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**Application of Ethics, Justice and Fair Treatment in Human  
Resource Management for Sustainable Peace in Nigerian  
Work Organizations**

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### **Abstract**

*For many managers, recruitment and placement, training and development, and compensation are the heart of human resource management. But people expect something more. They expect their employers to treat them fairly, and to have a safe work environment. This paper deals with ethics, justice, and fair treatment in human resource management, matters essential for positive employer and employee peaceful co-existence. Literature survey method was adopted to discuss the issues raised in the study. The paper observed that ethics and fair treatment play important roles in managing employees at work. The paper also noticed that moral awareness, the managers themselves, moral engagement, morality, unmet goals, and rewards all influence ethical behaviour. The paper further recommended that employees' fair treatment at work should reflect concrete actions, and they should be treated with respect. Also managers should discipline employees who observe unethical behaviour, and perpetrators of indiscipline at work, not innocent workers. **Key Words:** Ethics, Justice, Fair Treatment, Human Resource Management, Organizations, managers, Work.*

### **Introduction**

People face ethical choices every day. Almost everybody rightfully views himself or herself as an ethical person, so we should start by asking, "Why include ethics in human resource management discussions?" First ethics is not theoretical. Instead, it greases the wheels that make businesses work. Managers who promise raises but don't deliver, sales people who say "The order are coming", when they are not, production managers who take kickbacks from suppliers – they all corrode the trust that day-to-day business transactions depend on, and eventually run the businesses into the ground. According to one lawsuit, marketers for Pfizer Inc, influenced Pfizer to suppress unfavourable studies about one of its drugs (Keith, 2008), Plaintiffs are suing for billions. Second, and more specifically, managers' human resource decisions are usually replete with ethical consequences (Dennis, 2006). For example Sean (2006) found that 6 of the 10 most serious ethical work issues such as work place safety, employee records security, employee theft, affirmative action, comparable work, and employee privacy rights, were human resource related. Another survey of human resource professionals by Paul (2004) found that 54% had observed misconduct ranging from violations of Title VII to violations of the Occupational Safety

and health Act. Therefore, all managers should understand the basics of ethics and the ethical dimensions of their people-related decisions.

### **Purpose of the Study**

The purpose of this study is to:

- 1) Examine the issue of ethics in workplaces;
- 2) Assess ethics and the law in work organizations;
- 3) Examine ethics, justice, and fair treatment in work organizations;
- 4) Evaluate employee rights in work organizations;
- 5) Assess what determines ethical behaviour at work;
- 6) Evaluate how managers use personnel methods to promote ethics and fair treatment;
- 7) Identify how employee discipline and privacy are managed;
- 8) Examine how dismissals are managed in work organizations.

### **Assumptions of the Study**

The assumptions made for the purpose of this study are:

- 1) That the works of authors consulted are sincere manifestations of their opinions concerning ethics, justice and fair treatment in human resource management in work organizations.
- 2) That the authors' assessments were fair and reliable for drawing conclusion about the research topic.

### **Ethics in Workplaces**

Ethics refers to “the principles of conduct governing an individual or a group; specifically, the standards one use to decide what his conduct should be (Ferrell, 2008). Making ethical decisions always involve two things. First, it always involves normative judgments (Manual, 1992). A normative judgment means that something is good or bad, right or wrong, better or worse. Second, ethical decisions always involve questions of morality. Morality is society’s highest accepted standards of behaviour. Moral standards guide behaviours of the most serious consequence to society’s well-being, such as murder, tying, and slander. Authoritative bodies like

legislatures cannot change what morality means. Moral judgments also trigger strong emotions. Violating moral standards may therefore make someone feel ashamed or remorseful (Tom, 2001). It would simplify things if it were always clear when one's decision were ethical. Unfortunately, it is not. If the decision makes the person feel ashamed or remorseful, or involves doing something with serious consequence such as murder, then, chances are, it's unethical.

### **Ethics and the Law in Work Organizations**

Firing a 39-year-old employee with 20 years' tenure without cause may be legal, but some would view it as unethical. Richard (2000) put it this way: "Ethics means making decisions that represent what you stand for, not just what the laws are". But some behaviour are both illegal and unethical. For example, one huge meat processor had to respond to a federal indictment charging it with smuggling illegal immigrants from Mexico to cut factory costs (Carroll, 2002).

### **Ethics, Justice, and Fair treatment in Work Organizations**

Similarly, fairness is an issue in most human resource decisions. You hire one candidate and reject another, and promote one and demote another. How employees react to these decisions depends, to some extent, on whether they think the decisions and the processes that led up to them were fair. Fairness is inseparable from what most people think of as "Justice". A company that is just is, among other things, equitable, fair, impartial, and unbiased in how it does things. With respect to employee relations, experts generally defined organizational justice in terms of at least two components – distributive justice and procedural justice. Distributive Justice refers to the fairness and justice of the decision's result. For instance, did I get an equitable pay raise? Procedural Justice refers to the fairness of the process (Daniel and Robert, 2003). For instance, is the process my company uses to allocate merit raises fair? In practice, fair treatment reflects concrete actions (Gary and Linda, 2001). These include employees are treated with respect (Michelle, 1998). In theory, ethics, justice, and fair treatment may be separate but related concepts. But in practice most employees probably cannot and won't unscramble what is ethical, fair, or just when it comes to how they are treated at work (Gary and Linda, 2001).

### **Employee Right in Work Organizations**

Of course, few societies rely on managers' ethics or sense of fairness to ensure that they do what is right by their employees. They also put in place various laws. For example, the Occupational Safety and Health Act gives employees the right to refuse to work under unsafe conditions (Kenneth, 1999). Aside from legislation, employees also have certain rights under common law. For example, under common law, an employer may have the right to sue the employer whose supervisor published embarrassing private and personal information about the employee.

### **Determinants of Ethical Behaviour at Work**

Several experts reviewed the research concerning things that influence ethical behaviour in organizations (Linda et al, 2006). They found that:

- Ethical behaviour starts with moral awareness. In other words, does the person even recognize that a moral issue exists in the situation?
- Managers can do a lot to influence employee ethics by carefully cultivating the right norms, leadership, reward systems, and culture.
- Ethics slide when people undergo moral disengagement. Doing so frees them from the guilt that would normally go with violating one's ethical standards.
- The most powerful morality comes from within.
- Beware the seductive power of an unmet goal. Unmet goals pursued blindly can contribute to the intrinsic value of ethical behaviour.
- Offering rewards for ethical behaviour can backfire. Doing so may actually undermine the intrinsic value of ethical behaviour.
- Don't inadvertently reward someone for bad behaviour.
- Employers should punish unethical behaviour.
- Employees who observe unethical behaviour expect the manager to discipline the perpetrators.
- The degree to which employees openly talk about ethics is a good predictor of ethical conduct. Conversely, organizations characterized by moral muteness suffer more ethically problematic behaviour.

- People tend to alter their moral compasses when they join organizations.

Based on these evidences, things that determine ethical behaviour at work include:

**The Person:** The most powerful morality comes from within. Because people bring to their jobs their own ideas of what is morally right and wrong, the individual must shoulder much of the credit (or blame), for ethical choices. For example, Sara et al (1995) in a survey of CEO's explored their intention to engage or not to engage in soliciting a competitor's technical secrets and bribing foreign officials. The researchers concluded that personal inclinations more strongly affected decisions than did environmental pressures or organizational characteristics.

**The Boss:** Managers do a lot to influence ethics. It is hard to resist even subtle pressure, let alone coercion, from your boss. According to one report, for instance, "the level of misconduct at work dropped dramatically when employees said their supervisors exhibited ethical behaviour". Only 25% of employees who agreed that their supervisors "set a good example of ethical business behaviour" said they had observed misconduct in the last year, compared with 72% of those who did not feel that their supervisors set good examples (Vikas, 2004). Umphress (2009) has given examples how supervisors knowingly or unknowingly can lead subordinates to go astray:

- Tell staffers to do whatever is necessary to achieve results.
- Overload top performers to ensure that the work is done.
- Look the other way when wrong doing occurs.
- Take credit for others' work or shift blame.

These examples illustrate an important feature of the boss's influence. The influence is often subliminal. He or she sends signals about the appropriate way to behave. Those signals then create the culture to which employees respond. We can define organizational culture as the "characteristic values, traditions, and behaviours a company's employees share". A value is a basic belief about what is right or wrong, or about what you should or should not do. "Honesty is the best policy" would be a value. Values are important because they guide and channel behaviour. Managing people and shaping their behaviour therefore, depends on shaping the values they use as behavioural guides. The firms culture should therefore send clean signals

about what is and is not acceptable behaviour. For example, if management really believes “Honesty is the best policy”, the written values they follow and the things they do should reflect this value. Managers therefore have to send the right signals to their employees. Guidelines include the following:

- Clarifying expectations: First, make clear your expectations with respect to the values you think are critical.
- Walk the talk: Employees take their signals from the boss actions. Managers need to “walk the talk”. They cannot say, “Don’t fudge the financials”, and then do so themselves.
- Provide Physical Support: The physical manifestations of the manager’s values, that is, the incentives, appraisal criteria, and disciplinary procedures he or she uses, for instance, send strong signals regarding what employees should and should not do.

**The Company:** People tend to alter their ethical compasses when they join organizations. Is there such a thing as an ethically toxic company? Some think so. An ethically toxic company is one in which all the usual procedures that normally diminish bad behaviour are simply missing. For example, managers pressure or even reward employees for bad behaviour; no one publicizes ethical standards such as “don’t bribe officials”; and no, takes the time to follow up on or audit bad behaviour.

### **How Managers Use Personnel Methods to Promote Ethics and Fair Treatment**

Many of the actions managers can take to promote ethics fall within the realm of human resources management practices. Some specific examples include:

**Selection:** Deborah and Marshall (2001): Krohe (1997), says “The simplest way to turn up an organization, ethically speaking, is to hire more ethical people”. Employers can start before the applicant even applies by creating recruitment materials that emphasize ethics. Use tools such as honesty tests and background checks to screen out undesirables (William, 2004).

**Fairness:** Managers interviewing applicants also need to make sure the screening process is fair. “If prospective, employees perceive that the hiring process does not treat people fairly, they may also assume that ethical behaviour is not important (Linda, 2005). Keep several things in mind here:

- Applicants tend to view the formal procedure such as the interview, as fair to the extent that it tests job-related criteria and provides an opportunity to demonstrate competence.
- Applicants expect respect. Interpersonal treatment reflects such things as the propriety of the questions, the politeness of the person doing the assessing, and the degree of two-way communication.
- Applicants see a selection system as fair to the extent that the employer provides useful feedback about the employee's or candidate's own performance.

**Ethics Training:** For all practical purposes, ethics training is mandatory. Ethics training usually includes showing employees how to recognize ethical dilemmas, how to use ethical frameworks such as codes of conduct to resolve problems, and how to use human resource activities such as interviews and disciplinary practices in ethical ways.

**Performance Appraisal:** How an organization conduct appraisals is important. Studies and practical experience confirm that, in practice, some managers ignore accuracy in performance appraisals and instead use the process for political purposes such as encouraging employees with whom they don't get along to leave the firm. Few things can send a more damaging signal about how fair and ethical the company is. To send the signal that fairness is paramount standards should be clear, employees should understand the basis upon which a company is going to appraise them, and the appraisal itself should be objective.

**Reward and Disciplinary Systems:** To the extent that behaviour is a function of its consequences, the manager needs to reward ethical behaviour and penalize unethical behaviour. Tom (2009) suggests, "Employees expect the organization to dole out relatively harsh punishment for unethical conduct". If the company does not deal swiftly with unethical behaviour, often the ethical employees feel punished.

### **Personnel – Related Methods for Ensuring Fair Treatment**

For most people the answer to "Why treat employees fairly?" is obvious, since most learn, early on, some version of the golden rule. But there are also concrete reasons managers should treat employees fairly. Arbitrators and the courts will consider the fairness of the employer's disciplinary



procedures when reviewing disciplinary decisions. Fairness also relates to a wide range of positive employee outcomes. These include enhanced employee commitment and enhanced satisfaction with the organization, job and leader and more “organizational citizenship behaviours”, the steps employees take to support their employers’ interests. Job applicants who felt treated unfairly expressed more desire to appeal the outcome. Those who view the firm’s testing programmes as fair react more favourably to the selection procedure, and view the company and the job as more attractive (Russell and Thomas, 2003). There are thus, many practical reasons beyond the golden rule, for treating employees fairly.

### **Managing Employee Discipline and Privacy**

The purpose of discipline is to encourage employees to behave sensibly at work that is, where sensible means adhering to rules and regulations. Thomas (2008) posits that “discipline is necessary when an employee violates a rule”. Proper disciplinary procedures are important for several reasons, that is, beyond the fact that it is the right thing to do. In a study, David (1995) surveyed 45 published arbitration awards in which tardiness had triggered discipline and/or discharge. When arbitrators overturned employers’ decisions, it was usually because the employer had failed to clarify what it meant by “tardy”. A lack of clarity regarding how often an employee may be late and an inappropriately severe penalty were other problems. Unfair disciplinary procedures can backfire in other ways. For example, an unfair disciplinary procedure can trigger retaliatory employee mischief, and thus actually encourage misbehaviour. Therefore, establishing a fair disciplinary process is not as easy as it might appear.

### **Basics of a Fair and Just Disciplinary Process**

The employer may want its discipline process to be both effective, in terms of discouraging unwanted behaviour, and fair. Employers do base such a process on three pillars: Clear rules and regulations, a system of progressive penalties, and an appeals process.

**Rule and Regulations:** First, rules and regulations address issues such as theft, destruction of company property, drinking on the job, and insubordination. Examples include:

- Poor performance is not acceptable. Each employee is expected to perform his or her work properly and effectively.

- Alcohol and drugs do not mix with work.

The use of either during working hours and reporting for work under the influence of either are both prohibited. Rules inform employees ahead of time what is and is not acceptable behaviour. Upon hiring tell employees, preferably in writing, what is not permitted. The employees handbook usually contains the rule and regulations.

**Progressive Penalties:** A system of progressive penalties is a second pillar of effective discipline. Penalties typically range from oral warnings to written warnings to suspension from the job to discharge. The severity of the penalty is usually a function of the type of offence and the number of times it has occurred. For example, most companies issue warnings for the first unexcused lateness. For a fourth offence, discharge is the usual disciplinary action.

**Formal Disciplinary Appeals Processes:** In additions to rules and progressive penalties, the disciplinary process requires an appeals procedure. Virtually all union agreements contain disciplinary appeal procedures, but such procedures are not limited to unionized firms.

**Discipline without Punishment:** Traditional discipline has two potential drawbacks. First, no one likes to be punished. Second, punishment tends to gain short-term compliance, but not the sort of long-term cooperation employers often prefer. Discipline without punishment, or non-punitive discipline aims to avoid these drawbacks. It does this by gaining employees' acceptance of the rules while reducing the punitive nature of the discipline itself (Dick, 2001).

**Hot Stove Rule:** Supervisors traditionally apply the four points of what they call the "hot stove rule" when applying discipline. When touching a hot stove that says, "Don't touch", the person has warning, and the pain is consistent, impersonal, and immediate.

**Employee Privacy:** For most people, invasions of privacy are neither ethical nor fair (Milton, 2001). The four main types of employee privacy violations upheld by courts are intrusion, publication of private matters, disclosure of medical records, and appropriation of an employee's name or likeness for commercial purposes (Morris, 2001). Rita (2008) in a survey of security professionals ranked human resources last among departments securing such confidential data. In practice, background checks, monitoring off-duty conduct and lifestyle, drug testing, workplace searches, and monitoring of

workplace activities trigger most privacy violations (Declan and Angela, 2003).

**Employee Monitoring:** Employee monitoring is widespread. More than half of employers monitor e-mail activity, three-quarters monitor employee internet use, and about 40% monitor phone calls (Eileen, 2002). Employers say they do so mostly to improve productivity and protect themselves from computer viruses, leaks of confidential information, and harassment suits (Gundars, 2007). Furthermore, employees who use company computers to do things like swap and download music can ensnare employers in illegal activities (Bill, 2008). Employers routinely use special software to monitor what their employees are doing online.

### **Managing Dismissals in Work Organizations**

Dismissal is the most drastic disciplinary step the employer can take. Because of this, it requires special care. There should be sufficient reason for the dismissal, and as a rule, organization should only dismiss someone after taking reasonable steps to rehabilitate or salvage the employee. However, there will undoubtedly be times when dismissal is required, perhaps at once. The best way to handle a dismissal is to avoid it in the first place. Many dismissals start with bad hiring decisions. Using effective selection practices including assessment tests, reference and background checks, drug testing and clearly defined job descriptions can reduce the need for many dismissals.

### **Termination at Will and Wrongful Discharge**

For more than 100 years, termination at will was the prevailing dismissal-related rule. Termination at will means that without a contract, either the employer or the employee could terminate at will the employment relationship. The employee can resign for any reason, at will, and the employer can dismiss an employee for any reason, at will (Joseph, 1982; Carolyn, 2008). Today, however, dismissed employees are increasingly taking their cases to court, and many employers are discovering they no longer have a blanket right to fire. Instead, Equal Employment Opportunity (EEO) and other laws and court rulings limit management's right to dismiss. For example, firing a whistleblower might trigger "public policy" exceptions to firing at will. Or a statement in an employee handbook may imply a contractual agreement to keep an employee. Michael (2007), pointed out how *Business Week Magazine* described how some employers, even when faced with employee theft, were reluctant to terminate disruptive employees

for fear of lawsuits. In practice, though, plaintiffs only win a tiny fraction of such suits. However, the cost of defending the suits is still huge.

**Wrongful Discharge:** Wrongful discharge refers to a dismissal that violates the law or that fails to comply with contractual arrangements stated or implied by the employer, for instance, in employee manuals. Three main protections against wrongful discharge have eroded the termination-at-will doctrine, such as statutory exceptions, common law exceptions, and public policy exceptions. First, in terms of statutory exceptions, equal employment and workplace laws prohibit specific types of dismissals. As just one example, occupational safety laws prohibit firing employees for reporting dangerous workplace conditions (Robert and Martin, 2005). Second, numerous common law exceptions exist. For example, courts recognize the concept of implied contracts in employment. Thus, a court may decide that an employee handbook promising termination only “for just cause” may create an exception to the at-will rule. Finally, under the public policy exception, courts have held a discharge to be wrongful when it was against an explicit, well-established public policy, for instance, the employer fired the employee for refusing to break the law.

**Grounds for Dismissal:** There are four bases for dismissal: unsatisfactory performance, misconduct, lack of qualifications for the job, and changed requirements of (or elimination of) the job. Unsatisfactory Performance means persistent failure to perform assigned duties or to meet prescribed job standards (Joseph 1982). Specific grounds include excessive absenteeism, tardiness, a persistent failure to meet normal job requirements, or an adverse attitude towards the company, supervisor, or fellow employees. Misconduct is deliberate and willful violation of the employer’s rule and may include stealing, rowdy behaviour, and insubordination. Sometimes the misconduct is more serious, as when it causes someone else harm. Lack of qualifications for the job is an employee’s inability to do the assigned work although he or she is diligent. If the employee may be trying to do the job, it is reasonable to do what is possible to salvage him or her, perhaps by assigning the person to another job. A changed requirement of the job refers to an employee’s inability to do the job after the employer changed the nature of the job. Again, the employee may be industrious, so it is reasonable to retain or transfer this person, if possible.

**Insubordination:** Insubordination is a form of misconduct, and basically refers to disobedience and/or rebelliousness. While things like stealing,

chronic tardiness, and poor-quality work are easily understood grounds for dismissal, insubordination is sometimes harder to translate into words. However, some acts are usually clearly insubordinate. These include, for instance:

- Direct disregard of the boss's authority;
- Direct disobedience of, or refusal to obey, the boss's orders, particularly in front of others;
- Deliberate defiance of clearly stated company policies, rules, regulations, and procedures;
- Public criticism of the boss;
- Blatant disregard of reasonable instructions;
- Contemptuous display of disrespect;
- Disregard for the chain of command, shown by frequently going around the immediate supervisor with complaints, suggestions, or political maneuvers.
- Participation in or leadership of an effort to undermine or remove the boss.

**Fairness in Dismissals:** Dismissals are never pleasant. However, there are three things organizations can do to make sure they are fair (Nancy, 2007). First, "Individuals who said that they were given full explanations of why and how termination decisions were made were more likely to perceive their layoff as fair, and indicate that they did not wish to take the past employer to court. Second, institute a formal multi-step procedure, including warning and a neutral appeal process. Third, who actually does the dismissing is important.

**Security Measures:** Security measures are important whenever dismissal occur. Common sense requires using a checklist to ensure that dismissed employees return all keys and company property, and often accompanying them out of their offices and out of the building. The employer should disable Internet-related passwords and accounts of former employees, plug holders that could allow an ex-employee to gain illegal online access, and have rules for return of company laptops and handhelds. Measures range from simply disabling access and changing passwords to reconfiguring the

network and changing IP addresses, remote access procedures, and telephone numbers (Jaikumar, 2001).

**Avoiding Wrongful Discharge Suits:** Wrongful discharge occurs when an employee's dismissal does not comply with the law or with the contractual arrangement stated or implied by the employer. Avoiding wrongful discharge suits requires a three-pronged approach (Betty, 2005). First create employment policies including grievance procedures that help make employees feel you treated them fairly. Similarly, employers can use severance pay to blunt a dismissal's sting (Richard, 2008). In the words of Jonathan (2008), there is no way to make termination pleasant, but the first line of defense is to handle it justly. Second, review and refine all employment – related policies, procedures, and documents to limit changes. Have applicants sign the employment application. Make sure it contains a statement that employment is for no fixed term, and that the employer can terminate employee at any time. Pay particular attention to the employee handbook. It should include an acknowledgement form. Consider deleting statements such as “employees can be terminated only for just cause”. Keep careful confidential records of all actions such as employee appraisals, warnings or notices, and memos outlining how improvement should be accomplished. Third, make sure you clearly communicate job expectations to the employees, failing to do so triggers many wrongful termination claims.

### **Personal Supervisory Liability**

Courts sometimes hold managers personally liable for supervisory actions, including discipline and dismissal, particularly with respect to actions covered by the Labour Act and Family and Medical Leave Act. The former defines employer to include “any person acting directly or indirectly in the interest of an employer in relation to any employee”. This can mean the individual supervisor. There are several ways to avoid personal liability. Managers should be fully familiar with applicable federal, state, and local statutes. Follow company policies and procedures, since an employee may allege that the organization did not follow company policies and procedures. The essence of many charges is that the plaintiff was treated differently than others, so consistent application of the rule is important. Administer the discipline in a manner that does not add to the emotional hardship on the employee as dismissing them publicly would tantamount to abuse of employment rights. Most employees will try to present their side of the story, and allowing them to do so can provide the employee some measure of

satisfaction. Do not act in anger, since doing so undermines any appearance of objectivity. Finally, utilize the human resource department for advice on how to handle difficult disciplinary matters.

**Termination Interview:** Dismissing an employee is one of the most difficult tasks a manager faces at work. During one 5 – year period, physicians interviewed 791 working people who had just undergone heart attacks to find out what might have triggered them. The researchers concluded that the stress associated with firing doubled the usual risk of a heart attack for the person doing the firing, during the week following the dismissal (Kemba, 2001). Furthermore, the dismissed employee, even if forewarned many times, may still react with disbelief or even violence. Guidelines for the termination interview itself are as follows:

1. Plan the interview carefully;
2. Get to the point;
3. Describe the situation;
4. Listen;
5. Review all elements of the severance package;
6. Identify the next step.

**Layoffs, Downsizing, and the Plant Closing Law:** Non disciplinary separations are a fact of corporate life. For the employer, reduced sales or profits may require layoffs or downsizing. Layoff generally refers to having selected employees take time off, with the expectation that they will come back to work. Downsizing refers to permanently dismissing a relatively large proportion of employees in an attempt to improve productivity and competitiveness. Other employees may resign to retire or to look for better jobs. Stephen and Donald (2003), posits that sensible layoff steps to take therefore include these:

1. Identify objectives and constraints.
2. Form a downsizing team.
3. Address legal issues
4. Plan post-implementation actions.
5. Address security concerns.

6. Try to remain informative.

**Layoffs, Downsizing Alternatives:** Layoffs and downsizings are usually painful for all involved, and have the added disadvantages of stripping away trained personnel. Employers therefore, often try to find alternatives. There are various alternatives. Suggestions include finding volunteers who are interested in reducing hours or part-time work, using attrition, and even networking with local employers concerning temporary or permanent redeployments. With the voluntary reduction in pay plan, all employees agree to reductions in pay to keep everyone working. Other employers arrange for all or most employees to concentrate their variations during slow periods. They don't have to hire temporary help for vacationing employees during peak periods, and staffing automatically declines when business declines (Rita, 2008). Many employers hire employees with the understanding that their work is temporary. When layoffs are required they are the first to leave. Some seek volunteers as an alternative to dismissing large numbers of employees.

### **Adjusting to Downsizings and Mergers**

Firms usually downsize to improve their financial position. Yet many firms discover that profits don't improve after major personnel cuts. Low morale among those remaining is often part of the problem. It therefore makes sense to think through how the firm is going to reduce the surviving employees' uncertainty and boost their morale (Leon, 2006).

**Merger Guidelines:** In terms of dismissal, mergers and acquisitions are usually one-sided. In such situations, the acquired firm's surviving employees may be hypersensitive to mistreatment of their soon-to-be former colleagues. It thus behooves the merger to treat those whom the organization let go fairly. As a rule, therefore:

- Avoid the appearance of power and domination.
- Avoid win-lose behaviour.
- Remain business like and professional in all dealings.
- Maintain as positive a feeling about the acquired company as possible.



- Remember that the degree to which your organization treats the acquired group with care and dignity will affect the confidence, productivity, and commitment of those who remain (Steve, 2001).

### **Method Adopted**

This study relies heavily on views expressed in available literature with respect to ethics, justice, and fair treatment in human resource management. Accordingly, literature survey was employed to discuss the issues raised in the study. The issues were critically and widely analyzed with a view to addressing the challenges of ethics, justice and fair treatment in managing human resources in work organizations. It is therefore, imperative to note that the nature of the information gathered makes qualitative analysis more appropriate for this study.

### **Justification of the Study**

This study is justified on the grounds that:

- Managers in Nigerian work organizations will benefit from the study by understanding the rudiments involved in ethical behaviour at work.
- The study will guide managers in various organizations to know the important factors that shape ethical behaviour at work.
- Managers in various Nigerian work organizations will also by this study be acquainted with the specific ways in which human resource management can influence ethical behaviour at work.
- The study will assist managers in Nigerian work organizations to be able to employ fair disciplinary practices.
- The study will also expose to the managers in Nigerian work organizations the important factors in managing employees dismissals effectively.

### **Conclusion**

Ethics and fair treatment play important roles in managing employees at work. Ethics refers to the principles of conduct governing an individual or a group. The concepts of ethics, justice, and fair treatment are intertwined. For examples, fairness is inseparable from what most people think of as “justice” from the individual employee’s point of view. Few societies rely

solely on managements' ethics or sense of fairness, and therefore legislate employee rights. Many things influence ethical behaviour at work. From the research, we know that moral awareness, the managers themselves, moral engagement, morality, unmet goals, and rewards all influence ethical behaviour. The person is important, in that people bring to their jobs their own ideas of what is morally right or wrong. The boss and how he or she molds the organizational culture have a prevailing effect on ethical behaviour, because it is difficult to resist even subtle pressure from your boss. Employers themselves can take steps to support ethical behaviour, for instance via training, whistle blower programmes, and ethics codes. Managers can use personnel methods to promote ethics and fair treatment. For example, in selection, the manager can hire ethical people and emphasize the fairness of selection procedures. Similarly, ethics training, conducting fair and just performance appraisals, rewarding ethical behaviour, and generally treating employees fairly all promotes ethics and the perception of fair treatment. Communication plays an important role in fair treatment. For example, ask questions and listen carefully, set aside your defensive actions, and ask, "what would you like me to do?". Managing employee discipline and privacy are important management skills. The basics of a fair and just disciplinary process include clear rules and regulations, a system of progressive penalties, and an appeals process. Some employers use non punitive discipline, which usually involves a system of oral warning and paid "Decision-making Leaves". The "hot stove rule" means administering discipline in such a way that the person has warning, and the pain is consistent, impersonal, and immediate. Dismissals are usually traumatic for both the manager and the dismissed employee, and so managers need to take special care in managing dismissals. Termination at will means that without a contract, either the employer or the employee could terminate at will, the employment relationship. Wrongful discharge refers to a dismissal that violates the law or that fails to comply with contractual arrangements stated or implied by the employer. Grounds for dismissal include unsatisfactory performance, misconduct, including insubordination, lack of qualifications for the job, and changed requirements of the job. Fairness in dismissal is enhanced when employees get explanations of why and how termination decisions were made; there is a formal multi-step procedure, including warnings; and the supervisor rather than a third person does the dismissing. Supervisors can be held personally liable for unjust dismissals, and so it is advisable that the supervisors not to act in anger, follow company policies and procedures, and avoid adding to the emotional hardship on the employee.

The termination interview should be planned carefully, and the supervisor should then get to the point, describe the situation, listen, review all elements of the severance package, and then identify the next step. Some employers use outplacement counselors to facilitate the process. To avoid wholesale dismissals during what may turn out to be short-term downturns, some employers are using attrition or voluntary reductions in pay plans.

### **Recommendations**

The following recommendations are made to improve ethics, justice and fair treatments in human resource management at work in Nigerian organizations

- Employees' fair treatment at work should reflect concrete actions, and they should be treated with respect.
- Managers should at work understand the basics of ethics and the ethical dimensions of their people – related decisions.
- Managers should discipline employees who observe unethical behaviour, and perpetrators of indiscipline at work, not the innocent workers.
- Managing people at work and shaping their behaviour should depend on shaping the values they use as behavioural guides.
- Companies should urge their employees to apply a quick ethic test to evaluate whether what they are about to do fits the company's code of conduct.
- Fairness should relate to a wide range of positive employee outcomes which should include enhanced employee commitment and enhanced satisfaction with the organization, job, and leader and more organizational citizenship behaviours.
- Using effective selection practices including assessment tests, reference and background checks, drug testing, and clearly defined job descriptions will assist organizations to reduce the need for many employees' dismissals at work.
- Mainstreaming non formal peace education as conflict prevention, peace building and conflict transformation strategy is central at providing knowledge that can enable workers to relate with one another peacefully.

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