approach to the CSR of companies to their employee stakeholders?

Against the backdrop of this seeming ambivalence, Mathis and Jackson (1997) have argued that ethical issues in HRM pose fundamental questions about fairness, justice, truthfulness, and social responsibility. They note that seven specific ethical issues in HRM have the potentiality of creating particular difficulty. They further identified these as: withholding information on a problem employee with another potential employer, investigating credit and criminal records of potential employees, obligations to long-term employees who become ineffective due to job changes, considerations involving lifestyle upon professional opportunities, enforceability of smoking cessation, employment considerations for applicants with dependents with costly health concerns, and privacy issues involving AIDS.

Current research (e.g. Appelbaum, Deguire & Lay, 2005; Desphande, 1996, etcetera) suggest that one important factor that may influence ethical behaviour of employees is the ethical climate of an organization. The ethical climate of an organization is defined by the shared perception of how ethical issues should be addressed and what constitutes an ethically correct behaviour (Desphande, 1996). Appelbaum et al., (2005), are of the view that ethical climate directly influences the corporate culture of organisations, and in turn profoundly influences the disposition of HR practitioners to ethical issues in the workplace. The authors however failed to tell us what in turn influences the ethical climate in the first place. This would have provided an insight into the epistemological biases of HR professionals and how their work ethics are formed or established, considering the fact that all human behaviours have been shown to be influenced by epistemological basis.

In this regard, several scholarly attempts have since explored the epistemological considerations of HRM professionals. Dachler and Enderle (1989) cited in Wooten (2001) for instance, have examined a variety of the epistemological assumptions of those in the HRM field. They argue that the behavior of HRM professionals and their decisions reflect their implicit assumptions and values. Dachler and Enderle also argue that many ethical issues are ignored by HRM professionals as a result of these assumptions and values.

Payne (1994) has examined alternative social paradigms explaining HRM professional behavior, ranging from constructivist to postmodern approaches. Payne suggests that the use of multidimensional paradigms is greatly needed to influence 'firm' ethical awareness and judgment (Wooten, 2001). Similarly, Greenwood (2002) has also analyzed the conceptual basis of HR ethics, examining issues such as affirmative obligation, the concept of stake-holding and the dual nature of HRM in modern organizations in the context of issues of rights, obligation and interferences.

While these works generally acknowledge an increased and sustained awareness on the need for a more 'ethical'

HRM, none however question the fact that HRM has the potentiality and capacity to treat employees instrumentally as a resource, properly so called. A common theme that nonetheless permeates is a broad unanimity on the fact HRM as practiced in modern organizations, has on the average, generally failed the ethical test. As Wooten (2001: 173) succinctly sums it:

While the field (of HRM) has grown in sheer numbers, as well as strategic importance to organizational functioning, it has lagged behind other professions such as accounting or law to the extent that there is specificity concerning core values of the profession, clear expectations concerning expected roles, standards of practice, and the processes to safeguarding the public from inappropriate professional behaviour. Greenwood (2002: 275) echoes a similar sentiment when he argues that:

...the majority of people would accept the ideas that an individual or organisation must treat individuals with respect, and that an individual or organisation does not have the right to interfere with the freedom of an individual. These two minimum standards are used to assess HRM. HRM in its various guises fails this evaluation.

In the light of this spectrum of ethical limitations on the part of HRM and without any claims of providing or projecting any 'best practice' paradigm, this paper suggests that there is a need for a critical re-evaluation of the ethical basis of the HR function and the evolution of principles which may be fairly equitable to all stakeholders in the employment relationship. This may need a critical re-evaluation of current mainstream ethical frameworks in the context of HRM. The next few paragraphs critically examine these issues.

## 4. Ethical Frameworks and HRM

The ethical approaches to HRM are diverse, so one of the interests of this review is to depict different theoretical frameworks and ethical arguments for the management of human resources in organizations from a critical perspective. It is pertinent to point out that while several ethical paradigms can be applied in the analysis of HRM, for our purpose however, a multi-faced approach (see Winstanley & Woodall, 2000) is adopted based on the following categorisation: ethical theories of rights, obligations, distributive justice and ethics of care, from a critical perspective. This does not in any way suggest that other approaches are less important or have become obsolete, but because of its centrality to the HR function and the fact that advocates of the 'new deal' in employment have grounded their argument about the change in the psychological contract between employer and employee in some, if not all of these categorizations (Winstanley, et al., 1996).

Yet, contrary to popular conceptions and as Winstanley & Woodall (2000) note, these are not self-evident truths, but

contentious issues for debate. It is thus important that human resource professionals and academics critically re-engage with some of these ethical issues in line with the exigencies of the moment. What is intended here is to situate them in relation to the HRM implications and in the context of our analysis and contemporary realities. This is in line with Winstanley & Woodhall's (2000: 8) argument that 'the professional and academic HR community tends to have a different understanding of what "ethical" concern means'.

### 4.1. Ethical Theories of Right and Obligation

As Winstanley and Woodall (2000: 11) note, right based ethical frameworks tends to draw on two key concepts from the philosopher – Immanuel Kant as follows:

- a. The principle that that what is right for one person is right for everyone, and thus it is important to do unto others as you would be done by – the criteria of universality and reversibility.
- b. The principle of respect for people whereby they should be treated as ends in themselves and never as means to an end.

This Kantian framework forms the basis of *deontological* perspective to business ethics because of its focus on duty, and its perspective that links ethics to things that are good in themselves (Abreu & Badii, 2006). It epitomizes what Winstanley and Woodall (2000: 11) describe as 'worth of the individual'. Abreu and Badii (2006: 110a) observe that the theory of Kant proposes several rights that concern the following issues:

- 1) The fundamental right to life and safety.
- 2) The human rights to privacy.
- 3) Freedom of conscience.
- 4) Freedom to speech
- 5) Freedom to private property.

In the context of HRM and as Winstanley and Woodall (2000: 12) rightly argue, rights-based frameworks continue to be relevant to HRM, particularly in areas such as:

- Selection interviewing (the right to privacy and confidentiality of personal information, particularly where it is not relevant to the job and the obligation on the part of the employer to ensure that).
- Occupational testing (such as the right to feedback from the organisation).
- Equal opportunities and diversity management (the right to be treated the same or to be given special treatment).
- Flexible employment contracts and working time (the right to 'family-friendly' practices).
- Whistleblowing (the right to speak out about wrongdoing).
- Staff charters (which may outline employee rights and responsibilities; as well as the employer's obligation to the employee).
- Employee development (the right to psychological and physical safety, such as with relation to outdoor

training, for instance).

From the foregoing, it plausible to affirm that rights-based ethical framework and its expected obligations (both from employees and employers) will undoubtedly protect the interest of individual employees and guarantees a reasonably more ethical HRM. Yet, it has nonetheless come under severe criticisms from proponents of the *business case* school who maintain that it is impractical and undermines the interest of businesses; even as it does not generate much enthusiasm from HRM practitioners.

Against the backdrop of the need to promote the interest of the business, rights-based ethical frameworks has been contrasted by the 'business case' argument underpinned in the concept of Ethical egoism. Beauchamp and Bowie (1983: 18) cited in Winstanley and Woodall (2000: 10) argue that ethical egoism is based on the Hobbesian assumption that 'the only valid standard of conduct is the obligation to promote one's own well-being above anyone else's'.

It is often argued that an important factor to consider when thinking about the ethics of HRM is that of the aims and purpose of the employer. Christy and Brown (2009: 70) corroborate this assertion when they argue that the organizational purpose relates directly to ethics in HRM because organizations can be taken to employ people primarily in order to pursue the purpose of that organization. Accordingly and in the context of HRM, ethical egoists maintain that the ethical role of HR professionals would be limited to supporting the enlightened self-interest of the employer rather than the rights of employees (Winstanley and Woodall, 2000b: 10).

From an objective stand point, it would appear that the *business case* paradigm is a very commonly used ethical argument in HRM practice. As Winstanley, Woodall & Heery (1996) argue, the prevailing common-sense ethical framework seems to justify HRM policy in terms of its 'utility to the organization' or its 'consequences'. This is consistent with the classic view of the stakeholder theory (shareholder value theory) (see Friedman, 1970) and reflects much of the thinking that underpins the concept of ethical egoism. This perspective defines the sole purpose of business as that of maximizing shareholder value through profits in line with Friedman (1970) and Stenberg's (1994) argument that the sole purpose of an organisation's social responsibility is to make as much profit as possible for the owners, as long as it is within the law and rules of the 'game'. This is akin to the utilitarian and consequentialist frameworks identified earlier in this review.

It is my contention here however, that utilitarianism, or consequentialism (or any of its variants) is a very weak principle for ethical action and therefore, should not profoundly influence or justify HR practices. The fact that an act does not harm people or constitutes the greatest 'good'; or because it maximizes business interests, does not make it ethical in itself. We can also adapt Winstanley, Woodall and Heery's (1996) argument and question who decides the overall organizational goals against which HRM policy is

judged ethical.

Moreover, it is also logical to argue that the definition of the 'purpose of business' can be broadened to suggest as Christy and Brown (2009: 72) note, that a business has a wider responsibility to the society in which it operates and that the task of a manager must recognize additional duties associated with the needs and claims of various stakeholder groups.

While I recognize the many limitations and seeming conceptual confusion surrounding the concept of the stakeholder theory, it is this perspective that a 'business has a wider responsibility to the society', that informs his understanding of the concept in the context of this research. Therefore, I adopt Johnson and Scholes' (1997) cited in Kew and Stradwick (2008: 282) broader definition that stakeholders are 'those individuals or groups who depend on the organization to fulfill their own goals and whom, in turn, the organization depends', not necessarily those with legal or financial relationship with the organization as the CIPD (2003: 30) would suggest. This position is akin to what Winstanley and Woodall (2000b: 13) categorize as 'ethical humanism' and emphasizes the dignity and centrality of the individual in the employment relationship and also asserts his/her right as a major stakeholder.

#### 4.2. Distributive Justice and Ethics of Care

In addition to the foregoing approaches, a number of alternative ethical frameworks also lend themselves to the analyses of HRM. Some of these approaches as identified by Winstanley, Woodall and Heery (1996: 9) include, but are not limited to:

- 1) *Social and organizational justice*. In the context of HRM, the procedural principles of distributive justice, egalitarianism, equity, equality of opportunity can be used, for example, to evaluate systems for pay setting, recruitment and performance management.
- 2) *Universalism*. This is very similar to the Kantian principle of treating each individual as an end in themselves and not just as a means to an end, or sacrificed in a utilitarian equation of the greatest good for the greatest number. Doing as we should wish to be done by is a very strong ethical principle.
- 3) *Community of purpose*. This approach moves from the individual to consider the roles and responsibilities of organizations. A more communitarian view of the organization, or at least taking a stakeholder rather than purely a shareholder view of the firm, stresses the need for debate, respect and tolerance as virtues to be held above all else, for example, when assessing strategies for downsizing and delayering.

In addition, Gilligan (1982, 1987) cited in Winstanley and Woodall (2000b: 14) has also introduced subjective and intuitive approaches to resolving ethical issues in the

workplace, arguing that moral judgments need to be sensitive to both the needs of the situation and other individuals. Gilligan maintained that being impartial makes it difficult to imagine oneself in other's position and thus understand the other's perspective (Carse, 1996: 86, cited in Winstanley and Woodhall, 2000b: 15).

It is this line of reasoning that forms the basis of the concept of *ethics of care* which is grounded on the premise that moral reasoning involves empathy and concern, emphasizing responsiveness and responsibility in our relations with others, where moral choices are made in relationship with others, not in isolation (Gilligan, 1987). As Gilligan (1987: 24) aptly puts it:

As a framework for ethical decision, care is grounded in the assumption that detachment, whether from self or from others is morally problematic, since it breeds moral blindness or indifference – a failure to discern or respond to need.

Similarly, Cornelius and Gagnon (1999) have also attempted to introduce and legitimize emotional dimension to ethical reasoning in HRM through their concept of *emotional labour*, arguing that frameworks that rests primarily on intellectual reason, ignores the salient fact that people are likely to respond emotionally to challenges to deeply held ethical beliefs. As they (i.e. Cornelius & Gagnon) succinctly sum it:

We would like to suggest that the emotional dimension should be considered in developing frameworks for understanding ethics in action, through the concept of 'emotional labour'. We would argue that within the context of the ethical landscape should be incorporated the 'emotional landscape', personal and shared, as this is likely to inform the perceived legitimacy of ethical action (1999: 231).

The foregoing analysis on ethical frameworks and their relevance to HRM is by no means exhaustive, yet, it suffices to illuminate our understanding on the 'ethical' practice of HRM and the justification or otherwise of some of its contemporary policies. However, from a critical perspective, it would appear that there are problems with these arguments and frameworks with regards to its adoption by human resource management practitioners. In specific terms, the humanistic values of empathy, acceptance, genuineness, congruence and unconditional positive regard which underpins most of the argument for all the approaches examined above, including *ethics of care* and that of *emotional labour* are very different values from those that underpin contemporary HRM practice (Winstanley & Woodall, 2000b).

Admittedly, there is the need for HRM to become more 'ethical' in the execution of its functions, but this need does not in anyway, undermine the fact that the sole purpose of all HR functions, is to enhance the efficiency and increase the productivity of organisations through the maximisation of employees' potentials. If we accept this position, then it is

logical to suggest that the *business case* argument will always almost prevail in HR practices and policies and no doubt increase the 'ethical' pressure on the practitioner.

## 5. Contemporary Debates and Emerging Themes in HRM Ethics: Situating the Discourse on Professionals' Dilemmas

Recent thinking involving ethical dilemmas in HRM has been very broad and reflects the programmatic and contemporary issues of HRM practice (Wooten, 2001). For example, several authors have raised the issue of ethics in both drug testing (e.g. Birsch, 1995; Carson, 1995) and genetic screening (e.g. Kupfer, 1993). Others have also critically examined the ethical issues and dilemmas involved in the practice of total quality management (e.g. Fort, 1995; Raiborn & Payne, 1996). Further, the ethics inherent in the practice of outsourcing, tele-working and work autonomy have also recently received attention from scholars (e.g. Henderson, 1997; Brey, 1999; Taskin & Devos, 2005).

Similarly, in recent years, the ethics of remuneration and pay and benefits have also become a matter of keen interest as a result of the controversy over bogus executive pay and more recently, because of the cataclysmic consequences of the global economic recession (e.g. Heery, 1996; Stewart & Rigg, 2011). The ethics of learning and talent development has also engaged the interest of recent writers (e.g. Stewart & Rigg, 2011); so also is that of contemporary human resource development (e.g. Woodall & Douglas, 1999). Equally eliciting interest is the ethics of performance management and measurement and issues of individual privacy (e.g. Stuart-Smith, 1996). Following Winstanley et al., (1996: 6-8), these contemporary ethical issues can be summarized into four broad categories as follows:

- i. **Insecurity and risk:** debate over the precise extent and significance of the trend towards greater job insecurity is ongoing but for many employees the world of work has become less secure in recent years. This has arisen partly as a result of changes in the macroeconomic climate and the re-emergence of mass unemployment; in part from business restructuring and the stripping out of costs through redundancy, delayering and outsourcing; and also it derives from the adoption of more contingent contracts of employment and systems of reward.
- ii. **Surveillance and control:** this is the consequence of the spread of new forms of work organization and management control. These range from the use of psychometric tests for recruitment and development, through bureaucratic performance management systems, to the more ambitious initiatives to manipulate employee attitudes and commitment through culture change and 'empowerment'.
- iii. **Deregulation:** Closely allied with the use of new

techniques of labour organization and control has been a renewed emphasis on the management prerogative and the need for managers to respond to market signals without hindrance.

- iv. **Rhetoric and deceit:** This has to do with a seeming decline in management integrity and what many characterize as the manipulative tendencies of HRM.

These categories have wide-ranging implications for individual employees and for the HR function and reflects the increasing importance of HRM to organizational survival and the increasing role multiplicity of HR practitioners, engendered by the continued modernization and redefinition of the HR function. In this regard, works by Archer (1986), Edwards and Bennett (1987) and Wallace (1985), all illustrate a common theme. The core theme is that HRM practitioners engage in a high degree of role multiplicity, which influences the opportunity for ethical dilemmas to occur.

Adapting Wooten's (2001: 162) position, role multiplicity here refers to the enactment of many different functions, duties, and responsibilities on the part of HRM professionals. For instance, HRM professionals set up and monitor policies, make decisions impinging upon employee rights, enforce employment law, educate organizational participants, and contract with external agencies for services, and so on. Additionally, they are frequently seen by others as an organizational watchdog for all other organizational participants (Edwards & Bennett, 1987; cited in Wooten, 2001). Thus, the role of the HRM professional and their subsequent boundary spanning functions provide a rich context in which ethical dilemmas reside.

Several authors have articulated the broad-range of ethical challenges and dilemmas in contemporary HRM. For instance, Gandz and Hayes (1988) noted issues such as discrimination, psychological testing, antiunion activity, work design, employment security, privacy, negotiation tactics, disciplinary practices, worker displacement, and confidentiality to be among the most difficult of ethical problems in HRM practice.

McLagan (1989) has noted many of these same issues in the HRM subfield of HR development, inclusive of management of diversity differences, balancing of organizational and individual needs, respect for copyrights/intellectual property issues, and ensuring truth in data and recommendations, to name a few. Similarly, Ekuma and Smith (2012) and Wooten (2001) in their different works have also identified five applicable ethical dilemma categories to include:

- i. Misrepresentation and collusion.
- ii. Misuse of data.
- iii. Manipulation and coercion.
- iv. Value and goal conflict, and
- v. Technical ineptness.

An interesting point to note from these categorizations is that there is a broad agreement amongst scholars (e.g. Ekuma

& Smith, 2012; Wooten, 2001), that these dilemmas arise primarily because of the dual nature of HRM in contemporary organizations.

## 6. Developing a Research Agenda

While it has to be acknowledged that the ethical concern in the employment relationship, particularly with regards to distributive and organizational justice and more recently on employee rights, has been an enduring academic and professional interest for decades, right from the days of industrial relations and has continued till the present times of modern HRM. The tremendous changes that have taken place in HRM over the past few years, means that most of these issues have changed profoundly and now require fresh insights; even as new challenges continue to emerge. Winstanley and Woodall (2000: 8) aptly capture the trend thus:

Although many aspects of the traditional ethical agenda in HRM are still relevant, evolving approaches to HRM suggest that it is more than 'new wine in old bottles' and that with the evolving new approaches, come new ethical problems. What makes this analysis even more complex is that there is not just one new model of HRM but many.

Indeed, a number of themes, including: the preoccupation with flexibility, commitment, culture, performance and work-life balance, all appear to be associated with contemporary HRM. These themes raise a number of 'unique' ethical issues which have continued to bewilder practitioners and scholars alike. Winstanley and Woodall (2000: 8) highlight some of these peculiar ethical issues to include:

- Flexibility in variable pay systems or in the contract of employment and 'high commitment' work practices raises ethical questions about practices as varied as 'presenteeism' and long working hours.
- Performance management systems based on stretch' targets and close surveillance and control place increasing emphasis on processes for evaluating, grading and classifying individuals.
- A desire to 'capture hearts and minds' in the service of corporate goals has extended the focus of training and development activity beyond the mere acquisition of knowledge and skills into shaping values and attitudes, by means of new techniques of value and culture change.

The above issues are not entirely new to management scholars, but changing behaviors and the nature of contemporary business environment arguably introduce additional dimensions beyond a concern with justice, stake-holding, rights or even universalism. Fresh questions are also going to continue to be raised about the scope of employer duty of care, about individual rights to autonomy, privacy, dignity and self-esteem, and the boundaries between organizational demands and employee subjectivity (Winstanley, et al., 1996). In order to illuminate these issues,

it is suggested here that scholars should focus on a number of critical, but related research agendas as follows:

1. Critically explore the contemporary HR function with a view of highlighting major ethical issues and challenges confronting practitioners.
2. Investigate and illustrate the precise nature and current dilemmas faced by HR practitioners in the workplace.
3. Clearly articulate and recommend a practicable strategies and a frameworks for dealing with ethical dilemmas in the course of HR practice.

It is now the responsibility of scholars and practitioners, particularly those in HRM, to articulate the best possible approaches to address these emerging and contemporary ethical agenda. In this regard and consistent with Winstanley and Woodall's (2000: 8) position, it could be argued that there are two key issues involved:

1. Concerns about the nature of ethical inquiry and its relation to action.
2. Concerns about the ethical frameworks to be employed.

In addition to the above concerns, I suggest that issues about professionalism and adherence to basic code of conducts should also be high on the agenda, not only as a theoretical model for understanding the basic acceptable standards of practice and for decision making, but also as practical guide to curb excesses and deal effectively with unqualified persons and/or substandard/unethical behaviour.

So, as a starting point, writers on human resource management and practitioners alike could benefit from acquainting themselves with relevant business ethics frameworks. As this review indicates, there are many ethical frameworks in relation to human resource management and there is no one best approaches. An awareness of these frameworks is the basic level for engagement in a productive debate on how best to tackle the emerging exigencies of contemporary ethical issues in HRM (Winstale, et al., 1996).

The second level of engagement with HRM ethics, is for human resource writers and practitioners to utilize appropriate ethical frameworks to help explain and analyse the nature of the changes taking place in the employment relationship, and its ethical dimensions (Winstale, Woodhall & Heery, 1996). The third level is to use the frameworks more prescriptively in action – at least as a guide, for practitioners to use them as a basis for action. At the very least we could identify the 'process of reasoning' by which HR policy decisions and acts are justified, by focusing on two broad categories: dilemmas arising from HR functional areas; and dilemmas arising from organisational policies, culture and strategy.

## 7. Conclusions

It is evident from what has been said in this paper, that the

employment of people in contemporary times gives rise to unique and critical ethical dilemmas on the part of HR practitioners, which have not been sufficiently addressed in the extant literature. The ever increasing competitive pressures and greater employment scrutiny, means that human resource professionals must make and execute decisions with several ethical implications, which may result to serious dilemmas for the practitioners. Indeed, beyond the traditional issues of confidentiality, fair treatment and honesty, HR must also deal with other controversial, but equally important issues, including affirmative action, health and safety, harassment as well as functional related issues including redundancies, downsizing, pay and benefits, promotion and so on.

In all of this, the critical need to positively engage employees for increased productivity must not be undermined in the process. It is therefore, the responsibility of the HR function to strike this delicate balance of ensuring employees' welfare, while not compromising the need for increased organisational efficiency and improved productivity. To achieve this, the practitioner must endure profound pressures, make very difficult decisions and encounter very many ethical challenges which sometimes results in dilemmas. There is the need for a better understanding of the nature and dynamics of these dilemmas, in order to identify frameworks and suggest strategies that will at least help HR professionals in dealing with ethical dilemmas in HR practice. This paper identified a number of broad research agendas that scholars and practitioners should now focus to help towards gaining this understanding and in the identification process. While by no means exhaustive nor prescriptive, the intention is that the agendas identified here, will engender more debates and lead to the exploration of practitioners' dilemmas from a multidimensional perspective. This will allow researchers and other interested parties to better understand the dynamics of HR ethics and its associated dilemmas, so as to afford HR professionals with strategies to consider when resolving ethical challenges or dilemmas in the workplace.

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