

Whistleblowing as a Symptom of Employee Loyalty - Polish Perspective

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Is it a bad bird that fouls its nest
or the one that forbids to talk about it?

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Abstract

Employees' loyalty is a complex and not fully understood phenomenon. Revising the definition of loyalty, brings up the question: how can whistleblowing be a symptom of praiseworthy loyalty (as loyal behaviour) and at the same time controversial in its understanding. The answer lies in the object of loyalty. As the research shows, whistleblowing is perceived as a sign of loyalty to other people, groups and organizations only in specific situations. The attitude to loyalty and whistleblowing differs in distinct countries. In Poland interest in the issue of whistleblowing is relatively a new phenomenon. There does not exist any special law protection for whistleblowers. Despite the fact, in Polish companies exists a consent and an employee's interest in revealing malpractices which take place at work. In addition with the increase of the gravity and danger of the malpractice grows the declared willingness to whistleblow. It is not dependent on the age of employees. Low level of trust in Polish society has its reflection in implementing mainly formal mechanisms of control averting malpractices, and one can observe a deficiency in creation of pro-loyal attitudes and behaviour. They should be aimed at raising a social awareness of the significance of core values important for the functioning of an employee and an employer and for creation legal protection of whistleblowers.

Key words: whistleblowing, employee loyalty, Poland

1. Definition of employee loyalty

Modern organizations function in an era of unprecedented changes. Nowadays, predictability belongs to the past because of the turbulences, uncertainty, and environmental requirements (Peters, 1987). This is reflected in employee-organization relations and requires a redefinition of terms used to describe them. Evolution from hierarchical organizational structures (See Orlando, 1999; Niehoff *et al.*, 2001) and methods of work organization towards empowerment causes an increase of employees' autonomy and reduction of formal control. It means that loyalty becomes a central element in building mutual relationships (Tsui *et al.*, 1995).

The term loyalty, although widely used, is defined in various ways. It is a subject of representatives of various scientific disciplines, which means that there is a mosaic of perspectives, and that the resulting image is difficult to interpret because of its complex nature. It is emphasized that this is a polymorphic concept and its importance is sometimes determined by various dimensions, depending on the context. Despite considerable scholarly attention to the concept, loyalty and its dimensions remain, at best, casually defined¹. One of the first comprehensive studies taking loyalty into account is a book written by A.O. Hirschman "Exit, Voice and Loyalty: Response to decline in Firms, Organizations and States (1970) constituting the basis for many subsequent studies on loyalty. Due to the purpose of this study, it is appropriate to refer to the concept of Hirschman, whose major thesis is that there are essentially two forms of active response available to participants (e.g., Customers, employees, citizens) when they perceive deteriorating conditions: exit or voice. Exit means escaping a disagreeable condition while voice entails trying to change it.

Exit and voice are conceptually distinct, but that does not make them mutually exclusive forms of behavior. Exit can be combined with voice, or both can be rejected (see Fig.1).

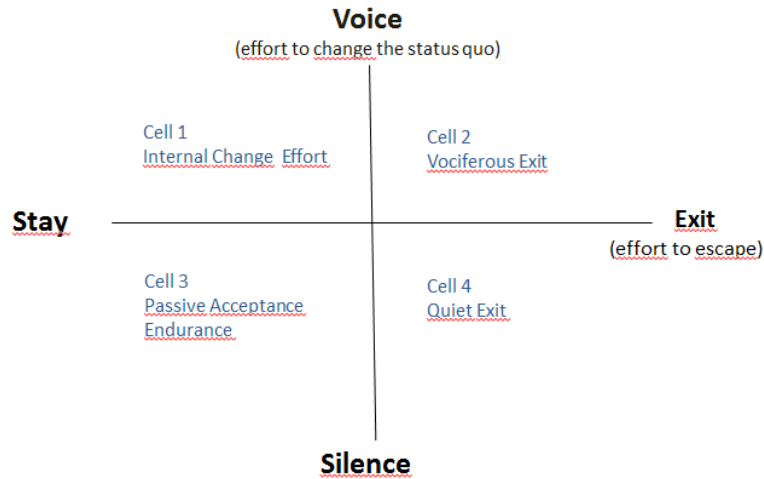


Fig. 1. Exit and voice. Potential responses to organizational decline according to Hirschman

Whistleblowing is a specific form of voice when the employee (either former or present) chooses to reveal information about illegal, immoral or unlawful practices carried out with the knowledge of the employer (cell 1 or 2). To understand the conditions for coexistence of voice and exit, Hirschman introduces the concept of loyalty. It is associated with staying the employee in the organization. He examines the concept of loyalty in the context of the appearance of a dysfunction in the organization in which the employee is employed. The deteriorating situation of the company, emerging errors and unacceptable practices cause an increase in employee dissatisfaction. At some point, the growing negative phenomena in the organization will lead to certain behaviors of employees. In this process, there is a moment in which - in the absence of loyalty - exit will occur. From this moment loyalty protects employee from an exit. Loyal employee will begin an attempt to inhibit the negative effects. A loyal employee, according to Hirschman, does not leave the company but takes extra effort (usually voice) to counteract the wrongdoing diagnosed by him. The effort occurs until the improvement of the situation or the exit in the case of absence of positive changes:

J.W. Graham and M. Keeley (1992) referring to Hirschman's model suggests three interpretations of loyalty in situations of dissatisfactions: unconscious, passive and reformist loyalty. The first type of loyalty (unconscious) is not associated with feeling of discontent and diagnosing problems in the organization, and therefore does not lead to criticism. Loyalty is visible only from the perspective of an external observer, who points out emerging threats. The second type of loyalty (passive) involves purposeful silence, observing the situation and anticipation of resolving the problem by others. The last type of loyalty (reformist) seems to be most desirable for managers and organizations, as it is associated with active employee's behavior demonstrated in voice (whistleblowing). The more the employee feels dissatisfaction with the deteriorating situation, the more likely he is to express criticism. This understanding of loyalty allows to recognize whistleblowing as symptom of employee loyalty. Other treatments of loyalty have also been created. For example C. Rusbult and I. Zembrodt characterize as a passive loyalty - constructive behavior (eg being quietly supportive and being patient). In such an approach there is a clear distinction between loyalty and whistleblowing. Loyalty understood in such a way comes down to watching and waiting for change. It is therefore necessary to distinguish between active and passive loyalty (Whitey, Coopert, 1992). Passive acceptance may be a form of loyalty, but one cannot restrict the definition of loyalty to such attitudes and behavior. Passive loyalty is typical for employees who do not derive satisfaction from work, are not involved in it and the costs of changing job are very high in their opinion, so they passively await the changes in the situation. Whereas active loyalty is associated with a high degree of commitment, a belief that improvement of the situation and further development is possible. Whistleblowing is therefore a sign of active loyalty.

Speaking of employee loyalty, some authors distinguish attitudinal loyalty and behavioral loyalty (Bloemer, Odekerken-Schroder, 2006).

In this study, loyalty is understood as behavior. Loyalty is similarly defined by J.K. Eskildsen, M.L. Nussler (2000). Loyalty includes a "special obligation" understood as a specific commitment to a specific person, organization or group. Loyalty sometimes requires commitment and sacrificing one's own goals and interests (Lurie, Frenkel, 2002). Loyal people are those, who you can trust. Loyalty, being opposite treachery, is seen positively – it is expected from people who are members of a group or organization. Revising the definition of loyalty, brings up the question: how can whistleblowing as a symptom of loyalty be both universally praiseworthy as loyal behavior and at the same time controversial in its meaning?

The answer lies in the subject of loyalty. "Loyalty can be extended to individuals, such as leaders, partners, spouses, friends, coworkers, or family, or it can be extended to groups or categories, such as companies, religions, volunteer organizations, professional societies, or countries. Loyalty can also occur with respect to ideas or principles, such as justice, fairness, freedom, honesty, equality, honor, and truth" (Encyclopedia of Group Processes & Intergroup Relations). Whistleblowing as a sign of active loyalty is only in specific cases loyalty to other people, groups and organizations. Whistleblowing is a sign of loyalty to the values of the employee. If the key values of the organization are not in accordance with the values of an employee or are not respected by the members of the organization, the employee feels dissatisfied (dissonance), which can lead to criticism and reporting malpractices. Sometimes it is against the interests of stakeholders or a threat for further functioning of the organization. Whistleblower's decision can then be viewed by others as a lack of loyalty to the organization and become the beginning of hostile actions which the employee can suffer from.

2. Organizational loyalty in Polish Enterprises

Employee's loyalty in an organisation is conditioned upon their value system (individual variable), enterprise characteristics, organisational culture, and utilised formal-legal solutions (circumstantial variable). In order to answer a question *how organisational loyalty and whistleblowing is perceived in operating Polish enterprises*, I conducted: (1) a desk research – with the aim of checking if loyalty is perceived as a core corporate value and if it is so, how is it defined, and also (2) a focus group interview with managerial staff in five corporations (altogether 389 people participated in interviews, including 335 middle-management executives and 54 non-executives). The research produced the following results:

Percentage of enterprises defining their own **code of values** in Poland (29,50%) is substantially lower than in other countries. The world average (77,50%) is over two times higher. However, it should be taken into account that in comparison to research conducted two years before, percentage of companies that define their own set of values rose by 7.80% (Corporate Value Report, 2011). The desk research displayed that loyalty is only incidentally defined as a core value. Even then, it is presented as a desired attitude and it is rarely defined. Exemplification of this statement is presented in the following sentences: loyalty mean that: (a) we respect our company, its values, culture, goals and colleagues, (b) we are committed to what we do, (c) we do not only think about the present state of the company, but also about its future, (d) we do not tolerate compromises in terms of abiding by the rules of business, and we immediately counteract against such pathologies. The last element of above cited definition seems to be closely related to the notion of whistleblowing.

Organisational loyalty is more often located in competency systems than among core values. Although by definition classifying loyalty as a competency is questionable, conducted researches indicate that loyalty and its components are qualified to that category and included in basic Human Resources Management processes. Competency systems not always relate directly to organisational loyalty. They relate more frequently to its components such as involvement, alignment with the company, organisational awareness or representing company's interests. In 44 researched competency systems, listed competencies appeared 14 times while loyalty (directly) has been pointed out 5 times². Competencies directly related to whistleblowing were also found in researched competency systems. For instance, competency system in one of the banks, contained the following competency: "interferences in activities that violate rules".

Understanding of **how employees perceive loyalty** was provided by the focus group interviews that were conducted simultaneously with the desk research. During the interviews, respondents were asked to characterise attitudes and behaviours of loyal employee.

² Own research in 11 companies and results of researches conducted by T. Czapla (2011)

Interesting questions were: *is whistleblowing a symptom of employee loyalty?* What is the employees’ attitude towards whistleblowing as a symptom of organisational loyalty? It is impossible to give a full list of behaviours mentioned by participants of the research, but the results can be grouped according to two criteria: (1) the place where described behaviours occur (outside or inside the organisation), (2) the commonness of it (see table 1).

Table 1.

Indicators of organisational loyalty		
	Commonplace behaviour	Behaviour that exceeds expectations (dispersed/non-standard)
Inside the organisation (internal)	<ul style="list-style-type: none"> - alignment with the organisation - a conscientious carrying out of ones duties - acting in accordance with a broadly understood company interest that manifests in the form of concern for proper internal relations - obeying and following organisational rules and values, - keeping official secrets 	<ul style="list-style-type: none"> -admitting mistakes -willingness to sacrifice one’s own interest for the company’s wellbeing, - <u>whistleblowing</u>
Outside the organisation (external)	<ul style="list-style-type: none"> - attachment to the company (forced employee retention), - acting in accordance with a broadly understood company interest that manifests in the form of concern for proper external relations - carrying for the company’s image, for instance through not expressing negative opinions about the company externally, 	<ul style="list-style-type: none"> -<u>whistleblowing</u> - attachment to the company (rejection of other companies’ job offers)

Source: own elaboration

Respondents of focus group interviews characterised whistleblowing as a behaviour exceeding expectations (non-standard behaviour).

2.1 Whistleblowing in Poland – introduction

Interest in the issue of whistleblowing is a relatively new phenomenon in Poland. There is even no Polish word that would resemble the word *whistleblowing*. The literature provides an unnatural and bizarre-sounding neologisms. Semantically, the closest words in informal language bear a negative connotation – usually referring to using information in order to harm other people. Few publications on the subject of whistleblowing were published in Poland so far, although it does not mean that this issue does not exist in Polish business practice. In this case, it seems that the practice is ahead of science. Malpractices, abuses and abnormalities reported by employees are investigated by the media. On the other hand, companies take actions to encourage employees to fight those abnormalities by creating ethics committees and ethics lines. Such actions provide a comfortable, anonymous and safe environment for an employee to report abuse or malpractice inside of an organisation. In order to provide service on the matter of whistleblowing, a few consulting companies emerged on the market offering investigation counselling and legal consulting. These companies also offer counselling in putting codes of practice and ethics into operation, however, such initiatives operate on a relatively small scale.

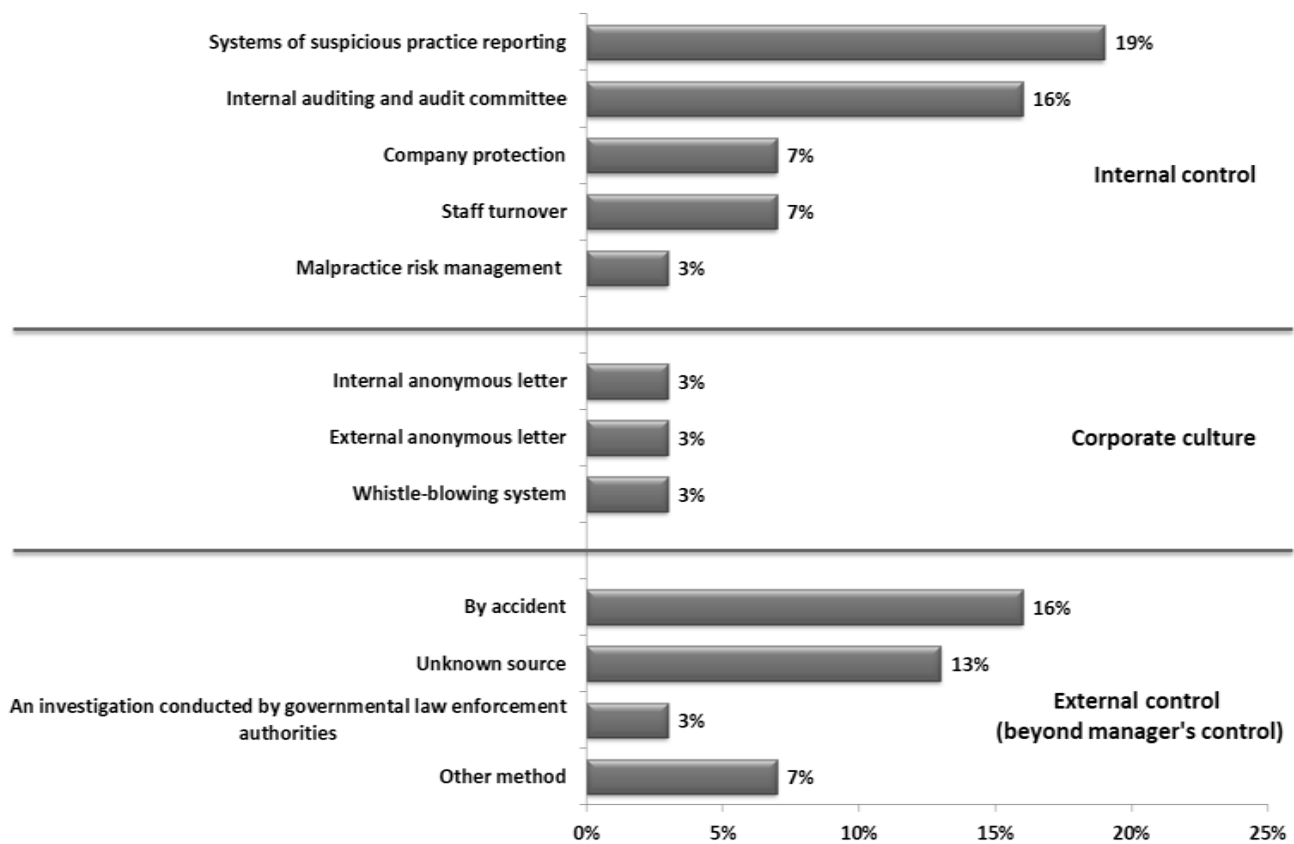
Malpractices, unethical behaviour, law violation and abuses committed on purpose of financial gains will always be present in the economy regardless of the culture. It is, to some degree, a problem of dishonesty and distinguishing between good and wrong – in other words, it is a problem of individual’s values. Understanding of whistleblowing among European countries is not unified because of the existing cultural and historical differences. Totalitarian systems (fascism, Stalinism, communism) and autocratic practices strongly affected perception of whistleblowing as a care for the organisation. Consequently, perception and reactions on whistleblowing seem to be dependent on the historical background. Misinterpreting this notion is a European problem – people mistake whistleblowing for denunciatory activities (Whistleblowing, Fraud and the European Union, 1996). Therefore, the course of Polish history affected perception of whistleblowing. Losing the statehood in the second half of 18th century (dismemberments of Poland) and economical growth related mainly to the inflow of foreign capital (German and Jewish) triggered off a substantial division into two categories – “*us*” and “*them*”.

After the II World War, the socialists state overtook the ownership of private enterprises and remained under the influence of the Soviet Union deprived of the freedom of speech. These circumstances can have influence on the attitude of Polish employees towards whistleblowing. Such negative attitude may prevent employees from combating malpractices even in supportive formal-legal environment.

2.2 Whistleblowing as a method of combating malpractices and offences in Poland

Polish organizations lack effective tools for detecting and monitoring crimes (PwC Report, 2011). Detecting abuses becomes less and less a consequence of a conscious action on the organisation’s part, more often it happens to be left to chance. In this way 16% of Polish organisations (twice as much as worldwide) detected crimes. Only 3% of malpractices in Poland were detected by means of Risk Management Systems (10% worldwide). 9% of malpractices were detected in Poland thanks to external or internal anonymous and whistleblowers (simultaneously 22% worldwide) (see Figure 2).

Figure 2
Methods of malpractices detection in Poland



Source: Research concerning the offence against company assets, PwC Report, http://www.pwc.pl/pl_PL/pl/publikacje/PwC_Crime_Survey_2011.pdf

According to the authors of the Global Economic Crime Survey 2011 report, 38% of Polish organizations do not possess whistleblowing systems, whereas 45% of organizations which have such systems perceives them as utterly or partly ineffective. What is more, when one compares year 2009 to year 2011 a decrease in the number of detected malpractices via anonymous reporting. According to data in year 2009 due to internal and external anonymous letters 27% of organizations detected malpractices, however, in year 2011 the number amounted to 6%. Authors of the other researches also indicate similar issues (Euler Hermes and University of Szczecin Report, 2010)³, from which once concludes that in order to prevent malpractices, big companies attach great importance to formalized systems of protection and control (21%) and to combating embezzlements (24%).

³The research involved 165 entrepreneurs from selected Polish cities. The surveys were conducted with the entrepreneurs in

Only 4% of the interviewed companies allow the employees to convey the anonymous pieces of information regarding malpractices committed by fellow employees. One can therefore say that the system of combating malpractices in commercial organizations in Poland is either based on formal-legal solutions or left to chance. There is a visible lack of culturally-adaptable solutions that refer to the companies' values and norms.

Therefore, a question arises about the employees' attitudes towards reporting offences and possible threats. The research indicates (Arszulowicz, 2005)⁴ that 74% of employees participating in the research declared a willingness to expose information concerning unethical business conduct⁵. It is the character of the reprehensible actions that encourages the employees to whistleblowing. The more the situation is connected with endangering human life, the bigger the percent of people willing to reveal information concerning the irregularities.

The data below presents the percentage of employees declaring the readiness to revealed information for the selected groups of malpractices (see Table 2).

Table 2: Readiness for whistleblowing

misdemeanour	68,14%
embezzlement	70,88 %
environmental hazard	80,5%
hazard to health	87 %
hazard to life	94,13%

Source: Arszulowicz, 2005

In my studies, the questionnaires were distributed among representatives of generation X and Y. Generation Y consists of people who entered the labor market when the market oriented economy started to be implemented in Poland. It means that a new social environment could make whistleblowers more willing to act. (see table 3).

Table 3: The willingness to whistleblowing among employees in generation X and Y

	Generation X (1961-1977)	Generation Y (1978 1989)
misdemeanour	45%	43%
embezzlement	58%	68%
environmental hazard	75%	72%
hazard to health	79%	85%
hazard to life	89%	95%

Source: own research (research conducted in 2012 among 337 respondents)

These results are supported by Arszulowicz (2005) research. We can observe that the young people in Poland are not more willing for whistleblowing than the older employees.

Exploring the phenomenon of whistleblowing as a symptom of employee loyalty one should also define the attitude to whistleblowing and the reasons for giving a refusal to whistleblowing in case of a malpractice. Employees were asked why are they willing for internal whistleblowing?

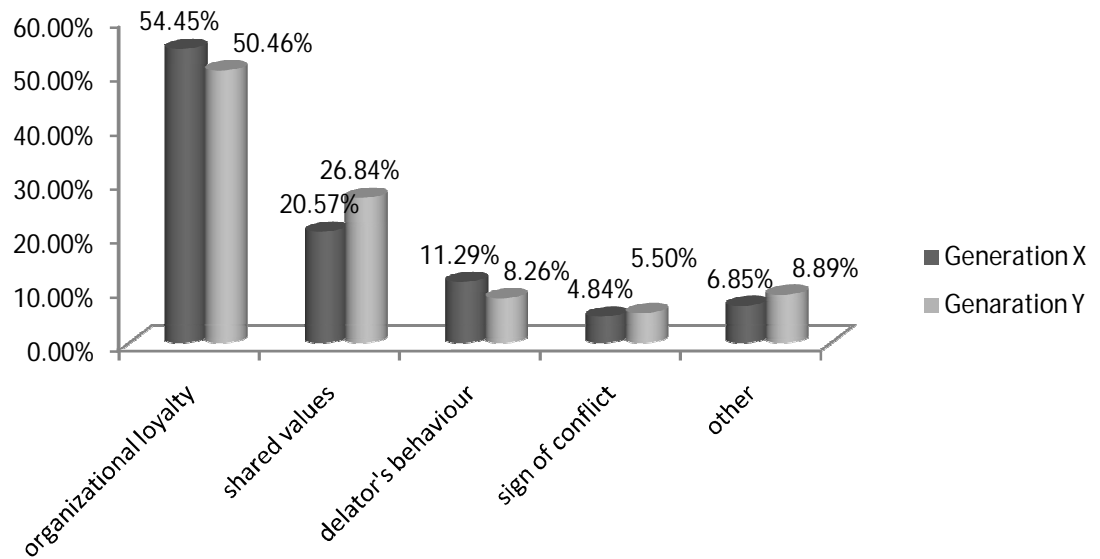
The answers show that people treat this activity as a symptom of organizational loyalty (55.61%) or behavior consistent with the code of values (22,08%). Some of them claim that it is a negative behavior typical for delators (7,94%) or a sign of conflict between employees or employee and his/her manager (7,01%) (see Figure 3).

Bydgoszcz, Sopot, Szczecin, Poznań, Wrocław, Katowice, Kraków, Rzeszów, Łódź and Warszawa. The respondents included chairmen, board members and supervisory board members, management staff and owners of companies.

⁴1007 adult Poles took part in the research. Students accounted for 39% of all the respondents constituting an under 25 age group while 61% were people of various professions.

⁵The findings resemble the data produced by the TIME, where 73% of Americans also tended to reveal similar information. The TIME carried out the research prior to giving a Personality of the Year Award for 2002 to three women, namely Cynthia Cooper, vice-chairperson for internal auditing of WorldCom, Coleen Rowley, the agent in Minneapolis branch of FBI and Sherron Watkins, a former vice-chairperson of Enron.

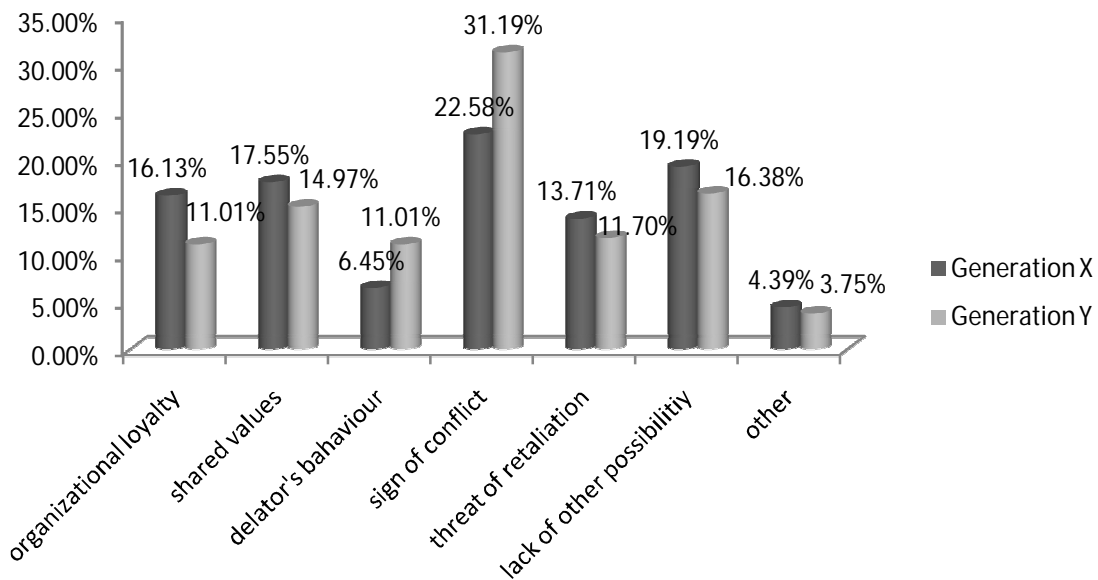
Figure 3: Employees’ opinions about internal whistleblowing



Source: own research

Generally speaking employees have positive attitude to internal whistleblowing. The results are different when we are speaking about external whistleblowing and informing media about malpractices. There are two new categories of responses in comparison to internal whistleblowing: threat of retaliation on the employer’s part and lack of other options for action (see Figure 4).

Figure 4: Employees’ opinions about external whistleblowing

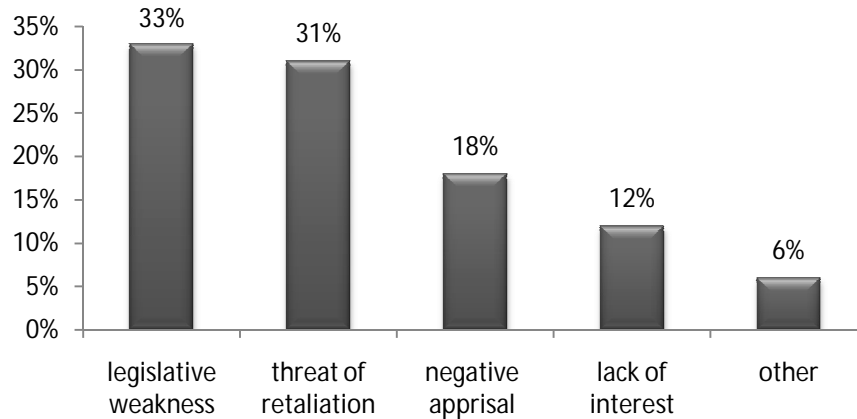


Source: own research

There is not an important difference between answers given by generation X and Y referring both to internal and external whistleblowing. We can observe different attitude to whistleblowing depending the type of whistleblowing (internal or external). There are less positive opinions and attitudes to external whistleblowing.

When asked about the reasons for refusing whistleblowing, the respondents pointed to various elements (see Figure 6).

Figure 6: Reasons for giving a refusal to whistleblow in case of a malpractice



Source: ownelaboration on the basis of: Arszułowicz M,(2005), Sygnalizowanie zachowań nieetycznych w organizacjach, praca doktorska, Wyższa Szkoła Przedsiębiorczości i Zarządzania im. L. Koźmińskiego w Warszawie, Warsaw 2005.

The four main reasons for an answer refusal are:

Legislative weakness (33% of answers), which comprises a belief in the lack of legal protection (14%) and insufficient efficiency of the police force and courts (19%); Threat of retaliation on the employer’s part (31% of answers) including the threat of losing a job (19%) as well as other adverse actions (12%); A negative appraisal of the deed by the whistleblowers themselves(18 % of answers), which comprises the fear of gaining reputation as an informer (12%), perceiving the action as a manifestation of lack of loyalty (3%) and a belief that one shouldn’t foul their own nest (3%).

Lack of involvement and interest in the company’s business (12% of answers) –it doesn’t concern me. In the context of the deliberations concerning the organisational loyalty, one should notice that 3% of respondents perceives whistleblowing as a lack of loyalty towards their organization. This is also the reason why they refuse to inform about the malpractices. If we define whistleblowing as an manifestation of loyalty towards values, the achieved score seems to be well-founded. The scores may also be a result of the low level of the mutual trust of Polish people. Despite a rather profound trust visible in the private area, the respondents express caution in reference to interacting with other people rather than excessive openness towards strangers (72%), whileonly 26% of respondents express a belief that the majority of people can be trusted. Polish people declare that one should also present a limited trust towards business partners. In the opinion of two-thirds of the respondents(42%) unlimited trust in this respect usually ends up badly (Zaufanieszpołeczne, Raport z badań 2010).Trust towards courts is also relatively low –on a scale from 1 to 5 it amounts to 2,93. In the present legal status there is no possibility of an effective protection of people who point to inconsistencies or malpractices in their organisations. People who inform about such incidents are usually made redundant under false pretences or they decide to leave out of their own will. Lay-offs are a legitimate reason for filing a resignation as the decisions referring to the decrease in the employee number belong to the organisational sphere of a company and therefore are not subjected to control in a litigation concerning lack of ground for the dismissal (A Resolution of the Supreme Court, 1985).Such situation not only legitimises the aforementioned pathologies but also gives an impression of impunity.

3. Conclusions

The results presented in this study are not representative and do not allow for a generalisation and drawing conclusions towards the discussed phenomena in Poland. They allow, however, to point to situations that take place in the economic life and scientific ponderings. They lead to a conclusion that within Polish organisations there exists a consent and an employee interest in revealing malpractices that take place in workplaces. These are also vital for the general social interest. Along with an increase in the gravity and danger the malpractice is related to, grows the declared willingness to whistleblow. It should also be emphasized that the age of the employees does not influence their attitude and behaviour in this regard.

The attitude towards whistleblowing varies in reference to who is informed about malpractices. Internal whistleblowing is also identified with a loyalty towards the employer, while passing information to external institutions does not have unanimous connotations. External whistleblowing may be defined as loyalty towards values such as honesty, safety, etc. It is sometimes felt that it results from the feeling of helplessness or lack conviction of the effectiveness of action taken within the organisation. Such observations are in line with historical circumstances as well as the conditions in which contemporary enterprises exist. Little confidence placed in people and institutions and the relatively short period of existence of free market mechanisms in Polish economy affect the solutions implemented in organisations with a view to averting malpractices. These are mostly formal control mechanisms. On the other hand, mechanisms which refer to organizational culture, promoting individual responsibility of an employee and encouraging to actively prevent pathologies are less frequently made use of. Little percentage of companies defining their own values, lack of legal protection for whistleblowers or lack of a Polish equivalent to 'whistleblowing' point out to a deficiency in creation of pro-loyal attitudes and behaviour. They should be aimed at raising social awareness of the significance of values for the functioning of both an employee and an employer.

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