

John B. Dilworth's Commentary on "Occupational Health"

Commentary On Occupational Health

This is a case about obstructionism, in a situation where undiscovered safety hazards are most probably present. Dan Hayward is the victim of deliberate attempts by his supervisor Cal Brundage to prevent him discovering any potentially compromising safety information about ABC's manufacturing processes.

Ethically the situation is clear. Managers and professionals such as Dan and Cal have a duty to preserve the health of their workers, and to minimize any likely threats to health caused by manufacturing processes. Hence any inaction or complacency by them with respect to these issues is morally wrong, and obstructionism (such as that by Cal) is doubly wrong because it prevents others (such as Dan) from carrying out their duties, in addition to being itself a form of inaction.

What should Dan do? In this case or in general, he should do whatever it takes to get the necessary information, and to get it acted upon if the information reveals that there are legitimate health concerns about the manufacturing processes. If administrative 'stonewalling' continues, Dan may even have to go outside ABC Manufacturing (to regulators such as the OSHA, or to the press, for instance) to get appropriate action taken.

By doing so Dan might easily put his own job in jeopardy, but the obligation to ensure the safety of those one supervises is so fundamental that Dan must be prepared to risk getting fired. (An analogy: if one joins a police force, one must be prepared to risk getting shot at sometimes. It is part of the obligations which go with the job.)

In a broader context however, does this account of safety responsibilities in the workplace place too much of a burden on the few individuals who are prepared to carry out their moral duty, whatever the personal cost? Or to put the problem

another way, can it really be one's duty, or be morally required, that one should have to do things which could severely harm one's own interests? Should this rather be regarded as moral heroism (as being above and beyond the call of duty), rather than as being morally required of anyone holding such supervisory jobs?

It seems to me that this concern over burdensomeness is legitimate, but that moral skepticism would be a very inappropriate response. The problem could instead be handled as follows. We should recognize that as members of a society we have some second-order moral duties, whose description includes a reference to one or more regular, first-order moral duties. In the present case, we have the second-order duty to reduce as far as possible the burdensomeness upon individuals of first-order moral duties such as that of protecting the health of those whom one supervises.

This may sound complicated, but a ready-made analogy is at hand in standard legal systems and the sanctions they employ to achieve compliance. Broadly speaking, the purpose of a legal system is to ensure that everyone adheres to basic moral rules or standards in their social relations (no harming of others, and so on). The threat of sanctions or punishments for those who might break the laws serves to minimize the burdensomeness of obeying the laws for law-abiding citizens. Generally speaking, the sanctions ensure that it is in one's interest to obey the law rather than to break it, so that conforming to the law (and hence to the underlying moral rules) is generally a benefit rather than a burden to citizens.

What we need to do (i.e., our second-order duty) in the present case is to ensure that there are enough legal and regulatory mechanisms in place so that people such as Don can do their first-order duty with a minimum of risk to themselves and their own careers. The regulations should also be designed so that the kinds of obstructionism employed by people such as Cal should pose great risks to their own careers (risks such as firing or imprisonment), so that even if they have no concern for morality, self-interest would motivate them to do the right thing.

Once we ensure that those who respect morality will generally have an excellent chance of succeeding in moral conflict situations, we will no longer be tempted to be skeptical about the extent of moral duties over such basic matters as health and safety issues. Much can and should be expected of each of us in the workplace, but we are entitled to full social and legal support in carrying out our difficult responsibilities.