Huntsman Lecturer Tells of Unexpected Ethical Test

Editor's note: "When Theory Meets Practice - Stories From the Workplace" is a new feature in the Huntsman Post in which we invite professionals to share stories of challenging events that tested them with the unexpected.

By Alan Warnick, associate department head and principal lecturer

Several years ago, when I was a company’s affirmative action officer, I found myself in an awkward position when I found out that company leaders wanted to know if a leading candidate for an open position was Jewish before they made their hiring decision.

At the time, the company was recruiting a vice president of research. We had one candidate who really looked promising. He interviewed with a number of different vice presidents and then met with the president of the company. After the interview with the candidate, the president mentioned to me that the candidate had attended Brandeis University. The president asked me, "Isn’t Brandeis a Jewish University?"

I told him that I had no idea. He let it go at that. Later on that day, the vice president of administration, who I worked for at the time, called me into his office and said, "The president wants you to find out whether this individual is Jewish or not."

This was a dilemma for me. I knew it was illegal to hire or not hire someone based on their religion. I also knew that the president of the company was not an easy man to challenge and that I would be in trouble if I refused to do this research.

I don’t think either of them were thinking about whether or not it was legal to consider religion as a factor in the hiring process. This was a company where management just went after what it wanted and didn’t think much about the consequences.
I thought about it for a minute and my response to the vice president’s request was, “You do realize that I am the affirmative action officer of this corporation. If I do that and ever have to testify as to whether I found out what religion he is, you would not want me to have to be up on the stand. If I were faced with that situation, I would not lie. I just don’t think that’s something you really want me to do.”

The VP thought about it for a minute and said, “You’re absolutely right. I’ll do it myself.”

I couldn’t believe how obtuse they were being about the legality of this approach. I was more shocked at the fact that they thought they could really get me to do something that was clearly illegal. And they didn’t think it was unethical, even after I explained it to them; they still had no qualms about doing it. I just sat there thinking, “I can’t believe this.” That’s one of the things that prompted me to leave the company.

I never heard anymore about it after that. I often wondered whether they followed through and did it. The candidate did not get hired, and the president said that he thought the candidate was way too methodical. The candidate smoked a pipe, and the president thought that was an indicator that he would not be an action-taker.

I learned from my experience in life that there are people who just don’t think about the consequences of unethical choices. I also learned that you have to stand your ground. I think I communicated with them in the only way they would understand, by pointing out that they could lose a lawsuit if they picked a strategy that required me to lie under oath.

I never expected to deal with this kind of issue, but it helped me clarify in my own mind that I wasn’t going to be pressured into doing anything illegal. If you know in advance where you stand, you are in a better position to do the right thing.

If you have a story to share, please send it to Steve Eaton at steve.eaton@usu.edu.