

## According to the Rules of the Game

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### Abstract

*Although our behavior is ethically above the Apes, it falls short of being Angelic!" And in that maxim lies the fruit of this case study. Julius Rathjens, an ethics officer, who, in the course of his day in the office, reads about the transgressions of Air Force personnel and state and local government employees. As a student of politics and organizational behavior, he knew that ethics as taught in training and academic programs left much to be desired. But what was at hand now was quite different as he compiled a list of misbehaviors for Air Force service members and state and local government employees and placed their misdeeds in two exhibits. Then, he attempted to find those ethical lapses and behaviors which shared a common theme and those which were disparate. **The Questions and Instructions** which follow the case are written to evoke contemplative responses from those who work in the field of management and know how difficult it is to make judgments of "...other affecting behavior..." in a pluralistic society.*

**Keywords:** Progressive Discipline, Case Studies, Ethical Behavior, Morality, Misbehavior, Criminality, Deviance, Air Force Service Members, State and Local Government Employees, Criminology, Organization Handbook Policies

**Recommended Courses:** Business Ethics. Ethics Officer Education, Human Resource Management, Public Personnel Management, Public Administration, Organizational Behavior, Case Studies in Management, and, Trustworthiness and Justice in Organizations

### Introduction

Julius Rathjens had a newly found career as ethics officer, liked his new organization, and was happy that it was finally Friday. He had a "frightfully hectic" week and wanted to take a few minutes and "wind-down" before the heavy traffic of e-mails, telephone calls, and text messages, and so on, "blasted" into his office. Rathjens never eschewed work, but he found so much of what he had to deal with on a daily basis to be inconsequential and irrelevant to the type of counseling and actions that he thought would consume most of his professional time. After all, he was an "ethics officer," not a babysitter.

He placed his briefcase next to his desk in his nicely furnished cubicle and headed directly to the cafeteria for a much needed cup of Mocha and "Danish." As he passed the gift shop he glanced at the headlines of the many newspapers that called for attention and settled upon his regular venue. He would begin by quickly reading the Op-Ed of the *New York Times*, and then the base newspaper.

The morning readings was standard fare for the most part, but he found it interesting that there were so many instances of public servant misbehavior, unprofessional or unethical behavior and other indiscretions. As he flipped through the base paper, he was amazed to find a listing of misbehaviors for the service members of the U.S. Air Force--both enlisted and non-enlisted personnel—with their accompanying names and ranks and the associated disciplinary action.

Later on in the day Julius Rathjens returned to the Visiting Officers Quarters (VOQs) where he was being temporarily housed, and over his lunch hour read his "hometown newspaper." Julius longed to read the local newspaper from home and found most of the stories to be of interest.

Prior to his new position, Julius had worked in state government for a number of years and had become acquainted—at least on a name basis-- with many of the so called “movers and shakers” in the state. He loved politics and had a passion for reading anything that “smacked” of investigative journalism—which he found sorely missing in most of the newspapers that he read, and even pathetically lax in those that had a national subscription and readership. He often mused to himself that the news had become “infotainment” rather than hard hitting, well-research articles, and he lamented this fact! Then it struck him as he read the paper: there were many incidents of public servants in his own state who had also behaved poorly, but for reasons of privacy, their names and organizations were not publicly revealed. As he skimmed through the list of indiscretions, he was only able to glean a limited amount about the facts and circumstances surrounding the “naughty” behavior of state employees and this he found to be terribly frustrating.

Julius pulled the pages from the newspapers and he thought he would compare the type of problem employees that he had just read about in the base newspaper to what he had learned about some of the public servants in his home state. In compiling the list of indiscretions for comparative purposes, he found it difficult to classify by behavior type the many ethical lapses and other wrongdoings that he had jotted down and he found this to be quite frustrating. Yet, in other instances the behavior was easily placed into logical groupings because the offenses were patently clear and unique. His listing, as shown in Exhibit 1, included the following incidents from the base paper and he had intentionally omitted the names of the offending service members. As an Ethics Officer he was more interested in learning about the type of behaviors that were manifested and their level of seriousness.

In contrast, at the state and local levels of government, the following situations, as shown in Exhibit 2, were reported with their associated penalties. Again, the list is replete with what Julius thought might be “ordinarily found” to take place in the workplace, plus those which are truly “extraordinary” and nearly unbelievable. What made the engagement of ethical issues for Julius more difficult was how these dilemmas are resolved in a pluralistic society. Historically, he realized, ethical judgments were made on a variety of pedestals, such as tradition, mores, folkways, principles of religious doctrine, logical integrity associated with philosophical tenets, legalism and constitutionalism, and, more recently on “goal programming.” But the United States he argued, is not a theocracy and is most generally governed by notions embedded in the “separation of religion and the state” and the overwhelming public and institutional commitment to “...the rule of law.”

### ***Questions and Instructions:***

1. What do you believe is the intertwining thread that seems to run through all of the military vignettes? Are the state and local government employees’ vignettes similar or different to the service members? If so, in what ways? Please elaborate.
2. Please attempt to organize, classify or place into a logical taxonomic structure the type of behaviors revealed in Exhibit 1 and 2. What logical groupings were you able to develop for these many varied misbehaviors? Please be specific.
3. From a supervisory or managerial perspective, what might be done to either reduce or eliminate the type of misbehaviors depicted in the military? In the state and local government? Please elaborate.
4. Are there any rule violations that seem to be associated with unnecessary laws or restrictions? If so, please identify why these identified violations may be ameliorated by doing away with the rule or law which may be petty? Please explain.

### ***Exhibit 1. Listing of Air Force Service Members and their Accompanying Misbehavior***

1. A staff sergeant was reprimanded for not following directives, thereby resulting in injury to personnel and damage to equipment. Discipline: Reduction in rank to senior airman.
2. An airman first class was disciplined for possessing numerous bottle of alcohol while under the legal drinking age. Discipline: Fined \$500 and restricted to base for 60 days, and suspended demotion to airman.
3. A staff sergeant was disciplined for committing adultery with an airman assigned to the same work center. Discipline: Demoted to senior airman.
4. A staff sergeant was reprimanded for committing sodomy with the spouse of a deployed member. Discipline: Demoted to senior airman and given 14 days of extra duty.
5. An airman first class was disciplined for disconnecting a fire safety catch on his dormitory room door. Discipline: Demoted to airman, given 20 days’ extra duty and a suspended fine of \$1, 290.

6. An airman was disciplined for being late to work, failing to return from lunch and being late for work the next day. Discipline: Demoted to airman basic, restricted for 60 days and restricted to dormitory room between 10:00 p.m. and 6:00 a.m.
7. A captain was reprimanded for fraternizing with an enlisted member through inappropriate e-mails and for forming a close personal relationship with the enlisted person that included sex. Discipline: Fined \$3,800.
8. A staff sergeant was disciplined for committing adultery and sodomy with the spouse of a deployed member. Discipline: Demoted to senior airman, fined \$400, and given 21 days' extra duty.
9. A staff sergeant was reprimanded for his house being declared a public health hazard. Discipline: Demoted to senior airman.
10. A staff sergeant was reprimanded for viewing pornography sites on his government computer. Discipline: Demoted to senior airman and received 30 days' extra duty.
11. A staff sergeant was reprimanded for assaulting his five-year-old son with a battle dress uniform (BDU) web belt causing severe bruising and welts. Discipline: Demoted to senior airman and fined \$200.
12. A senior airman was disciplined for committing adultery with an airman assigned to the same work center. Discipline: Demoted to airman first class and given 30 days' extra duty.
13. An airman was reprimanded for continuing to leave work to attend a driving class after the class was completed. Discipline: Demoted to airman basic, given 30 days' extra duty, and restricted to the base for 30 days.
14. A senior airman was reprimanded for creating a story while on temporary duty in the U.S. that his sister was in an intensive care unit of a burn hospital in order to get a day off of work. Discipline: Suspended demotion to airman basic, fined \$1,000, and given 30 days' extra duty.
15. A technical sergeant was reprimanded for committing adultery with the spouse of a fellow service member and using government e-mail inappropriately to correspond with the spouse. Discipline: Suspended demotion to staff sergeant and fined \$500.
16. A senior airman was reprimanded for sleeping through the lunch hour and missing a 12:30 p.m. job assignment. Discipline: Demoted to airman first class, and given 14 days' extra duty.
17. An airman was reprimanded for making a false official statement about prior marijuana use on an enlistment form. Discipline: 20 days' extra duty.
18. An airman first class was reprimanded for having a blood alcohol content of .091 during a DUI stop representing a second DUI within one year. Discipline: Suspended demotion to airman and fined \$644 and given 45 days' extra duty.
19. An airman first class was reprimanded for underage drinking. Discipline: Fined \$400 and restricted to the base for 45 days.
20. A senior airman was reprimanded for reporting to work with a blood alcohol content of .084. Discipline: Demoted to airman first class.

***Exhibit 2. Listing of the Misbehaviors of State/Local Government Employees***

1. An administrative assistant was disciplined for inappropriate internet use. The employee accessed an internet banking website during work hours using a state computer. Such use violates the acceptable internet use policy. The employee was verbally reprimanded.
2. A community health consultant was reprimanded for inappropriate language use during a department meeting. The employee was verbally reprimanded and signed a written warning placed in the employee's personnel file.
3. A public administrator 2 had a sexual relationship with a subordinate. The administrator was reported displaying favoritism towards the subordinate. The subordinate was moved to an office outside of the building shared by both employees. The subordinate was no longer required to report to the administrator and was eventually moved to another bureau.
4. A program planner 3 was reprimanded for sleeping at his desk. The employee was terminated after three consecutive offenses.
5. A community health consultant was reprimanded for verbally insulting her supervisor. The employee signed a written warning placed in the employee's personnel file.
6. An administrative assistant was reprimanded for excessive tardiness and the inability to complete assigned tasks in a timely or satisfactory manner.

After multiple verbal attempts to improve the employee's performance, she was given two days' unpaid suspension. With no improvement she was given four days' suspension, then seven days. She was terminated when no progress was noted after repeated suspensions.

7. A community health consultant was reprimanded for receiving a speeding ticket while driving a state vehicle. The employee was given a verbal warning and instructed that if he received another ticket he would lose access to any state vehicle.
8. An executive officer II was reprimanded for wearing denim pants on a day other than Friday. This is a violation of the appropriate dress policy. She was sent home to change and told that a second offense would result in her being sent home for the day without pay.
9. A program planner 3 was reprimanded for inappropriate internet use. The employee logged several hours each work day for a period of three months in non-work related internet use. The employee was terminated.
10. A public administrator 2 was reprimanded for unclear and inappropriate guidance to subordinates by email. Emails sent by the administrator were reviewed by the administrator's supervisor for a period of three weeks. Subsequent communications given by the administrator were reviewed on a monthly basis.
11. A superintendent of secondary roads for a county was terminated for selling wood and iron salvaged from construction sites he worked on. Not all the money was used personally, some of it was placed in a slush fund to pay for parties, food, beverages, and gifts.
12. A worker at a community mental health center was terminated after it was found that she left the door to a closet containing chemicals open. One resident drank some disinfectant and had to be hospitalized and the center did not report the violation to state inspectors.
13. A registered nurse at a local governmental hospital was terminated after she admitted to administering a prescription drug without an order from a physician. She had, the judge stated, a "long and impeccable record," of service over her many years of service.
14. A public school teacher, along with a radio sports commentator made designative remarks about the ethnicity of several basketball players from a small Midwestern city. They made comments in relation to President Donald Trump's remarks on immigration: "As trump would say, 'Go back to where you came from'" Commenting on having a large number of "Español people" in their community, they further wondered if any of the players were "foreigners." The teacher and the radio commentator were both terminated from their jobs.
15. A EMT was convicted of a second incident of drunken driving, previously, one incident of driving with a revoked license, and had his license placed on probation for 18 months.
16. Another EMT had his license revoked after a co-worker accused him of showing up for work under the influence of alcohol. He submitted to breathalyzer test and registered a blood-alcohol level of .05—legal for driving, but possibly would impact impairment.
17. A female correction worker acted inappropriately in view of prisoners with regard to safety. Punishment being considered: demotion, termination, forced to resign, or criminally charged?
18. A long-term county employee with responsibility for securing the personal belongings of prisoners, routinely "pilfered" the locked "cages" where the personal effects were stored and used the money gained from the theft of "cash" and other "articles of value" for personal use. Suspended during the investigative proceedings.

**Case Title: According to the Rules of the Game**

**Name:**

### **Case Log and Administrative Journal Entry**

*This case analysis and learning assessment may be submitted for either instructor or peer assessment*

### **Case Analysis:**

Major case concepts and theories identified:

What is the relevance of the concepts, theories, ideas and techniques presented in the case to that of public or private management?

Facts: What do we know *for sure* about the case? Please list.

Who is involved in the case (people, departments, agencies, units, etc.)? Were the problems of an intra/interagency nature? Be specific.

Are there any rules, laws, regulations or standard operating procedures identified in the case study that might limit decision-making? If so, what are they?

Are there any clues presented in the case as to the major actor's interests, needs, motivations and personalities? If so, please list them.

### ***Learning Assessment:***

What do the administrative theories present in this case mean to you as an administrator or manager?

How can this learning be put to use outside the classroom? Are there any problems you envision during the implementation phase?

Several possible courses of action were identified during the class discussion. Which action was most practical by the group? Which was deemed most feasible? Based on your personal experience, did the group reach a conclusion that was desirable, feasible, and practical? Please explain why or why not. Did the group reach a decision that would solve the problem on a short-term or long-term basis? Please explain.

What could you have done to receive more learning value from this case?

**Source:** Case Log and Administrative Journal Entry reprinted with permission, Millennium HRM Press, Inc.

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