

## Affirmative Action vs. Client Wishes Teaching Notes

### *What Are the Relevant Facts?*

1. Jennifer wants very much to be an Account Executive in an advertising agency.
2. The agency for which Jennifer works has financial problems. If the ABC Client Company is not secured, XYZ will release half of its employees.
3. The client, Mr. Bohlen, believes that two African-American actors in the advertisement will offer his target market. He wants them replaced by white actors.
4. Jennifer's boss (Mr. Hurn) has made his wishes clear and is committed to have them carried out.
5. Jennifer needs the job to pay her bills.
6. Jennifer is not sure what to do.

### *What Are the Ethical Issues?*

1. To what extent is Jennifer responsible for promoting affirmative action?
2. Does she have an obligation to speak up when she believes marketing is promulgating an inferior role for African-Americans in society?
3. Should she be concerned with her boss's immediate agreement to such a request by a possible client?

### *Who Are the Primary Stakeholders?*

- Jennifer
- XYZ Advertising Agency: the company overall, its employees, and its stockholders, and African-Americans
- Less primary stakeholders: society overall and the advertising industry

### *What Are the Possible Alternatives?*

1. Refuse the offer/request (and pin Sharon).
2. Accept the offer/request.
3. Discuss the situation with Mr. Hurn, including a request to meet with Mr. Bohlen to discuss the situation with him.
4. Inform the media of the company's stance.
5. Contact the appropriate government agency/office concerning discrimination based on race.
6. Contact the local NAACP chapter.

### *What Are the Ethics of the Alternatives?*

- Ask questions based on a "utilitarian" perspective (costs and benefits). For example:
  1. Which possible alternative provides the greatest benefit to the greatest number of people/entities?
  2. How would costs be measured in this situation? How much value should be placed on "doing the right thing" for (1) a much larger cause involving increased media presence of African-Americans, (2) a much larger cause involving greater recognition of cultural diversity overall, and (3) an individual's own beliefs/conscience.
- Ask questions based on a "rights" perspective. For example:
  1. What does each stakeholder have the right to expect?
  2. Does the ABC Client Company (Mr. Bohlen) have the right to make his request?
  3. What right does the company management (Mr. Hurn) have in running the company?
- Ask questions based on a "justice" perspective (benefits and burdens). For example:
  1. Which stakeholders carry the greatest burden if Jennifer takes the position as new Account Executive and changes the advertisement as requested?
  2. Which stakeholders stand to benefit the most if Jennifer takes the position as new Account Executive and changes the advertisement as requested?
  3. Does Jennifer benefit more or less by refusing the offer for the new position? By accepting it?
  4. Is there a difference, in regard to long-term versus short-term benefits/burdens, if Jennifer takes the position? If she does not take the position?

### *What Are the Practical Constraints?*

1. This position is what Jennifer has long wanted. If she passes it up it appears it will be a long time until another such opportunity becomes available.

2. Jennifer needs to pay her bills.
3. The company is in a weak financial situation; it needs the account to pay its bills and keep its current employees.
4. Despite Jennifer's social conscience, if she does not accept the position and change the advertisement, someone else will.

*What Actions Should Be Taken?*

1. What should Jennifer do? Should she accept the new position, or should she resign?
2. What alternative would you choose if you were in her position? Why would you make that choice?
3. What ethical theories (utilitarian, rights, justice) make the most sense to you as they relate to this situation?