

Case 06

1. Problem description:

The main problem in this case is discrimination against nonwhites and females.

The main requirement of the employment agency is an information system that displays the names of the white applicants ahead of those of non-white applicants, and names of male applicants ahead of those of female applicants, provided that their qualifications appear to match those required for a particular job. Lack of a proper information management system in this agency could give rise to the following operational problems.

- * Delays in response to clients' requests in terms of providing suitable applicants for relevant jobs.
- * A difficulty in sorting applicants out with respect to their race and nationality.

It is not specifically stated in the problem if the employment agency already has an information system without the sorting facility or not, in which case two possibilities can exist.

1. The agency already has an information system but without the race and gender sorting facilities.
2. The agency doesn't have an information system at all.

If we assume the latter, the following problems should also be taken into account.

- * Difficulty in storing, handling and maintaining large amounts of applicants' data.
- * Difficulty in identifying and sorting different needs of clients.
- * Time management problems since everything will have to be done by manual means which would take a longer time than by computer based systems.

Stakeholders and their interests:

- * Applicants - There is a greater tendency of the applicants at the top being selected. The selection process will be biased by sexism since the female applicants are listed ahead of the male applicants.
- * Staff of the employment agency - The initial selection process will be done by the staff of the employment agency and the order in which the applicants appear in the information system could affect this process. The idea is to provide the clients with the top few (as requested) applicants whose qualifications match with those required and this basis of selection could get affected since priority could be given to nationality and gender but not to qualifications.
- * Employment agency - Business relationships with clients (companies) would depend on the suitability of the applicants suggested and the efficiency of the agency.
- * Information system developers - Does the system meet all the required criteria?
- * Testers - Are there any bugs in the system? Does all the information get filtered in the way that is expected by the client?
- * Information system developing company - To provide the agency with a system that meets all its requirements. Better the system provided greater the likelihood to get more future business.
- * Clients of the employment agency (Companies) - To find the most suitable applicant for the available position.

2. Facts of the case:

* An employment agency requires an information system that displays the names of the white applicants ahead of those of non-white applicants, and names of male applicants ahead of those of female applicants.

* Names should be displayed only if the qualifications of the applicants appear to match those required for a particular job.

Further information required:

* Why does the employment agency need an information system with a nationality and gender break up?

* The employment agency would require other personal details (marital status, age etc), work history, residency status (citizen, permanent resident or work permit holder of New Zealand) of the applicant.

* The clients of the agency would need to provide the agency with the qualifications and personality expected from the applicant, salary scale, number of suitable applicants required (for consideration) and a job description.

* How soon can the information system development company develop the system and how much will it cost?

* Maximum allowable duration of the companies for lists of suitable applicants to be forwarded.

3. Ethical principles at stake:

Prima facie principle:

Non-maleficence - Do not inflict harm on others.

Justice - Do what is fair, or just.

Legal ethics:

Bill of Rights Act

Human Rights Act

ACM codes of ethics that apply to this case:

a.) 1(4) This clearly states that "In a fair society, all individuals would have equal opportunity to participate in, benefit from, the use of computer resources regardless of race, sex, religion, age, disability, national origin or other such similar factors". Clearly this section of the ACM code is in breach. The client has asked for an information system that shows white applicants ahead of the nonwhite applicants and male applicants ahead of female applicants showing a clear nationality and gender discrimination.

b.) 1(1). A computer professional should try to minimise negative consequences of computing systems and must ensure that the production of their efforts would be used in socially responsible ways while meeting social needs and standards.

c.) 1(2). Computing professionals must minimise malfunction by following socially accepted standards for system design and implementation.

d.) 2(1). Strive to achieve the highest quality, effectiveness and dignity in both process and products of professional work.

e.) 2(3). Know and respect existing laws pertaining to professional work.

f.) 2(4). Accept and provide appropriate professional review.

g.) 2(5). Give comprehensive and through evaluations of computer systems and their impacts, including analysis of possible risks.

h.) 3(4). Ensure that users and those who will be affected by a system have their needs clearly articulated during the assessment and design of requirements. Later the system must be validated to meet requirements.

IEEE codes of ethics that apply:

a.) Subsection 8 is in breach. There is clear race and gender discrimination in this case and everyone hasn't been treated fairly regardless of his or her race, religion, gender, disability, age or national origin.

NZCS codes of ethics that apply:

a.) 2(4). The member shall exercise professional skills with competence, care and attention.

b.) 3(1). The member shall not bring the society into disrepute.

4. Viewpoints:

The main party that can act in this case would be the system developer(s) since they are expected to be fully aware of the existing laws and other rules and regulations pertaining to the case. The system designer can ask the client (the employment agency in this case) why it needs such an information system with a gender and race breakdown (this inquiry would be consistent with 2(3) of the ACM code of ethics) and if the idea is to favour white males, the system designer should refuse to build the system as proposed, since it would violate the above mentioned (refer to part 3) principles. He or she can point out the problematic nature of the requested information system and how it will give rise to race and gender discrimination which are against ethical principles and suggest that building a system that would display the names of the applicants depending on their qualifications (and not race or gender) would be more suitable and on a par with all the codes of ethics set out in ACM, IEEE and NZCS. If the client agrees to this, the developer can go ahead and build the system.