

VILLAGE OF GLENCOE
POLICE PENSION FUND BOARD

Regular Meeting
Village Hall Conference Room
675 Village Court

Wednesday, October 25, 2017
7:00 a.m.

A G E N D A

The Village of Glencoe is subject to the requirements of the Americans With Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact the Village of Glencoe at least 72 hours in advance of the meeting at (847) 835-4114, or please contact the Illinois Relay Center at (800) 526-0844, to allow the Village of Glencoe to make reasonable accommodations for those persons.

1. CALL TO ORDER AND ROLL CALL

*Michael Neimark, President
Eric Birkenstein, Trustee
James Franke, Trustee
Peter Neville, Trustee
Joseph Walter, Trustee*

2. PUBLIC COMMENT TIME

Individuals interested in addressing the Board on non-agenda items may do so during this time.

3. APPROVAL OF JULY 26, 2017 MINUTES

4. REVIEW FINANCIAL ACTIVITY WITH GREAT LAKES ADVISORS

5. REVIEW ROLLING CALENDAR

6. RECEIVE COPY OF ACTUARIAL VALUATION REPORT

7. RECEIVE COPY OF VILLAGE COMPREHENSIVE ANNUAL FINANCIAL REPORT

Online at www.villageofglencoe.org on the transparency portal

8. REVIEW QUARTERLY PAYMENTS AND DISBURSEMENTS

9. CONSIDER ELIGIBILITY OF NEW OFFICER SCOTT BISSONETTE HIRED 8/4/2017

10. CONSIDER ELIGIBILITY OF NEW OFFICER THOMAS DUAX HIRED 8/4/2017

11. CONSIDER ELIGIBILITY OF NEW OFFICER FILIPPO MARINO HIRED 8/4/2017

12. ACCEPT RESIGNATION OF OFFICER KYLE DITTHARDT HIRED 3/31/2017 RESIGNED 9/18/2017

13. TRAINING: TRUSTEE ETHICS

14. OTHER BUSINESS

15. ADJOURNMENT

VILLAGE OF GLENCOE
POLICE PENSION FUND MEETING

REGULAR MEETING MINUTES
Wednesday, July 26, 2017

1. Call to Order

Wednesday, April 26, 2017 at 7:05 a.m.

Roll Call

The following were present:

Michael Neimark, President
Eric Birkenstein, Trustee (First Meeting)
James Franke, Trustee
Peter Neville, Trustee

The following were absent:

Joseph Walter, Trustee

The following were also present:

David A. Clark, Treasurer

Also present Representing Great Lakes Advisors, LLC (GLA):

Kelly Weller, Managing Director, Client Service

Bruce Ebel, Senior Portfolio Manager

2. Public Comment Time

There was no one in attendance from the public.

3. Approval of April 26, 2017 Minutes

Upon motion made, seconded and unanimously adopted, the minutes of the April 26, 2017 meeting were approved as submitted.

4. Certify Election of Retired Pension Fund Member (Biennial)

Election has not been conducted. President Neimark will check with Joseph Walter to confirm that he is still interested in serving.

5. Review Financial Activity with Great Lakes Advisors

Mr. Weller and Mr. Ebel presented the portfolio summary for the period ending May 31, 2017. During the quarter the portfolio increased from \$33.3 Million to \$34.2 Million, with 3.2% in cash and cash equivalents, 55.0% in equity and 41.8% in fixed income. The Board discussed the portfolio with the representatives from Great Lakes Advisors. Mr. Weller proposed an amendment to the fee formula as follows:

Existing

First \$1 Million = 0.75%, Remaining Balance = 0.25%

Proposed

First \$5 Million = 0.38%, Next \$10 Million = 0.25%, Remaining Balance = 0.20%

Based on the current balance of \$34.2 Million, the effective rate of the existing is 0.26% and the effective rate was 0.24%

No action was taken. Mr. Weller will report back to the Board concerning this change at the next meeting. The proposed change will not be effective until the next quarterly billing cycle.

6. Approve Quarterly Payments and Disbursements

Treasurer Clark presented the quarterly pension fund annuity payments in the amount of 638,013.90 and quarterly accounts payable payments in the amount of \$120,436.88. Upon motion made, seconded and unanimously adopted, the quarterly payments and disbursements were approved as submitted.

7. Training: Basic Accounting and Actuarial Training

The training topic was addressed in accordance with the Police Pension Fund Board's Training Policy.

8. Other Business

The following other business not specifically on the agenda was addressed during the meeting:

a. New Hire Screening Process

With two new members on the Board. This issue was discussed again. Treasurer Clark indicated that he would ask the Public Safety Commission Secretary and Public Safety Director to the next meeting to discuss the process of screening new hires.

b. Meeting Start Time

Trustee Birkenstein suggested moving the meeting start times to evenings. A meeting start of 8:00 pm was suggested. New start time will begin with the October meeting subject to final confirmation with the members of the Board.

9. Adjournment

There being no further business to come before the Police Pension Fund Board, upon motion made, seconded and unanimously adopted by those present, the meeting was adjourned at 8:30 a.m.

VILLAGE OF GLENCOE
GLENCOE POLICE PENSION FUND

ROLLING CALENDAR

October Meeting

October 25, 2017

1. Review financial activity with Great Lakes Advisors.
2. Receive copy of Village Comprehensive Financial Report
3. Approve quarterly payments and disbursements.
4. Training: Trustee ethics.

January Meeting

January 24, 2018

1. Review financial activity with Great Lakes Advisors.
2. Receive municipal compliance report.
3. Review quarterly payments and disbursements.
4. Approve annual budget.
5. Review Annual Calendar.
6. Training: Duties and liabilities of pension fund fiduciaries.

April Meeting

April 25, 2018

1. Select President, Vice President, Secretary and Assistant Secretary (as separate items on agenda)
2. Review financial activity with Great Lakes Advisors.
3. Consideration of New Officers Hired
4. Review quarterly payments and disbursements
5. Training: Illinois Open Meetings Act and Freedom of Information Act

July Meeting

July 25, 2018

5. Certify Election of Retired Pension Fund Member (Biennial)
6. Review financial activity with Great Lakes Advisors
7. Review quarterly payments and disbursements
8. Rebalance equity portfolio to State of Illinois limits.
9. Begin Review Actuarial Assumptions for 2015 Tax Levy
10. Training: Basic accounting and actuarial training.



VILLAGE OF GLENCOE
GLENCOE POLICE PENSION FUND

Actuarial Valuation Report
For the Year
Beginning March 1, 2017
And Ending February 28, 2018

Timothy W. Sharpe, Actuary, Geneva, IL (630) 262-0600

TABLE OF CONTENTS

	<u>Page</u>
Introduction	3
Summary of Results	4
Actuarial Valuation of Assets	7
Asset Changes During Prior Year	8
Normal Cost	9
Accrued Liability	10
Tax Levy Requirement	11
Summary of Plan Participants	12
Duration	13
Projected Pension Payments	13
Summary of Plan Provisions	14
Actuarial Method	15
Actuarial Assumptions	16
GASB Statements No. 67 & 68 Disclosure	18

INTRODUCTION

Police-sworn personnel of the Village of Glencoe are covered by the Police Pension Plan that is a defined-benefit, single-employer pension plan. The purpose of this report is to provide to the Intended Users of this report, specifically the Intended Users are the Village Officials, the Pension Board and the Village and Pension Board auditors, the reporting requirements of the Illinois Pension Code, the GASB Statements No. 67 & 68 financial information and related actuarial information for the year stated in this report. This report is not intended for distribution or usage to or by anyone who is not an Intended User and should not be used for any other purpose.

The valuation results reported herein are based on the employee data, plan provisions and the financial data provided by the Village. The actuary has relied on this information and does not assume responsibility for the accuracy or completeness of this information. I hereby certify that to the best of my knowledge this report is complete and accurate and fairly presents the actuarial position of the Fund in accordance with generally accepted actuarial principles and procedures. In my opinion, the assumptions used are reasonably related to the experience of the Plan and to reasonable expectations. A reasonable request for supplementary information not included in this report should be directed to the undersigned actuary.

The actuary cautions the Intended Users of the possibility of uncertainty or risks in any of the results in this report.

I, Timothy W. Sharpe, am an Enrolled Actuary and a member of the American Academy of Actuaries, and I meet the Qualifications Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

Respectfully submitted,



Timothy W. Sharpe, EA, MAAA
Enrolled Actuary No. 17-4384

8/17/2017

Date

SUMMARY OF RESULTS

There was a change with respect to Actuarial Assumptions from the prior year to reflect revised expectations with respect to mortality rates. The mortality rates have been changed to the RP 2014 Mortality Table (BCHA) projected to 2017 using improvement scale MP-2016 (previously improvement scale MP-2015).

As announced in the Mortality Improvement Scale MP-2015 Report, the Retirement Plans Experience Committee of the Society of Actuaries (RPEC) intends to publish annual updates to the RPEC_2014 model and corresponding mortality improvement scales. The resulting 2016 version of the model presented in this report reflects three additional years of historical U.S. Population mortality data (for 2012, 2013 and 2014) and modification of two input values designed to improve the model's year-over-year stability. Scale MP-2016 is based on this 2016 version of the RPEC_2014 model along with the committee-selected assumption set for 2016. For the ten years ending in 2009 the average annual age-adjusted mortality improvement rates in the United States for those between ages 50 and 95 were 1.93% for males and 1.46% for females. The corresponding averages for the five-year period ended in 2014 were 0.60% and 0.42%, respectively. As a result of this pattern, the Scale MP-2016 rates presented in this report are generally lower than Scale MP-2015 rates, which were lower than Scale MP-2014 rates.

There were no changes with respect to Plan Provisions or Actuarial Methods from the prior year.

Based on the plan sponsor's funding policy and future expected plan contributions and funded status, the plan is to be expected to produce adequate assets to make benefit payments when they are due.

The benefit payment default risk or the financial health of the plan sponsor was not deemed to be material.

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period or additional cost or contribution requirements based on the plan's funded status); and changes in plan provisions or applicable law.

Due to the limited scope of the actuary's assignment, the actuary did not perform an analysis of the potential range of such future measurements.

SUMMARY OF RESULTS (Continued)

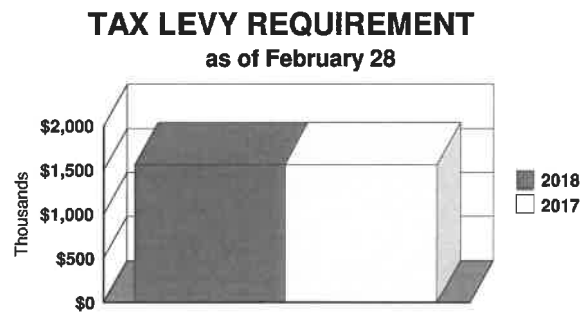
There were no unexpected changes with respect to the participants included in this actuarial valuation (3 new members, 0 terminations, 3 retirements, 0 incidents of disability, annual payroll increase 0.2%, average salary increase 5.7%).

There were no unexpected changes with respect to the Fund's investments from the prior year (annual investment return 13.79%).

The Village's Tax Levy Requirement has increased slightly from \$1,569,862 last year to \$1,569,862 this year (0.7%). The slight increase in the Tax Levy is due to the increase in average salaries, and was offset due to the investment return was greater than assumed and the changes to the assumptions. The Percent Funded has increased from 59.7% last year to 60.6% this year.

SUMMARY OF RESULTS (Continued)

	For Year Ending February 28	
	<u>2018</u>	<u>2017</u>
Tax Levy Requirement	\$ 1,581,311	\$ 1,569,862
	as of March 1	
	<u>2017</u>	<u>2016</u>
Village Normal Cost	429,896	456,762
Anticipated Employee Contributions	337,322	336,527
Accrued Liability	56,154,254	54,757,037
Actuarial Value of Assets	34,043,425	32,672,541
Unfunded Accrued Liability/(Surplus)	22,110,829	22,084,496
Amortization of Unfunded Accrued Liability/(Surplus)	1,051,426	1,013,835
Percent Funded	60.6%	59.7%
Annual Payroll	3,403,855	\$ 3,395,836



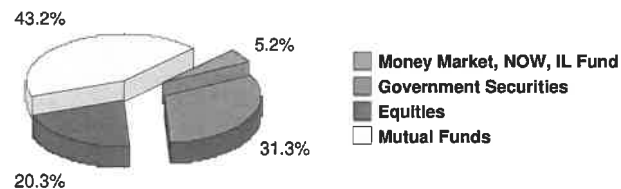
ACTUARIAL VALUATION OF ASSETS

		as of March 1	
	<u>2017</u>		<u>2016</u>
Money Market, NOW, IL Fund	\$ 1,745,740	\$	1,708,524
Certificates of Deposit	0		41,020
Government Securities	10,572,535		9,590,573
Equities	6,872,462		6,080,282
Mutual Funds	14,590,887		12,878,557
Interest Receivable	72,973		74,553
Miscellaneous Receivable/(Payable)	<u>(156,137)</u>		<u>(205,725)</u>
Market Value of Assets	<u>33,698,460</u>		<u>30,167,784</u>
Actuarial Value of Assets	\$ 34,043,425	\$	32,672,541

FYE 2014-2017 (Gain)/Loss: (\$1,319,506); (\$266,910); \$3,920,281; (\$2,104,317)

SUMMARY OF ASSETS

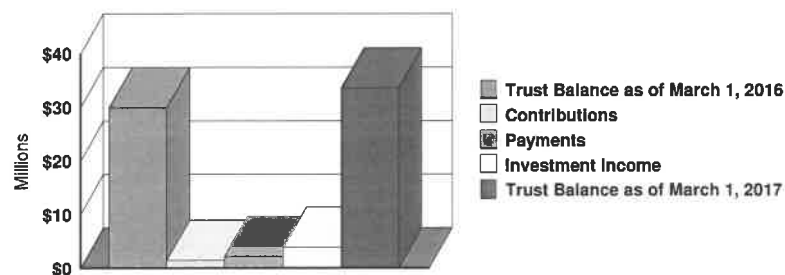
As Of March 1, 2017



ASSET CHANGES DURING PRIOR YEAR

Trust Balance as of March 1, 2016		\$	30,167,784
Contributions			
Village	1,358,461		
Employee	<u>344,071</u>		
Total			1,702,532
Payments			
Benefit Payments	2,273,321		
Expenses	<u>19,264</u>		
Total			2,292,585
Investment Income			<u>4,120,728</u>
Trust Balance as of March 1, 2017		\$	<u>33,698,460</u>
Approximate Annual Rate of Return			13.79%

ASSET CHANGES DURING PRIOR YEAR

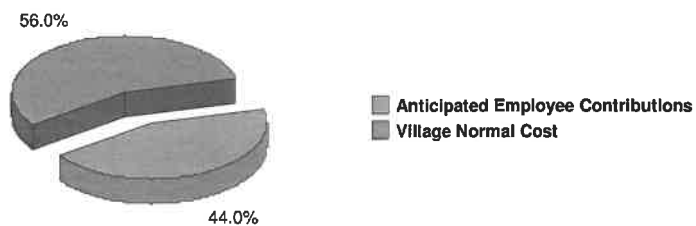


NORMAL COST

The Normal Cost is the actuarial present value of the portion of the projected benefits that are expected to accrue during the year based upon the actuarial valuation method and actuarial assumptions employed in the valuation.

		as of March 1	
	<u>2017</u>		<u>2016</u>
Total Normal Cost	\$ 767,218	\$	793,289
Anticipated Employee Contributions	<u>337,322</u>		<u>336,527</u>
Village Normal Cost	<u>429,896</u>		<u>456,762</u>
Normal Cost Payroll	\$ 3,403,855	\$	3,395,836
Village Normal Cost Rate	12.63%		13.45%
Total Normal Cost Rate	22.54%		23.36%

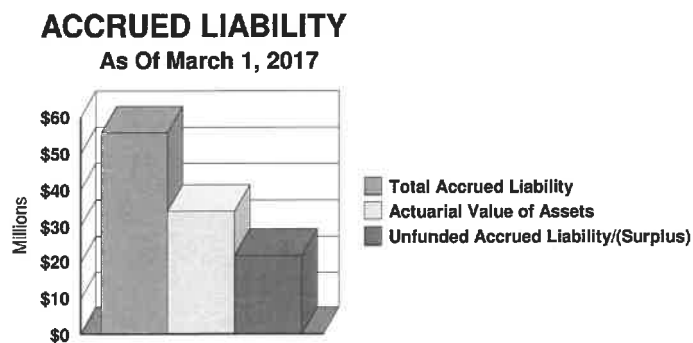
NORMAL COST As Of March 1, 2017



ACCRUED LIABILITY

The Accrued Liability is the actuarial present value of the portion of the projected benefits that has been accrued as of the valuation date based upon the actuarial valuation method and actuarial assumptions employed in the valuation. The Unfunded Accrued Liability is the excess of the Accrued Liability over the Actuarial Value of Assets.

	as of March 1	
Accrued Liability	<u>2017</u>	<u>2016</u>
Active Employees	\$ 19,818,503	\$ 22,936,756
Children Annuities	0	0
Disability Annuities	6,137,594	5,718,604
Retirement Annuities	28,030,631	24,074,803
Surviving Spouse Annuities	2,001,712	1,865,903
Terminated Vested Annuities	<u>165,814</u>	<u>160,971</u>
Total Annuities	36,335,751	31,820,281
Total Accrued Liability	56,154,254	54,757,037
Actuarial Value of Assets	<u>34,043,425</u>	<u>32,672,541</u>
Unfunded Accrued Liability/(Surplus)	\$ <u>22,110,829</u>	\$ <u>22,084,496</u>
Percent Funded	60.6%	59.7%



TAX LEVY REQUIREMENT

The Public Act 096-1495 Tax Levy Requirement is determined as the annual contribution necessary to fund the normal cost, plus the amount to amortize the excess (if any) of ninety percent (90%) of the accrued liability over the actuarial value of assets as a level percentage of payroll over a thirty (30) year period which commenced in 2011, plus an adjustment for interest. The 100% amortization amount is equal to the amount to amortize the unfunded accrued liability as a level percentage of payroll over a thirty (30) year period which commenced in 2011.

	For Year Ending February 28	
	<u>2018</u>	<u>2017</u>
Village Normal Cost as of Beginning of Year	\$ 429,896	\$ 456,762
Amortization of Unfunded Accrued Liability/(Surplus)	1,051,426	1,013,835
Interest for One Year	<u>99,989</u>	<u>99,265</u>
Tax Levy Requirement as of End of Year	\$ <u>1,581,311</u>	\$ <u>1,569,862</u>
Public Act 096-1495 Tax Levy Requirement		
1) Normal Cost (PUC)	505,778	549,204
2) Accrued Liability (PUC)	55,868,836	54,469,390
3) Amortization Payment	772,183	750,577
4) Interest for One Year	86,262	87,735
5) PA 096-1495 Tax Levy Requirement (1 + 3 + 4)	\$ 1,364,223	1,387,516

TAX LEVY REQUIREMENT

For Fiscal Year Ending February 28, 2018



SUMMARY OF PLAN PARTICIPANTS

The actuarial valuation of the Plan is based upon the employee data furnished by the Village.
The information provided for Active participants included:

Name
Sex
Date of Birth
Date of Hire
Compensation
Employee Contributions

The information provided for Inactive participants included:

Name
Sex
Date of Birth
Date of Pension Commencement
Monthly Pension Benefit
Form of Payment

Membership	<u>2017</u>	<u>2017</u>	<u>2016</u>	<u>2016</u>
Current Employees				
Vested	20		20	
Nonvested	<u>13</u>		<u>13</u>	
Total	<u>33</u>		<u>33</u>	
Inactive Participants		<u>Annual Benefits</u>		<u>Annual Benefits</u>
Children	0 \$	0	0 \$	0
Disabled Employees	6	353,581	6	329,373
Retired Employees	23	1,880,701	21	1,587,800
Surviving Spouses	7	210,628	6	188,266
Terminated Vesteds	<u>1</u>	<u>19,640</u>	<u>1</u>	<u>19,640</u>
Total	<u>37</u>	<u>2,464,550</u>	<u>34</u>	<u>2,125,079</u>
Annual Payroll	\$	3,403,855	\$	3,395,836

SUMMARY OF PLAN PARTICIPANTS (Continued)

Age and Service Distribution

Service Age	0-4	5-9	10-14	15-19	20-24	25-29	30+	Total	Salary
20-24	2							2	66,745
25-29	6							6	73,482
30-34	1	5	1					7	106,915
35-39	1	1	2					4	99,351
40-44				1				1	102,064
45-49			1	3				4	110,465
50-54	1				1	4		6	124,640
55-59							2	2	141,977
60+							1	1	107,939
Total	<u>11</u>	<u>6</u>	<u>4</u>	<u>4</u>	<u>1</u>	<u>4</u>	<u>3</u>	<u>33</u>	<u>103,147</u>
Salary	83,014	106,981	107,255	110,246	113,959	118,240	130,631		

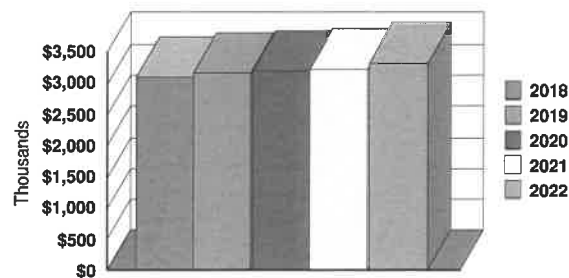
Average Age: 39.3 Average Service: 12.4 Average Future Service: 10.0

DURATION (years) Active Members: 17.9 Retired Members: 11.5 All Members: 13.7

PROJECTED PENSION PAYMENTS

<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
\$3,114,618	\$3,166,775	\$3,206,648	\$3,236,484	\$3,319,135

PROJECTED PENSION PAYMENTS 2018-2022



SUMMARY OF PLAN PROVISIONS

The Plan Provisions have not been changed from the prior year.

The Village of Glencoe Police Pension Fund was created and is administered as prescribed by "Article 3. Police Pension Fund - Municipalities 500,000 and Under" of the Illinois Pension Code (Illinois Compiled Statutes, 1992, Chapter 40). A brief summary of the plan provisions is provided below.

Employees attaining the age of (50) or more with (20) or more years of creditable service are entitled to receive an annual retirement benefit of (2.5%) of final salary for each year of service up to (30) years, to a maximum of (75%) of such salary.

Employees with at least (8) years but less than (20) years of credited service may retire at or after age (60) and receive a reduced benefit of (2.5%) of final salary for each year of service.

Surviving spouses receive (100%) of final salary for fatalities resulting from an act of duty, or otherwise the greater of (50%) of final salary or the employee's retirement benefit.

Employees disabled in the line of duty receive (65%) of final salary.

The monthly pension of a covered employee who retired with (20) or more years of service after January 1, 1977, shall be increased annually, following the first anniversary date of retirement and be paid upon reaching the age of at least (55) years, by (3%) of the originally granted pension. Beginning with increases granted on or after July 1, 1993, the second and subsequent automatic annual increases shall be calculated as (3%) of the amount of the pension payable at the time of the increase.

Employees are required to contribute (9.91%) of their base salary to the Police Pension Plan. If an employee leaves covered employment with less than (20) years of service, accumulated employee contributions may be refunded without accumulated interest.

For Employees hired after January 1, 2011, the Normal Retirement age is attainment of age 55 and completion of 10 years of service; Early Retirement age is attainment of age 50, completion of 10 years of service and the Early Retirement Factor is 6% per year; the Employee's Accrued Benefit is based on the Employee's final 8-year average salary not to exceed \$106,800 (as indexed); Cost-of-living adjustments are simple increases (not compounded) of the lesser of 3% or 50% of CPI beginning the later of the anniversary date and age 60; Surviving Spouse's Benefits are 66 2/3% of the Employee's benefit at the time of death.

ACTUARIAL METHODS

The Actuarial Methods employed for this valuation are as follows:

Projected Unit Credit Cost Method (for years beginning on or after 2011 for PA 096-1495)

Under the Projected Unit Credit Cost Method, the Normal Cost is the present value of the projected benefit (including projected salary increases) earned during the year.

The Accrued Liability is the present value of the projected benefit (including projected salary increases) earned as of the actuarial valuation date. The Unfunded Accrued Liability is the excess of the Accrued Liability over the plan's assets. Experience gains or losses adjust the Unfunded Accrued Liability.

Entry Age Normal Cost Method

Under the Entry Age Normal Cost Method the Normal Cost for each participant is computed as the level percentage of pay which, if paid from the earliest age the participant is eligible to enter the plan until retirement or termination, will accumulate with interest to sufficiently fund all benefits under the plan. The Normal Cost for the plan is determined as the greater of a) the sum of the Normal Costs for all active participants, and b) 17.5% of the total payroll of all active participants.

The Accrued Liability is the theoretical amount that would have accumulated had annual contributions equal to the Normal Cost been paid. The Unfunded Accrued Liability is the excess of the Accrued Liability over the plan's assets. Experience gains or losses adjust the Unfunded Accrued Liability.

ACTUARIAL ASSUMPTIONS

The Actuarial Assumptions used for determining the Tax Levy Requirement and GASB Statements No. 67 & 68 Disclosure Information are the same (except where noted) and have been changed from the prior year (discussion on page 4). The methods and assumptions disclosed in this report may reflect statutory requirements and may reflect the responsibility of the Principal and its advisors. Unless specifically noted otherwise, each economic and demographic assumption was selected in accordance with Actuarial Standards of Practice 27 and 35 and may reflect the views and advice of advisors to the Principal. In the event a method or assumption conflicts with the actuary's professional judgment, the method or assumption is identified in this report. The Actuarial Assumptions employed for this valuation are as follows:

Valuation Date	March 1, 2017
Asset Valuation Method	5-year Average Market Value (PA 096-1495)
Investment Return	6.75% net of investment expenses.
Salary Scale	5.50%
Mortality	RP 2014 Mortality Table (BCHA) projected to 2017 using improvement scale MP-2016.
Withdrawal	Based on studies of the Fund and the Department of Insurance, Sample Rates below
Disability	Based on studies of the Fund and the Department of Insurance, Sample Rates below
Retirement	Based on studies of the Fund and the Department of Insurance, Sample Rates below (100% by age 70)
Marital Status	80% Married, Female spouses 3 years younger

ACTUARIAL ASSUMPTIONS (*Continued*)

Sample Annual Rates Per 100 Participants

<u>Age</u>	<u>Withdrawal</u>	<u>Disability</u>	<u>Retirement</u>
20	10.00	0.05	
25	7.50	0.05	
30	5.00	0.22	
35	3.00	0.26	
40	2.00	0.40	
45	2.00	0.65	
50	3.50	0.95	20.00
55	3.50	1.30	25.00
60	3.50	1.65	33.00
65	3.50	2.00	50.00
70			100.00

STATEMENTS NO. 67 & 68 DISCLOSURE INFORMATION

Plan Membership	February 28, 2017
Inactive plan members or beneficiaries currently receiving benefits	36
Inactive plan members entitled to but not yet receiving benefits	1
Active plan members	<u>33</u>
Total	<u>70</u>

Net Pension Liability of the Village	
Total pension liability	56,154,254
Plan fiduciary net position	33,698,460
Village's net pension liability	22,455,794
Plan fiduciary net position as a percentage of the total pension liability	60.01%

Actuarial Assumptions	
Inflation	2.50%
Salary increases	5.50%
Investment rate of return	6.75% net of expenses

The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that Village contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rate. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Net Pension Liability to Changes in the Discount Rate			
	1% Decrease 5.75%	Current Discount Rate 6.75%	1% Increase 7.75%
Net Pension Liability	29,688,612	22,455,794	16,487,916

STATEMENTS NO. 67 & 68 DISCLOSURE INFORMATION (continued)

Schedule of Changes in the Village's Net Pension Liability and Related Ratios

Total Pension Liability	February 28, 2017
Service cost	846,836
Interest	3,619,375
Changes of benefit terms	0
Differences between expected and actual experience	1,050,686
Changes of assumptions	(1,846,359)
Benefit payments, including refunds of member contributions	2,273,321
Net change in total pension liability	1,397,217
Total pension liability - beginning	54,757,037
Total pension liability - ending	56,154,254
Plan Fiduciary Net Position	
Contributions - employer	1,358,461
Contributions - member	344,071
Net investment income	4,120,728
Benefit payments, including refunds of member contributions	2,273,321
Administrative expense	19,264
Other	0
Net change in plan fiduciary net position	3,530,675
Plan fiduciary net position - beginning	30,167,784
Plan fiduciary net position - ending	33,698,460
Village's net pension liability	22,455,794
Plan fiduciary net position as a percentage of the total pension liability	60.01%
Covered-employee payroll	3,403,855
Village's net pension liability as a percentage of covered-employee payroll	659.72%

STATEMENTS NO. 67 & 68 DISCLOSURE INFORMATION (continued)

Schedule of Village Contributions

	February 28, 2017
Actuarially determined contribution	1,358,456
Contributions in relation to the actuarially determined contribution	1,358,461
Contribution deficiency (Excess)	(5)
Covered-employee payroll	3,403,855
Contributions as a percentage of covered-employee payroll	39.91%

Notes to schedule

Valuation date	February 28, 2017
Methods and assumptions used to determine contribution rates:	
Actuarial cost method	Entry Age Normal
Amortization method	Level Percentage of Pay
Remaining amortization period	24 years
Asset valuation method	Market Value
Inflation	2.50%
Salary increases	5.50%
Investment rate of return	6.75%
Retirement age	50-70
Mortality	RP 2014 projected to 2017
Other	

Mortality rates were based on the RP 2014 Mortality Table (BCHA) projected to 2017 using improvement scale MP-2016. The other non-economic actuarial assumptions used in the December 31, 2016 valuation were based on the results of an actuarial experience study conducted by the Illinois Department of Insurance dated September 26, 2012.

Check	Name	Vendor Address 1	Vendor Address 2	Vendor City	Vendor State	Vendor Zip	Check Amount	Check Date	Check Status	Item Desc
40138	LAUTERBACH & AMEN, LLP	27W457 WARRENVILLE ROAD ILLINOIS DEPARTMENT OF PUBLIC AID		WARRENVILLE CAROL STREAM	IL	60555	5,342.00	07/21/2017	Cleared	FOR PROFESSIONAL SERVICES RENDERED IN CONNECTION WITH THE AUDIT OF THE FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED 02/28/17-PROGRESS BILLING
40139	STATE DISBURSEMENT UNIT	UNITED STATES TREASURY DEPARTMENT	P.O. BOX 5400		IL	60197-5400	2,700.00	07/31/2017	Cleared	
0	EFTPS - FEDERAL TAXES		FEDERAL TAXES				27,164.77	07/31/2017	Cleared	
40140	TIMOTHY W. SHARPE	1770 S RANDALL ROAD	SUITE 104	GENEVA CAROL STREAM	IL	60134	3,000.00	08/25/2017	Cleared	2017 ACTUARIAL VALUATION PPF & GASB 67 & 68 DISCLOSURE HEALY (FAY), ANNE \$1700.00 CASE# 06 D 4013; MCCORMICK, MICHAEL \$1000.00 #99D515
40141	STATE DISBURSEMENT UNIT	ILLINOIS DEPARTMENT OF PUBLIC AID	P.O. BOX 5400		IL	60197-5400	2,700.00	08/31/2017	Cleared	
0	EFTPS - FEDERAL TAXES	UNITED STATES TREASURY DEPARTMENT	FEDERAL TAXES				27,295.64	08/31/2017	Cleared	
40142	LAUTERBACH & AMEN, LLP	27W457 WARRENVILLE ROAD		WARRENVILLE	IL	60555	1,429.00	09/08/2017	Cleared	FOR PROFESSIONAL SERVICES RENDERED IN CONNECTION WITH THE AUDIT OF THE FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED 02/28/17-FINAL BILLING
40142	LAUTERBACH & AMEN, LLP	27W457 WARRENVILLE ROAD		WARRENVILLE	IL	60555	1,429.00	09/09/2017	Cleared	IL DEPARTMENT OF INSURANCE REPORT FOR THE POLICE PENSION FUND-FY17
40143	STATE DISBURSEMENT UNIT	ILLINOIS DEPARTMENT OF PUBLIC AID	P.O. BOX 5400	CAROL STREAM	IL	60197-5400	2,700.00	09/29/2017	Outstanding	HEALY (FAY), ANNE \$1700.00 CASE# 06 D 4013; MCCORMICK, MICHAEL \$1000.00 #99D515
0	EFTPS - FEDERAL TAXES	UNITED STATES TREASURY DEPARTMENT	FEDERAL TAXES				27,334.80	09/29/2017	Cleared	
TOTAL							101,095.21			

GLENCOE POLICE PENSION ANNUITY DISBURSEMENTS AND REFUNDS 7/1/2017 THROUGH 9/30/2017							
Check #	Check Date	Cleared Date	Deposit #	Direct Deposit Amount	Gross Amount	Net Amount	Voided Date
	07/31/2017		114378	5,657.42	7,139.20	5,657.42	
	08/31/2017		114636	5,657.42	7,139.20	5,657.42	
	09/29/2017		115024	5,657.42	7,139.20	5,657.42	
	07/31/2017		114379	4,532.25	4,532.25	4,532.25	
	08/31/2017		114637	4,532.25	4,532.25	4,532.25	
	09/29/2017		115025	4,532.25	4,532.25	4,532.25	
	07/31/2017		114380	1,453.74	2,194.67	1,453.74	
	08/31/2017		114638	1,453.74	2,194.67	1,453.74	
	09/29/2017		115026	1,453.74	2,194.67	1,453.74	
	07/31/2017		114381	5,551.70	6,639.91	5,551.70	
	08/31/2017		114639	5,551.70	6,639.91	5,551.70	
	09/29/2017		115027	5,551.70	6,639.91	5,551.70	
	07/31/2017		114382	7,959.02	9,199.81	7,959.02	
	08/31/2017		114640	7,959.02	9,199.81	7,959.02	
	09/29/2017		115028	7,959.02	9,199.81	7,959.02	
	07/31/2017		114383	4,515.18	4,515.18	4,515.18	
	08/31/2017		114641	4,515.18	4,515.18	4,515.18	
	09/29/2017		115029	4,515.18	4,515.18	4,515.18	
	07/31/2017		114384	4,774.82	4,774.82	4,774.82	
	08/31/2017		114642	4,774.82	4,774.82	4,774.82	
	09/29/2017		115030	4,774.82	4,774.82	4,774.82	
	07/31/2017		114385	1,580.96	1,863.48	1,580.96	
	08/31/2017		114643	1,580.96	1,863.48	1,580.96	
	09/29/2017		115031	1,580.96	1,863.48	1,580.96	
	07/31/2017		114386	7,134.72	8,100.74	7,134.72	
	08/31/2017		114644	7,134.72	8,100.74	7,134.72	
	09/29/2017		115032	7,134.72	8,100.74	7,134.72	
	07/31/2017		114387	902.30	902.30	902.30	
	08/31/2017		114645	902.30	902.30	902.30	
	09/29/2017		115033	902.30	902.30	902.30	
	07/31/2017		114388	831.24	902.30	831.24	
	08/31/2017		114646	831.24	902.30	831.24	
	09/29/2017		115034	831.24	902.30	831.24	
	07/31/2017		114389	7,313.54	8,564.17	7,313.54	
	08/31/2017		114647	7,313.54	8,564.17	7,313.54	
	09/29/2017		115035	7,313.54	8,564.17	7,313.54	
	07/31/2017		114390	1,202.82	3,335.55	1,202.82	
	08/31/2017		114648	1,202.82	3,335.55	1,202.82	
	09/29/2017		115036	1,202.82	3,335.55	1,202.82	
	07/31/2017		114391	3,554.24	4,251.63	3,554.24	
	08/31/2017		114649	3,554.24	4,251.63	3,554.24	
	09/29/2017		115037	3,554.24	4,251.63	3,554.24	
	07/31/2017		114392	5,652.14	6,488.30	5,652.14	
	08/31/2017		114650	5,652.14	6,488.30	5,652.14	
	09/29/2017		115038	5,652.14	6,488.30	5,652.14	
	07/31/2017		114393	7,019.16	8,599.50	7,019.16	
	08/31/2017		114651	7,204.91	8,857.49	7,204.91	
	09/29/2017		115039	7,204.91	8,857.49	7,204.91	
	07/31/2017		114394	3,496.66	4,305.68	3,496.66	
	08/31/2017		114652	3,496.66	4,305.68	3,496.66	
	09/29/2017		115040	3,496.66	4,305.68	3,496.66	
	07/31/2017		114395	4,643.12	5,243.87	4,643.12	
	08/31/2017		114653	4,643.12	5,243.87	4,643.12	
	09/29/2017		115041	3,631.75	5,243.87	3,631.75	
	07/31/2017		114396	5,249.72	5,249.72	5,249.72	
	08/31/2017		114654	5,249.72	5,249.72	5,249.72	

Check #	Check Date	Cleared Date	Deposit #	Direct Deposit Amount	Gross Amount	Net Amount	Voided Date
	09/29/2017		115042	5,249.72	5,249.72	5,249.72	
	07/31/2017		114397	4,141.75	8,041.57	4,141.75	
	08/31/2017		114655	4,324.37	8,282.82	4,324.37	
	09/29/2017		115043	4,324.37	8,282.82	4,324.37	
	07/31/2017		114398	9,258.24	11,157.10	9,258.24	
	08/31/2017		114656	9,258.24	11,157.10	9,258.24	
	09/29/2017		115044	9,258.24	11,157.10	9,258.24	
	07/31/2017		114399	3,712.28	4,412.34	3,712.28	
	08/31/2017		114657	3,712.28	4,412.34	3,712.28	
	09/29/2017		115045	3,712.28	4,412.34	3,712.28	
	07/31/2017		114400	5,025.36	5,811.21	5,025.36	
	08/31/2017		114658	5,025.36	5,811.21	5,025.36	
	09/29/2017		115046	5,025.36	5,811.21	5,025.36	
	07/31/2017		114401	2,414.16	2,414.16	2,414.16	
	08/31/2017		114659	2,414.16	2,414.16	2,414.16	
	09/29/2017		115047	2,414.16	2,414.16	2,414.16	
78006	07/31/2017	08/08/2017		0.00	2,055.80	2,055.80	
78064	08/31/2017	09/07/2017		0.00	2,055.80	2,055.80	
78147	09/29/2017			0.00	2,055.80	2,055.80	
	07/31/2017		114402	4,153.10	4,453.10	4,153.10	
	08/31/2017		114660	4,153.10	4,453.10	4,153.10	
	09/29/2017		115048	4,153.10	4,453.10	4,153.10	
	07/31/2017		114403	4,050.35	4,863.10	4,050.35	
	08/31/2017		114661	4,050.35	4,863.10	4,050.35	
	09/29/2017		115049	4,050.35	4,863.10	4,050.35	
	07/31/2017		114404	3,658.95	4,086.02	3,658.95	
	08/31/2017		114662	3,658.95	4,086.02	3,658.95	
	09/29/2017		115050	3,658.95	4,086.02	3,658.95	
	07/31/2017		114405	4,924.01	4,924.01	4,924.01	
	08/31/2017		114663	4,924.01	4,924.01	4,924.01	
	09/29/2017		115051	4,924.01	4,924.01	4,924.01	
	07/31/2017		114406	3,639.91	4,470.86	3,639.91	
	08/31/2017		114664	3,639.91	4,470.86	3,639.91	
	09/29/2017		115052	3,639.91	4,470.86	3,639.91	
	07/31/2017		114407	7,092.10	8,268.91	7,092.10	
	08/31/2017		114665	7,092.10	8,268.91	7,092.10	
	09/29/2017		115053	7,092.10	8,268.91	7,092.10	
	07/31/2017		114408	3,492.09	3,888.98	3,492.09	
	08/31/2017		114666	3,492.09	3,888.98	3,492.09	
	09/29/2017		115054	3,492.09	3,888.98	3,492.09	
	07/31/2017		114409	5,261.30	5,261.30	5,261.30	
	08/31/2017		114667	5,261.30	5,261.30	5,261.30	
	09/29/2017		115055	5,261.30	5,261.30	5,261.30	
	07/31/2017		114410	5,177.12	5,994.23	5,177.12	
	08/31/2017		114668	5,177.12	5,994.23	5,177.12	
	09/29/2017		115056	5,177.12	5,994.23	5,177.12	
	07/31/2017		114411	7,112.78	8,963.15	7,112.78	
	08/31/2017		114669	7,112.78	8,963.15	7,112.78	
	09/29/2017		115057	7,112.78	8,963.15	7,112.78	
	07/31/2017		114412	7,010.24	8,713.71	7,010.24	
	08/31/2017		114670	7,010.24	8,713.71	7,010.24	
	09/29/2017		115058	7,010.24	8,713.71	7,010.24	
	07/31/2017		114413	5,624.97	6,987.22	5,624.97	
	08/31/2017		114671	5,624.97	6,987.22	5,624.97	
	09/29/2017		115059	5,624.97	6,987.22	5,624.97	
	07/31/2017		114414	2,506.67	3,221.70	2,506.67	
	08/31/2017		114672	2,506.67	3,221.70	2,506.67	
	09/29/2017		115060	2,506.67	3,221.70	2,506.67	

Check #	Check Date	Cleared Date	Deposit #	Direct Depost Amount	Gross Amount	Net Amount	Voided Date
	07/31/2017		114415	3,241.20	4,467.32	3,241.20	
	08/31/2017		114673	3,241.20	4,467.32	3,241.20	
	09/29/2017		115061	3,241.20	4,467.32	3,241.20	
78148	09/29/2017			0.00	195.82	156.66	
	07/31/2017		114416	3,588.96	4,781.25	3,588.96	
	08/31/2017		114674	3,588.96	4,781.25	3,588.96	
	09/29/2017		115062	3,588.96	4,781.25	3,588.96	
	07/31/2017		114417	4,523.82	5,043.96	4,523.82	
	08/31/2017		114675	4,523.82	5,043.96	4,523.82	
	09/29/2017		115063	4,523.82	5,043.96	4,523.82	
				547,627.70	658,446.54	553,951.76	

Trustee Ethics

Sources:

Northern Illinois University

The BELIEF Initiative Ethics Handbook

NORTHERN ILLINOIS UNIVERSITY
College of Business

Where the Classroom Meets the Business World

1: the discipline dealing with what is good and bad and with moral duty and obligation

2 a: a set of moral principles or values b: a theory or system of moral values c: the principles of conduct governing an individual or a group
- Webster's

Ethics Veth-ik n
1: the discipline dealing with what is good and bad and with moral duty and obligation

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Ethics Handbook: Building Ethical Leaders

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Contents

Foreward	i
I. Introduction	1
A. Why do I need to be aware of ethics?	2
B. How do I recognize ethical breaches?	3
1. A dangerous combination: motivation, opportunity and rationalization	3
II. Common Scenarios Involving Unethical Conduct	6
A. Conduct in everyday life	7
B. Conduct as a student	8
1. Plagiarism	10
C. Fraud and misrepresentation	11
D. Harassment	12
E. Earnings pressure and financial reporting	13
F. Customer relations	15
G. Employee relations	15
III. Summaries of Conceptual Foundations	15
A. Conceptual foundations	16
1. Ethics/personal values	17
2. Principles of capitalism and free enterprise	19
3. Principal-agent theory	20
4. Business and society	23
IV. Decision-Making	23
A. Decision-making guide	24
B. Whistle-blowing	27
V. Student Codes, Professional Codes, and Company Codes	28
A. Northern Illinois University Student Codes of Ethics	29
B. Professional Codes	30
C. Company Codes	31
References	32
Appendices	32
A. College of Business Student Code of Ethics	32
B. Accountancy Student Honor Pledge and Code of Conduct	32

Forward

The **Building Ethical Leaders** using an **Integrated Ethics Framework**

— **BELIEF** — Initiative was created by the NIU College of Business (COB) Ethics Task Force (ETF). The ETF is composed of a cross-functional team of faculty and staff. The cross-functional nature of the task force resulted in input from every department. The task force developed BELIEF as a systematic approach to integrating ethics into the college curriculum.

The BELIEF Initiative encompasses various components, which include: the Ethics Handbook, faculty development and other support activities, a Director of the BELIEF Initiative, corporate sponsors, a student organization LEAD (Leaders in Ethics and Academic Discipline), and an assessment mechanism of students' ethical awareness and decision-making.

The **Ethics Handbook** is a pragmatic tool to provide a common framework to all COB students and faculty. It is used as a resource in all classes so that as ethics are discussed there will be a common foundation. All students are required to complete an online quiz on the handbook in order to register for subsequent classes.

Faculty development and other support activities include faculty seminars, guest speakers, and course development support. The support activities help faculty utilize the handbook in their classes. Consistent reinforcement is necessary for a thorough integration and application of the decision-making guide.

The **BELIEF Director** oversees the ETF, curricular issues, development activities, is the liaison with corporate sponsors, and oversees any other activities of BELIEF.

External corporate sponsors provide funding, credibility, and endorsement to the BELIEF initiative.

The **student organization, LEAD**, is the student influence on BELIEF. This organization makes sure that BELIEF is meeting the needs of the students and stays in tune with student issues and concerns. Select members of LEAD represent NIU at a national ethics case competition.

An **online assessment system** evaluates the core learning objectives of BELIEF – increased awareness and decision-making skills. Assessment is completed each year to determine the impact of BELIEF on the students and to recalibrate the components of the initiative.

Collectively, these components comprise the NIU College of Business BELIEF Initiative and represent the College's response to its external and internal stakeholders for integrating ethics across the curriculum.

BELIEF Initiative

Ethics Handbook: Building Ethical Leaders

I. Introduction

This handbook is a component of Northern Illinois University's College of Business BELIEF Initiative. BELIEF is a comprehensive initiative to Build Ethical Leaders using an Integrated Ethics Framework. We believe that NIU COB graduates will be ethical leaders. However, good people make bad decisions. Therefore, the purpose of this handbook is to increase your awareness of ethical issues and situations and to provide you with a decision making guide to help evaluate alternative courses of action. You have already developed and formulated most of your values and morals through your prior experiences. This handbook and your course work will help you develop the skills of an ethical leader.

This handbook will:

1. Increase your awareness of ethical dilemmas,
2. Provide you with guidance on how to recognize common ethical dilemmas,
3. Provide a basic understanding of the conceptual foundations from which action can be taken, and
4. Provide a decision-making guide that can be utilized in personal and professional decision-making.

Ultimately, your actions are critical to your ethical behavior. We are evaluated on how we act in the situations in which we find ourselves, not how we think or what we intend to do.

As you pick up this handbook for the first time, you may have a few questions. The first question may be:

- "Why do I need to be aware of ethics?"
- Perhaps you may also ask, "What are ethics?"
- A third and very important question is "How can I influence ethical behaviors in my classes and in the business world?"

The answers to these questions, and others, can be found in the following pages. This handbook has been created to provide information on ethics and ethical behavior in the business world and give you tools to make the often difficult decisions that need to be made.

*"Not only does one have to know the right thing to do —
one must have the moral fortitude to do it."*

A. Why do I need to be aware of ethics?

Before you dismiss the content of this handbook as something that doesn't concern you, there are a few things to think about. First, there have been many high-profile cases of unethical business practices in recent years, and there will likely be more in the future. These **scandals affect a number of people**. The most obvious culprits lose their jobs, receive fines, and maybe even go to jail. These results are not particularly troubling, since these individuals are often getting what they deserve. However, in the wake of these scandals, many others suffer. Co-workers, employees, customers, stockholders and others who have not done anything wrong often suffer as much or more than those who clearly acted unethically. There are also those who watched and did nothing as they witnessed the unethical behaviors. Action (rather than inaction) by these individuals could have had a major impact on the ultimate outcome. In many of these cases, open demonstration of ethical conduct may have prevented much of the damage. The courage to take action in these situations is referred to as moral courage and is key to being an ethical leader. Another reason to become more informed about ethical issues is because **studies have shown that you will be confronted with ethical dilemmas much earlier in your career than you may think**. Keep in mind you are responsible for your ethical behavior and you are developing your leadership skills NOW. People often think that they won't see ethical issues of substance until much later in their careers or that they are not responsible for actions if they do what they are told. The reality is that most business people are forced to make decisions with ethical ramifications very early in their careers. It is important to not shirk responsibility by doing what you are told when the activity is against your values or judgment. It is a good idea to prepare for this reality and have a ready means by which to consider the ethical implications of your decisions. The primary purposes of this handbook are to provide you with both the foundations for understanding ethics and how to apply them in decision-making.

"Always tell the truth. That way you don't have to remember what you said." — Mark Twain

B. How do I recognize ethical breaches?

In most cases, no one decides to be unethical. Rather, people are caught up in situations where lack of awareness and lack of decision-making tools lead to inaction or participation in inappropriate actions. Keep in mind it is not the clear black and white situations that are most problematic. Ethical issues are often unrecognized because the issue is not clearly black and white. These situations in the "gray" area of ethical issues are the most problematic because often they are not recognized or the consequences are not thoroughly evaluated. It is the combination of motivation, opportunity, and rationalization that is the making of a bad decision by a good person.

1. A dangerous combination: motivation, opportunity, and rationalization

One way to help identify situations where ethics are being challenged is the fraud triangle, which comes from the world of forensic auditing (Cressey 1958). It displays how otherwise good people are in a situation in which they rationalize an inappropriate behavior as appropriate. The fraud triangle has three components: **motivation, opportunity, and rationalization**. When all three of these attributes are present, there is a high risk of unethical behavior.

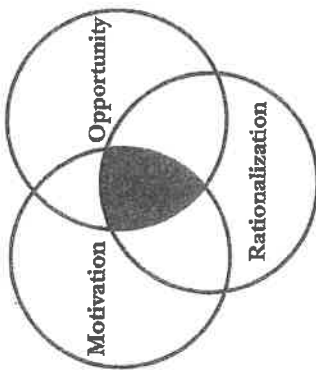
Motivation is a need or pressure. Motivation may be the desire for more money, the pressure to get a good grade, or the need to meet earnings expectations. Motivation alone is not problematic; it is how the need or the expectation is fulfilled which may cause a problem.

Opportunity is the open door that will meet the need or resolve the pressure. If there is money lying on a desk and you are in need of cash, the money lying around provides an opportunity to satisfy your need. If you need an A on your term paper and you come across a paper from a previous semester that received an A, the paper provides the opportunity to fulfill the need for a good grade. Opportunities alone are not problematic; it is how opportunities are used to fulfill a motivation that can lead to unethical behavior.

Rationalization is the final part of the triangle. Coupled with motivation and opportunity, rationalization provides the justification that explains away a behavior you know is wrong. Rationalization is the justification for a lack of integrity. Since most of us have a conscience, rationalization is used to make us

feel better about the behavior. Here are some rationalizations, which are red flags and which indicate that a behavior may warrant further thought or investigation:

1. **"Everybody else does it."** This is the classic rationalization. If I don't "cheat," I will not be able to compete, or why should I do the work when others are not?
2. **"I was just following orders."** Projecting responsibility to someone else, rather than taking responsibility for your actions. Remember, everyone has the right to say "no."
3. **"It really doesn't hurt anyone."** Thoughts like "I need the money more than they do" or "They have plenty of money, this won't be missed," are used to justify activities from petty theft to embezzlements.
4. **"I deserve this, or the system is unfair."** You feel your hard work has not been recognized and you have taken it upon yourself to reward yourself. Also, "I really do know the material, so 'borrowing' someone else's paper is okay." Be careful if you are considering yourself "deserving" of something to which you are not entitled.



(Diagram adapted from Hillison, Sinason, Pacini, 1998)

Whenever you find yourself stating these rationalizations, stop and think about the situation and apply the decision guide provided in this handbook. Rationalization is often our

"Rationalization attempts to excuse our lack of integrity." — Fred Smith Sr.

conscience recognizing an unethical situation but trying to make us feel better about it.

Here are a few common categories of unethical behaviors to think about and some examples of each.

1. **Taking things that don't belong to you.** Examples include taking office supplies, padding expense accounts and using office equipment for personal use. Using the words, thoughts and ideas of another (plagiarism) is also a form of stealing; see the description of plagiarism below
2. **Saying things you know are not true.** Don't make false statements on your resume, or embellish accomplishments, or exaggerate facts.
3. **Giving or allowing false impressions.** Not volunteering relevant information or not correcting a known misrepresentation. Just because there was not a lie does not eliminate the ethical need for disclosure. Ethics can be undermined with increased tolerance of unacceptable behavior. Stand up for what you believe in and don't be afraid to speak up and take action. Of course, one must exercise diplomacy and be aware that taking a stand might have personal consequences.
4. **Buying influence or engaging in conflict of interest.** Using your position to obtain a competitive advantage or awarding special treatment to family or friends.
5. **Hiding or divulging information.** Destroying evidence or sharing confidential information.
6. **Committing personal decadence.** Behavior outside the workplace can influence judgment and ethics on the job. Personal excess can cause fear of losing your job and that fear can overpower ethical judgments made in the workplace for fear of jeopardizing your job.
7. **Violating the rules.** It is not justifiable to violate the rules because you believe the rules are unfair, the rules do not work as intended, or you just don't like them. In some instances you can (and should) make an effort to change the rules, but don't violate them.

Now that you have a better understanding of why it is important for you to be more aware of ethics and how you can recognize situations where ethics are being compromised, the next section is an overview of examples that contain ethical issues that are often confronted in the "real world."

The third section provides some conceptual background on personal values, business principles and the role of corporations in society. The fourth section includes a decision-making guide that can be used to evaluate situations with the intent to formulate an action plan. The fifth section presents various "codes of conduct" including student codes of conduct, codes of conduct from professional organizations relevant to the business world and company codes.

As you utilize this handbook, try to imagine yourself in the role of decision maker where you will need to choose a course of action that has significant ethical implications.

"Ethics can be undermined with increased tolerance of unacceptable behavior."

II. Common Scenarios Involving Unethical Conduct

It is helpful to understand areas that are commonly subject to ethical dilemmas. This section starts with how you can develop certain character traits in your everyday life. Daily conduct can help build the strength and fortitude to do the right thing in a morally charged situation. Moral courage is putting your beliefs into action. Developing your moral courage takes place in your conduct in everyday life and is the foundation of being an ethical leader.

A. Conduct in everyday life

Every day your conduct weaves the thread of your moral fiber.

That is, it is the small things that you do everyday that build who you are, and these daily habits have a large impact on your decisions. Strengthen your character by weaving these traits into your everyday life:

- **Be honest** — tell the truth, be sincere, don't mislead. What would you do if you saw someone drop a \$10 bill or if you found a lost wallet?
- **Honor commitments** — keep your word, return what you borrow. Be responsible and follow through with your obligations. Do you do what you said your were going to do?
- **Demonstrate integrity** — stand up for what you believe, be your best self. Do you stand up for someone being wronged, or just walk away?
- **Be loyal** — stand by your family and friends, employers, community and country. Don't talk about people behind their backs. Avoid gossip and certainly don't spread it.
- **Pursue excellence** — do your best at even the most menial tasks. Every job is a self-portrait.
- **Be courteous** — show kindness and respect to family, friends and strangers. Do you hold open doors for others? Do you say excuse me if you bump into a stranger?

- **Be fair** — be open-minded and listen to others. Be tolerant and accepting of differences. Do you really listen, or close someone off when you don't agree?
- **Be a good citizen** — obey the law, respect authority, vote and volunteer. Do you contribute in your community? You do make a difference!

"Circumstances do not make a person, they reveal him." — James Allen

Moral courage has been defined in many different ways. The purpose here is not to provide a theoretical analysis of moral courage. Instead the purpose is to provide some food for thought on how beliefs become behaviors and how the behaviors of an ethical leader can have an impact on others. Doing what you believe is right when faced with a difficult situation might not always be popular; however, often that is when ethical leadership emerges. Read through the following sections and think about how you would react in a given situation. Would you have the moral courage to stand up and do the right thing in these situations?

"I do not seek unpopularity as a badge of honor; but sometimes it is the price of leadership and the cost of conviction" — Tony Blair

B. Conduct as a student

How you conduct yourself as a student sets the tone for how you will conduct yourself in business. More importantly, how you conduct yourself now leaves an impression with fellow students (who will one day be your business colleagues) and teachers. Your reputation is being established right now — not when you graduate.

Students rarely set out to cheat. However, they do set themselves up for cheating opportunities by not taking the time to complete an assigned task and then justify cheating by rationalizing that "I really did know the material; I just didn't have the time," or

didn't think that the assignment was very important or useful." Take responsibility for your learning and don't be tempted by the short cuts to complete an assigned task.

Imagine you are going into a class where there will be a quiz, and your friend is coming out of the same class and had just taken the quiz. **Is it cheating if you ask what is on the quiz?** Deep down what does your gut tell you? Yes, it is cheating. **Any time you try to obtain information that is not publicly available to everyone else, it is cheating.** Martha Stewart served jail time as a consequence of acting on inside information. Therefore, you should think about the awkward position you put your friend in; he is forced into participating in cheating or risking making you mad. Don't do this to your friendship.

If you aren't sure that discussing a project with fellow students is okay, ask! When in doubt, ask your teacher. There is nothing wrong with asking for advice or guidance. It is much better to ask and know what is or is not acceptable than to find out later that your conduct was cheating.

Unfortunately, there are students who intentionally cheat. These students devalue education. They devalue the education of everyone at their institution by becoming an inadequately prepared graduate of the university. **Education is more than just the accumulation of facts and knowledge.** Education also involves the development of the ability to commit to a goal and adhere to the requirements of achieving that goal. By shortcutting the process, students only shortcut their own education and devalue the education of those who do fulfill the requirements.

"Ninety-nine percent of the failures come from people who have the habit of making excuses." — George Washington Carver

1. Plagiarism

Plagiarism is presenting the thoughts, ideas, writings, etc, of others as your own. In today's world it is very easy to find essays, term papers and other academic assignments already completed and available for use (or in exchange for payment.) However, this is intellectual theft and is not acceptable in academics or in business. Suppose you completed an important report for your company that included a brilliant marketing campaign. During the presentation to the

corporate management team your supervisor took substantial portions of your report (and your marketing concepts) and presented them as his or her own? You would be angry that your supervisor "stole" your writings and ideas and got credit for your work. The same concept applies everywhere - it is unethical to take someone else's intellectual work (writings, ideas, information from a film or documentary, the internet) and present it as your own.

The basic rule is to always cite the source of information you have used in your work. This means that as you are completing the research you must keep copious notes on where you have obtained information. Often plagiarism occurs because of sloppy note taking. If you cut and paste information from the internet to use in your project, you must keep track of where that information was obtained. In the body of the essay or assignment, you must put quotation marks around any sentences or partial sentences that you did not originate yourself. You must also cite the source of ideas and other information that was obtained from an external source. If you paraphrase someone's sentences and ideas, you must also acknowledge the source of the information. The sources should be listed in a bibliography in the footnotes or at the end of the paper. There are many resources available to show you how to complete proper citation, such as *Chicago Manual of Style* or *MLA Handbook for Writers of Research Papers*.

When the information you present in your assignment is general or common knowledge, citations are not needed. For example, the fact that Barack Obama was sworn in as the President of the United States in 2009 is common knowledge and does not need to be cited. If you have questions or are uncertain whether something should be cited, ask your instructor or professor for guidance.

What can you do when you see other students cheating? Sometimes the cheaters need reminders that the behavior is unacceptable by their peers. You can approach them and encourage them not to take "short-cuts." You do not have to be confrontational, but supportive and point out that any cheating devalues everyone's education. You can go to the student organization that supports the BELIEF initiative. The LEAD (Leaders in Ethics and Academic Discipline) organization can help you determine a course of action for the situation or you can let a faculty member know. Sometimes the faculty member may create an environment where the cheating is much more difficult to accomplish.

C. Fraud and misrepresentation

Using deceptive practices in business and commerce is referred to as fraud or misrepresentation. Under contract and tort law, fraud is a specific action for which a company and/or its managers may be sued.

Fraud occurs when there is an intention to deceive — when promises are made with no intention of keeping them. An infamous case of fraud occurred when Beech-Nut sold apple juice labeled as “pure” from 1978 to 1982. Beech-Nut is the second largest baby food manufacturer in the United States. The apple juice, however, was not pure but, rather, was reconstituted from concentrate with sugars added. A “whistle-blowing” employee brought the issue to light, eventually leading to Beech-Nut pleading guilty to more than 200 federal counts of producing and distributing mislabeled products with the intent to deceive and defraud consumers.

Another example of fraud is known as “**bait and switch**” — an unscrupulous sales tactic. Bait and switch occurs when a product is advertised at a special low price, but, when customers attempt to make a purchase, the product is either unavailable or the customer must wait for a long time to receive the offered product. The salesperson then attempts to convince the prospective customer to purchase a different product, often at a higher price and higher profit margin for the company. The fraud in this situation occurs when the company advertises the availability of a product with no intention to actually sell it. Law has specifically prohibited this tactic.

Misrepresentation occurs when one attempts to claim to represent someone else or tries to pass himself off as someone he is not. When a person **lies on his resume** about his credentials or academic background, it is misrepresentation. Unfortunately, the use of deception on resumes is a fairly common practice — some estimate that the number of resumes containing some deception could be as high as 10%. In recent years, there have been notable scandals involving people who made claims on their resumes that were fabrications. In 2001, George O’Leary was hired as the head football coach at Notre Dame University, only to resign six days later when two significant inaccuracies were discovered on his resume. The first was the claim that he had completed a master’s degree, which he had not received. The second was a claim that he had lettered in football at the University of New Hampshire — when he had never actually played even a single game at that school. Similarly, in 2002 Sandra Baldwin resigned from her post

as the president of the United States Olympic Committee when it was revealed that she had not completed her undergraduate degree at the University of Colorado as she claimed on her resume, nor had she completed her doctoral degree — another claim made on her resume.

The bottom line with respect to fraud and misrepresentation is that **as an ethical leader you should only make promises you intend to keep and do not deceive customers or others with whom you engage in business**. As an ethical leader you can set the tone so that others are also conducting themselves in an ethical manner.

*“The bad news is that **painless lessons tend not to stick.**” —Jesse Eisinger*

D. Harassment

Harassment occurs when a person intimidates, ridicules or coerces another. Harassment is usually the result of the abuse of power or the unreasonable attempt to control someone. Harassment leads to feelings of discomfort or stress and can even lead to physiological consequences such as anxiety disorders.

The bottom line is that **harassment is not tolerable in any form**. Unfortunately, harassment occurs often, with sexual harassment being the most common form of harassment. Harassment has many negative consequences, including reduced work satisfaction on the part of those being harassed, decreased productivity, increased likelihood of turnover of personnel and potential monetary liabilities arising out of lawsuits or statutory violations.

The United States Supreme Court uses a test for what constitutes unreasonable workplace harassment (*Harris vs. Forklift Systems*). The test looks at four fundamental questions.

1. **Is the behavior persistent?** People engage in the harassing conduct often enough that it becomes clear that there is a pattern of behavior, which is intentional and cannot be dismissed as a “bad day” or a perceptual error.
2. **How severe is the conduct?** The more severe the perceived harassment, the more likely it will be that there will be a potential liability.
3. **Is the conduct of a physical nature?** While harassment of a verbal form is undesirable, any harassment that takes a physical form is viewed as totally unacceptable.

4. Does the harassing conduct interfere with the employee's ability to successfully and satisfyingly engage in work? If a person is distracted from effectively performing work or if motivation to perform is reduced, the harassment will be seen as more serious.

How and why does harassment occur? It starts with someone who often fails to consider how his or her actions and words may impact others. In some cases, harassment is unintentional, but that doesn't make it acceptable. Harassment is determined based on the impact it has on another; not the intent of the harasser. In other cases, the harassment is persistent due to a complete lack of care on the part of the harasser and is too often done with an intention to harm.

Strong leadership includes the management of personnel, knowing how to provide constructive criticism and learning how to work with difficult people. It is counter-productive during conflict resolution to engage in harassment and personal attacks. Self-control and self-awareness are character traits that will help you become aware of your impact on others and traits you can help others develop in order to minimize threatening or intimidating behaviors.

"Above all ... learn to disagree without being disagreeable." — Ted Galen Carpenter

E. Earnings pressure, financial reporting and greed

Unfortunately, there are plenty of examples of unethical behavior with respect to financial reporting. In most instances, the motivation is to meet earnings expectations or to manage corporate performance to meet some other financial goal. Management at companies such as Enron, Worldcom and Adelphia faced extreme pressure to meet the expectations of the market and achieve steady earnings growth. In other instances the motivation is greed. Greed is displayed in the misuse of certain financial dealings in the sub-prime market or in the Ponzi scheme orchestrated by Bernard Madoff.

The cycle is something like this: Corporate analysts and brokers review corporate performance and make predictions as to how the company will perform in the coming quarter. Based on the predictions, an earnings "target" is implied. If the company does

not meet that target, it is taken as a signal that the company is unable to maintain its competitive edge, which the market views as bad news. The bad news causes the traders to sell the stock and the stock price goes down. In addition, upper management is often compensated based on the company's market performance (or they own stock in the company), hence, the pressure on management to meet earnings expectations.

There are various ways that management could try to manipulate earnings to meet expectations. The most common is to accelerate the recognition of revenue. Companies can do this by pre-bookings sales. The second most common manipulation is to defer the recognition of expenses until the next period by delaying payments, extending payment deadlines and post-dating checks. Both of these tactics are futile because the revenue robbed from the following quarter will be needed in the next quarter and the expenses deferred into the following quarter will reduce the next quarter's net income. The cycle will perpetuate itself because the same tactics will need to be done in the subsequent quarters as well.

In your career you may be faced with the pressure to "fudge" the numbers to make the situation look better. Often this request is rationalized that "it will only be this once!" However, once you have "fudged" the numbers you can never "take it back" and will most likely be asked to do it again. You will have set precedence for your behavior and it will be much harder to refuse the request the next time. Under the Sarbanes-Oxley Act, financial misrepresentation is a criminal violation subject to sentencing and applies to everyone involved in the misrepresentation.

F. Customer relations

Customer relationships are critical to the success of a business, particularly over the long term. Unfortunately, some companies have taken actions that are contrary to the interests of customers. The Ford Pinto case in the late 1960s and early 1970s illustrates this issue all too well. In Ford's rush to put a car on the market that could compete with the flood of small cars from Japan and Germany, the company designed the Pinto.

During the development process, design engineers discovered that the placement of the gas tank and other design characteristics created a **high probability of tank rupture in rear end crashes**, even at slow speeds. Engineers estimated that it would cost \$11 per car to reduce this risk, a cost of only one-half of one percent of the total cost of the car. The engineers also

estimated that this action could save hundreds of lives per year and hundreds more from injury. However, based on financial analysis that projected the cost of potential liability from these accidents (estimating a lost life would be worth \$200,000), Ford decided to not make the design change. After a pattern of accidents, which led to fires and deaths, it was discovered that Ford had made the analysis that led to the decision to not improve the design. When juries heard the information about the relatively low value Ford put on human life, the courts handed down significant liability awards to people injured in crashes and the families of those killed.

The greatest irony of the case is that, prior to the Pinto case Ford had a good reputation for product safety. The fallout from the Pinto case led to skepticism from consumers regarding Ford's diligence in designing cars for safety.

In contrast to the Pinto case, **Johnson & Johnson** demonstrated the value in making decisions with the interests of consumers as a high priority. In 1982, someone tampered with a number of bottles of Tylenol – one of Johnson & Johnson's most prominent product lines. **Cyanide was put into the capsules**, which then were bought by consumers in the Chicago area. Seven people died after ingesting the capsules, leading to a crisis for Johnson & Johnson. The prominence of consumer welfare in the company's decision-making is evident in its actions: The use of wide-spread media informing people (not just in Chicago) of the threat of product tampering; the acceptance of product returns, the removal of ALL Tylenol products from shelves and warehouses, and the establishment of a variety of safety standards to make it more difficult for someone to tamper with products in the future. The packaging approaches became the industry standard for preventative packaging. At the core of Johnson & Johnson's actions was the company credo, which begins with the statement that "...our first responsibility is to doctors, nurses and patients, to mothers and fathers and all others who use our products and services."

In summary, ethical leaders should consider the well being of their customers or constituents and also must balance these needs with other priorities in decision-making.

"Character is revealed by how you behave when no one is looking." — As defined by the Josephson Institute of Ethics

G. Employee relations

Employees obviously play critical roles in the success of a company. **Concerns for the health, welfare and other needs of employees should be taken into consideration in business decision-making.** Unfortunately, there are many illustrations throughout history where companies have neglected or even forsaken employee interest.

In one case, employees in a shipbuilding yard complained about the lack of enclosed scaffolding during cold and windy weather. The lack of enclosures led to very uncomfortable and hazardous conditions. This became one of the earliest legal cases in which employees claimed that they had a right to engage in collective behavior under the Wagner Act — even if they were not formally unionized. The courts agreed with the workers and imposed the requirement that employers address such concerns.

Another case involving a company called Film Recovery Systems illustrates that companies often seriously neglect employee welfare. The firm was created to capitalize on the unusually high silver prices in the late 1970s and early 1980s. The company employed a technology that recovered the trace amounts of silver that were used in photographic film by using cyanide solution to cause the silver to be released from the film surfaces. Open vats of cyanide solution and the lack of basic employee protections, such as aprons, respiratory protection, factory ventilation and gloves, led to illness and finally the death of an employee.

Ethical leaders need to consider the impact of their decisions on employees. Employees cannot be treated as commodities — indistinguishable from one another and easily replaceable. Management needs to consider the consequences of their actions on employees.

III. Summaries of Conceptual Foundations

A. Conceptual foundations

We are exposed to complex and sometimes conflicting sources of values over the course of our lives. Each of these influences us in unique ways — with some of us believing rather strongly in certain value systems and others taking a more ambivalent attitude toward the source of ethical values. To understand the nature of these value systems and the role in our decisions, it is important to understand the origins and relationship to business practice. This section explores both personal values and the values upon

which capitalism and free enterprise are based. This section also explores the relationship of managers to the owners of corporations and the relationship of businesses to broader society. By understanding these perspectives, you will have a much better appreciation of the nature of business decision-making within the context of ethics.

1. Ethics/personal values

Despite all of the discussion of ethics and the failures of business leaders (and others) who have engaged in unethical behavior, the term itself — ethics — often goes undefined. **Ethics are the values that we have developed from our family interactions, religious beliefs and personal experiences.** This set of values drives our behavior and influences our expectations of how others should act. Many people maintain that they know the difference between right and wrong, yet they occasionally engage in behaviors that they would describe as wrong. To help understand this paradox, the remainder of this section will describe four major ethical frameworks that are commonly found in society. These four frameworks are: utilitarianism, universalism, theories of rights and social precepts.

a. **Utilitarianism** suggests that ethical decisions be approached by **considering the overall impact of different actions on society.** Actions that generally do more good than bad would be acceptable under this concept. Extending this concept, actions that benefit more people than those who are harmed would be deemed more ethical than actions that only benefit a few. This perspective is often applied in economic decision-making models used in business settings.

b. **Universalism** suggests that a simple rule be applied to determine the appropriateness of one's own actions. This rule is "What behavior would I expect from others?" This perspective suggests that it is inappropriate to behave one way when we would expect others to behave in a different way. As an example, stealing money from someone else while expecting that others respect our property rights would be illogical. If we expect others to respect our rights to property (or anything else), then we should respect that others also have those same rights. This concept has often been labeled as the "golden rule" — that we should treat others as we would expect to be treated.

c. **Theory of Rights** suggests that each person has rights — rights that are inalienable or should not be taken away, except in drastic situations. These rights include the right to hold property, to live as we see fit to live, to make free choices, to live where we want to live, to be free from intrusions into our privacy, to practice the religion (or no religion) that we want and to pursue life satisfaction through whatever means we choose. Many of these rights have been incorporated into the U.S. Constitution and the Bill of Rights. It is important to note that these rights must be balanced against others rights. The most common example of this is that one does not have the right to yell "fire" in a crowded theater, because this might cause a stampede of patrons to the exits, threatening the security of some of those persons. In today's society, the debate over what constitutes hate speech or what is politically correct relates to this example. Individual rights do sometimes conflict — leaving the question of whose rights should prevail.

d. **Social precepts** are specific guidelines that call for particular behaviors that we are expected to follow due to our belonging in a social group. Religion is perhaps the most common set of social precepts found in society. The Ten Commandments and other specific guides for behavior found in religious sources endorse certain actions and forbid others. While religion is likely the most commonly considered of these social precepts, there are many other social sources. The Boy and Girl Scout oaths, professional codes of ethics, organizational codes of conduct and even laws generally fall into this category.

"Being truthful when you know it will cost you is the true test of honesty." — Dave Weinbaum

2. Principles of capitalism and free enterprise

In addition to the various sources of ethical values discussed above, there are some concepts that are uniquely embedded into the business world through the basic structure of our economic system. There are many basic values that are used to justify capitalistic or free-market systems.

Capitalism is believed by many (especially in the western hemisphere) to be the superior economic system in the world due to its ability to efficiently distribute limited resources to different activities. Supply and demand forces, and the resultant prices, dictate the best uses of capital goods, materials and labor. Capitalism is often described as free market economics. It is important to understand exactly what is meant by this term and why it is believed that this economic system has such high potential. It is also important to realize the limitations or potential shortcomings of this economic system and that a lack of ethics is a catalyst for those limitations.

Free markets serve as the means to distribute scarce resources as efficiently as possible. It serves both sellers and buyers by providing a competitive framework through which value is assigned to all things that can be sold, including labor, materials, information and capital. Some of the basic tenets of free market systems are a sufficient number of participants (no monopolies and limited oligopolies), reasonable access to information about the goods and services being sold and alternative sources available, no collusion among sellers or buyers, and no deception or fraud in business practice. Through free markets, purchasing and selling decisions are made. Efficient pricing and distribution of the products or services are achieved through access to information and competition.

Unfortunately, there are some limitations. **Deception and fraud** undermine the effectiveness of the free market system. Furthermore, competition is limited when an industry is dominated by only a few organizations, or if there are logistical, geographic or international boundaries that restrict free exchange. When information is unavailable or is restricted, decision-makers have a great deal of uncertainty in making choices, resulting in an inefficient distribution of resources. Another limitation of the free market concept is the **conflict of interest** that is inherent because managers are needed to make decisions on behalf of absentee owners. The relationship between the owners of a business and the managers hired to run the business is referred to as the principal-agent theory. Greed can limit free market effectiveness, yet it is the pursuit of self-interest that is an essential quality of free markets. In the popular movie Wall Street, the leading character, Gordon Gecco, famously claims that "greed, for lack of a better word, is good." Greed has been argued to be the cause of many of our

recent scandals and corporate misconduct. While self-interest is recognized by economists as essential to the efficiency and effectiveness of an economic system, blind or unbridled greed may drive inappropriate behavior. Greed often is the driving force behind fraud or rationalizations of improper conduct. The famous economist, Adam Smith - often viewed as the "father" of microeconomic theory - believed that enlightened self-interest is the ideal. The concept of enlightened self-interest suggests that economic actors can advance their interests without engaging in inappropriate actions. In doing so, they seek to act in ways that will contribute to societal good as well as achieve self-benefit.

"To feel much for others and little for ourselves; to restrain our selfishness and exercise our benevolent affections, constitute the perfection of human nature." Adam Smith

3. Principal-agent theory

In a business organization, particularly one that is publicly traded, managers are hired to make decisions and manage the business on behalf of the stockholders. The stockholders, or owners, are described as "**principals**" and the managers as "**agents**." The owners — for a variety of reasons — cannot (or have chosen not to) be actively engaged in the day-to-day management of the organization. The owners hire business managers to conduct the affairs of the business with the expectation that those managers will primarily (or principally) consider the owners' interests in all decision-making.

All persons (not just managers) in an organization are agents for the owners and have a fiduciary responsibility to hold the owners' interest above their own in all actions and decisions. Owners are expected to set guidelines and create governance systems to guide agents. Policies, plans, goals, and rules set boundaries and parameters for agents, but often the agents must interpret the guidelines in day-to-day activities to achieve the best results for the principals.

A number of **responsibilities of the agent** emerge from this relationship. Some of these responsibilities include loyalty, the duty to act in good faith, the duty to report fairly the activities and results of business practice, the duty to avoid taking any

adverse interests or to engage in behavior that competes with the principals' interests, and the duty to represent the principals with dignity and a positive image. Many of the scandals in today's business world involve direct violation of these principal-agent responsibilities.

While the agent has specific responsibilities, so do the principals. Principals are to reasonably compensate agents for their work, they should not expose agents to unnecessary risks, and they must provide reasonable direction and exercise some oversight (monitoring and control) over agents' actions.

4. Business and society

The role of organizations in broader society has been debated for many years. Are organizations economic entities with no responsibility to determine what actions are "right" or "wrong" – with only a limited role in choosing what is best for society? Do organizations have a duty to take courses of action that benefit society? This section describes the three most prevalent views of how organizations relate to broader society.

a. Economic entities only

One view of organizations purports that corporations and other businesses provide great benefit to society by engaging in the economic exchange processes described previously in the section on capitalism. Advocates of this view claim that, through the microeconomic systems, businesses achieve the optimal distribution of resources for the maximum benefit to society. This concept, referred to as *Pareto Optimality*, is achieved when the participants work to **optimize profit and in doing so achieve the most beneficial distribution of resources that can be achieved**. These economic entities are still expected to follow the normative standards of not cheating, lying, or stealing, as well as the specific laws of society. Businesses and their agents must not collude or conspire with one another in business practice.

Advocates of Pareto Optimality point out that businesses provide jobs, and produce goods and services, which otherwise would not be provided. Businesses contribute to a healthy economic system that benefits all or most of the members of society. If the pure state of Pareto Optimality were attained, it would be impossible to provide additional benefit to one party without harming another. This is a utilitarian perspective — that the greatest condition that can be achieved is the efficient distribution of resources and wealth.

Theoretically, the consumers in a free market system influence the actions of the participants by choosing what to buy, from whom to buy, and for what price. Boycotts and supplier preference are the tools used by consumers to influence businesses. If a supplier of products engages in activities deemed improper, buyers can choose not to buy from that supplier. Free market advocates claim that these mechanisms create responsibility on the part of both the seller and the buyer to assure that actions are taken, which contribute to the greater good of society.

b. Compliance-reactive approaches

Most economists and sociologists recognize that **government plays an important role in regulating business activity**. Laws provide specific standards of conduct, which business agents are expected to follow.

One of the arguments for the need of governments and laws is that all economic systems produce externalities, or outcomes, that affect people outside the exchange process. For example, individuals harmed by the pollution caused by a manufacturing system are an externality to that system. These individuals are without the economic influence to compel these businesses to act in alternative ways. Hence, there is the need for governments to step in and regulate conduct that has an externality effect.

Governments write laws and create enforcement systems to assure compliance. Enforcement agencies at the federal, state and local levels interpret laws and investigate and prosecute actions that are determined to be violations.

Under the compliance model, businesses must be aware of the laws and assure that actions are not in violation, or else risk being fined and/or restrained from engaging in further similar activity. Laws that regulate business practice include securities exchange and financial reporting, discrimination, environmental standards, product safety and worker safety.

Laws originate from public pressure for laws to prohibit certain actions by businesses or perhaps to require business to act in other ways. Unless public interest groups are able to influence lawmakers, businesses are left to engage in those particular behaviors. When laws are passed, however, the compliance system compels businesses to act differently.

There is a **paradox to the compliance-reactive system**. Business people often complain that there is too much regulation by government. This should not be a surprise. However, if the sole sources of moral guidance are the laws and compliance systems, the laws and guidance will become overwhelming. Put another way, if business managers expect that laws will provide sufficient guidance for what is right and wrong, then they also should expect that there will be a multitude of laws regulating business practices.

c. **Social responsibility and corporate citizenship**

Critics of pure free markets and the compliance-reactive systems argue that laws can never sufficiently protect the broader interests of society and that, even if governments could completely regulate business practice, the costs of creating enforcement agencies and completely regulating business would be enormous and inefficient. Under the concept of social responsibility and corporate citizenship, **business managers are expected to be cognizant of the broader societal implications of their actions** and take actions that, while benefiting themselves, also serve the broader needs of greater society. In this view, businesses are seen as citizens with more than just a narrowly-viewed economic responsibility, but a social responsibility as well.

With this view of businesses, the broader context of society needs to be considered in all business practices. This means that business decision-makers must consider social variables in decision-making and take actions which provide benefits to greater society in a much more proactive way than the pure free market or compliance models. Some organizations carry out this responsibility by choosing to support social causes such as health and medical care, social charities and environmental protection.

IV. Decision-Making

Why do good people sometimes make bad decisions? Often it is when they are thrust into a situation where they are compelled to act in a way that hasn't been fully thought through and the consequences of that action are not considered. Consequences are not considered due to the need to act with haste or when there is a significant personal stake, which makes them either unable or unwilling to evaluate the ramifications of their actions. These actions may be clear violations of laws, or not in best interests of their principals or the broader society.

Now that you have an understanding of how to recognize ethical dilemmas and the conceptual foundations from which ethical choices are made, this section presents a decision-making guide to help you think through the consequence of an action or decision.

"Think before you act, consider consequences, and be accountable for your actions." — Josephson Institute of Ethics

A. Decision-making guide

The following decision-making guide is a culmination from various sources (see references) and common sense. It is intended to be a mechanism to thoroughly think through an issue and evaluate the consequences of an action. This guide is not considered to be all-inclusive.

1. **Determine the facts and state the problem.** What do we know that will help define the problem? What don't we know? Sometimes the "problem" is clearly identifiable, other times it is a situation that makes you uncomfortable. Listen to your intuition in these situations – if something makes you uneasy, it is often for good reason.
2. **Who are the stakeholders?** Who will be affected by the decision? Make sure to consider all stakeholders, including employees, shareholders, customers, vendors and unintended bystanders.
3. **Identify relevant factors.** List the laws, professional codes and other practical constraints pertinent to this problem. This will also include any relevant factors related to the issue being evaluated such as what are the constraints, parameters or other limitations.
4. **Develop a list of three to five options.** List options that would solve the stated problem. Be creative and present options that may not seem plausible. Often through this brainstorming activity, a more viable and satisfactory option will materialize. Try to avoid "yes" or "no" options but think about to whom to go or what to say.
5. **Test options.** Apply the following tests to the options.
 - a. **Harm test.** Does this option do less harm than the alternatives?
 - b. **Legality test.** Is this option legal? If the answer is "no," stop here!

- c. **Precedence test.** Does this option set precedence, which, while the outcome in this fact pattern is not problematic, this option under another fact pattern could cause a dramatically different outcome?
- d. **Publicity test.** Would I want my choice of this option published in the newspaper?
- e. **Defensibility test.** Could I defend my choice of this option before a Congressional committee or a jury of my peers?
- f. **Mom test.** What would my Mom say if she learned of this option?
- g. **Reversibility or "Golden Rule" test.** Would I still think the choice of this option good if I were one of those adversely affected by it? How would I want to be treated?
- h. **Virtues test.** What would I become if I choose this option?
- i. **Professional test.** What might my profession's ethics committee say about this option?
- j. **Peer or colleague test.** What do my peers or colleagues say when I describe my problem and suggest this option as my solution?
- k. **How does it make me feel?** This is your conscience. How does this option make you feel physically or emotionally? Are you able to sleep?
1. **Organization test.** What does the organization's ethics officer or legal counsel say about this?
6. **Select an option.** Based on steps 1 – 5, choose an option listed in 4.
7. **Evaluate outcomes and review steps 1-6.** What could make it less likely that you would have to make such a decision again? You may need to create additional options because the testing completed in 5 revealed undesirable outcomes.

B. Whistle-blowing

One of the options that you have evaluated may be to "blow the whistle" on those engaged in an unethical activity. You have identified the ethical dilemma and evaluated the situation using the decision-making guide. However, your supervisor presses you to take an action that makes you uncomfortable. You have examined the situation, identified the stakeholders, determined

and tested the options. You are firmly convinced that if you take the action your supervisor has asked, the act would be unethical. What do you do now? You need this job to pay your bills and simply walking away from your job is not a course of action you want to take. Going against what a supervisor has asked or ordered is never easy, but you need to decide what to do.

"I would prefer even to fail with honor than win by cheating." — Sophocles

Following the directions or orders of someone else is not an ethical or legal defense for wrongdoing. You must be prepared to think and act in a way that is beneficial to you and that of the organization for which you work. **Are there alternatives for you to follow short of quitting?** Fortunately, in most organizations the answer is "yes." Here are some possible courses of action if you find yourself in this type of ethical dilemma:

1. Discuss your concerns with your immediate supervisor, even if your supervisor is the one presenting the ethical problem. Sometimes when presented with a subordinate who questions the ethical nature of a situation, the supervisor will rethink the situation and step back from the unethical action. If, however, this does not provide a satisfactory solution, you will need to find an alternative course of action. **It is NOT okay to just do what you are told to do when you believe the action is inappropriate or unethical!**
2. Your organization may have an ethics/fraud hotline and/or an ethics officer with whom you may consult. In addition, if you belong to a professional organization that has an ethics advisor, you may be able to consult that person to get an objective opinion about your situation. Generally, a report to a hotline or ethics officer will be kept confidential (at least initially). However, if the problem is very serious and involves higher levels of management, maintaining confidentiality may be difficult. If you decide to pursue the matter higher in the organization, for example to the audit committee, **you will have to decide if you are willing to become a "whistle-blower."**

3. At this point, you may want to assess your own situation — both from an ethical and legal standpoint. If you believe you may be in legal jeopardy from actions you already have taken or you believe you will have to blow the whistle, you may want to consult a private attorney. An attorney can advise you about your legal rights and responsibilities in the situation.

4. A whistle-blower is someone who, due to a situation involving wrongdoing, “blows the whistle” or informs higher levels of authority. Some whistle-blowers stay within the organization by informing higher management, the internal auditors, the audit committee, or the board of directors about the wrongdoing. Other whistle-blowers go outside of the organization by informing law enforcement, the auditors, or the news media about the wrongdoing. There are **legal protections from retribution** for whistle-blowers contained in the Sarbanes-Oxley Act and other state and federal laws. Despite such protections, whistle blowers are often subjected to intense pressure and may find it necessary to leave the company. Being a whistle-blower can be a very difficult and lonely road to follow. If you are accusing high-ranking individuals in the organization of wrongdoing, expect to meet with very fierce opposition from those being accused. Some whistle-blowers come out very well from their situation and become national celebrities, such as **Sherron Watkins of Enron** and **Cynthia Cooper of World Com**. But most whistle-blowers do not become famous or rich. Many have to leave their jobs, and some even have gone to jail due to actions they took before they blew the whistle. Despite these hazards, becoming a whistle-blower may be the best thing to do; otherwise, you may become a perpetrator in the unethical activity.

5. If you decide that you must proceed up the chain of command in the organization, you should keep your superior apprised and **fully document your actions in writing**. Ultimately, your case may reach the audit committee, the board of directors, or the owners of the company. At this stage, anonymity is probably no longer possible.

6. Hopefully, your situation will be resolved without becoming a whistle-blower or going all the way up to the board of directors. But, if your situation still exists after exhausting all levels of internal review, you may not have any other course of action but to resign from the organization and submit a memorandum to the appropriate party in the

company detailing exactly why it is necessary for you to resign. Resignation probably will not resolve the situation, but at least you will be able sleep at night and know that you have done the right thing by not participating in wrongful conduct. Reporting illegal conduct to law enforcement authorities, or any outside party, should be done only after consulting an attorney who can advise you properly.

Fortunately, many ethical situations can be resolved short of resignation. This is why many organizations now have codes of conduct, hotlines, and ethics officers. Still, knowledge of your rights and responsibilities is always the best way to prepare if presented with an ethical dilemma.

“Always bear in mind that your own resolution to succeed is more important than any one thing.” — Abe Lincoln

V. Student Codes, Professional Codes, and Company Codes

Codes of ethics are used to communicate to, and formalize sets of values for, groups of people. These groups may be business organizations, members of professional organizations, participants in academic programs, or any other collection of people. Often, a code of ethics is written by a representative assembly of group members and then distributed to the entire group. This section contains examples of codes of ethics - or conduct codes, as they are sometimes called. For the professional codes, use the URL link to go to the organization's web site to locate the text of the codes. The examples presented here offer a view of the breadth and coverage of different professional and subject-specific codes. These codes can be used as reference material and for discussion purposes.

A. Northern Illinois University Student Codes of Ethics

1. NIU's Student Code of Conduct — www.stuaff.niu.edu/judicial
2. College of Business Student Code of Ethics — see Appendix A
3. Accountancy Majors Student Honor Pledge and Code of Conduct — see Appendix B

B. Professional Codes

1. Accountancy
 - i. Public accounting — American Institute of Certified Public Accountants. www.aicpa.org
 - ii. Tax preparation — National Association of Tax Consultants. www.natctax.org
 - iii. Internal audit — Institute of Internal Auditors. www.theiia.org
 - iv. Fraud examiners — Association of Certified Fraud Examiners. www.cfenet.com
 - v. Management Accountants — Institute of Management Accountants. www.imanet.org
2. Finance
 - i. Certified Financial Planner. www.cfp.net
 - ii. Chartered Financial Analyst. www.cfainstitute.org
 - iii. Securities and Exchange Commission — “final rules”. www.sec.gov
3. Management
 - i. Human resource professionals — Society for Human Resource Management. www.shrm.org
 - ii. Management generalists — Society for the Advancement of Management. www.cob.tamucc.edu/sam/
4. Marketing
 - i. Marketing and sales — American Marketing Association. www.marketingpower.com
 - ii. Marketing research — Interactive Marketing Research Association. www.imro.org
5. Operations Management and Information Systems
 - i. Operations Management and Logistics. www.apics.org/default.htm
 - ii. Information Systems — www.aftp.org

C. Company Codes

1. Caterpillar
<http://www.cat.com/cda/layout?m=38028&x=7&location=homepage>
2. Experian.
<http://www.experian.com>
3. KPMG
<http://www.kpmg.com/global/WhoWeAre/>
4. The National Bank & Trust Company of Sycamore
<http://www.nabatco.com>
5. NICOR, Inc
<http://phx.corporate-ir.net/phoenix.zhtml?c=85155&p=irol-govconduct#ethics>
6. Target
<http://sites.target.com/site/en/company/page.jsp?contentId=WCMPO4-031084>

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- Plagiarism resource: <http://www.indiana.edu/~wts/pamphlets/plagiarism.pdf>

Appendix A

NIU College of Business Student Code of Ethics

As a student at Northern Illinois University's College of Business, I understand that it is my duty to behave in a courteous and ethical manner at all times. The attitudes and habits I develop as a student form the core of my professional behavior. As such, I will set an example of the highest caliber for those that work with me.

To promote these behaviors within the student body, I will use the principles of honesty, respect, integrity, and professionalism as my academic and professional guide.

HONESTY:

- Understand the College's policies on academic conduct, and practice them as a part of my life
- Honor my personal obligation to be sincere and forthright by dealing fairly and truthfully with others

RESPECT:

- Embrace the diverse perspectives and accomplishments of others, knowing that it is the personal and cultural variations among people that enrich us individually and as a society
- Take pride in my College and University by protecting our facilities and their surroundings

INTEGRITY:

- Maintain my beliefs and values despite changing circumstances and challenging environments
- Respect my reputation and that of my university by avoiding unethical behaviors and the circumstances that encourage them

PROFESSIONALISM:

- Maintain the highest standards of performance, conduct, and cooperation with my fellow students, faculty, and co-workers
- Perform my duties with due diligence and make a continuous effort towards improvement

*Written by and for NTU College of Business Students
NIU College of Business Student Advisory Board
Unanimously Approved December 6, 2004*

Appendix B

Accountancy Student Honor Pledge and Code of Conduct

Notes

The Pledge:

As students in the Accountancy Department at Northern Illinois University, we will uphold and promote the highest levels of integrity and professionalism while pursuing academic excellence.

The Code:

To abide by this pledge, we establish this Code of Conduct to create a foundation for our values and culture.

This Code of Conduct exemplifies the virtues necessary to continue our department's longstanding and well-respected reputation among the accounting profession.

As future accountants, we must take responsibility for our learning, be accountable for our decisions, and consider the consequences of our actions.

We have the responsibility to remember that each student is a representative of NIU's Accountancy program on campus, in the community, and in the workplace.

We need to act with integrity, through demonstrating academic honesty, "doing the right thing", and standing up for our beliefs.

We demonstrate professionalism by conducting ourselves in an appropriate manner and maintaining good composure at all times.

We achieve academic excellence by challenging ourselves, taking pride in our work, and striving for our best.

We will respect the university, including the faculty, facilities, fellow students, the profession, and ourselves.

We commit to the life-long learning process.

*Written by and for NIU Accountancy Majors
Unanimously endorsed and approved Spring 2003
By the Accountancy Faculty and Advisory Board*

Decision-Making Guide

Step 1

Determine the facts and state the problem.



Step 2

Identify the stakeholders.



Step 3

Identify relevant factors.



Step 4

Develop a list of 3-5 options.



Step 5

Assess options using various "tests."

- a. Harm test
- b. Legality test
- c. Precedence test
- d. Publicity test
- e. Defensibility test
- f. Mom test
- g. Reversibility or "Golden Rule" test
- h. Virtues test
- i. Professional test
- j. Peer or colleague test
- k. "How does it make me feel?" test
- l. Organization test



Step 6

Select an option



Step 7

Evaluate outcome and review steps 1-6.