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## Workplace Ethical Dilemma

### **Step 1: Becoming Sensitive to the Moral Dimensions of Practice**

Regarding this ethical dilemma in my workplace, my viewpoint as a new counselor in a Community Base Health Center is immense. Although I have a positive relationship with my senior colleague Mr. Robert, my decision in this matter of him accepting gifts from clients, socializing with clients after work on weekends, dating other staffs, and some patients should be non-discriminatory and non-judgmental. However, based on the ethical principle of nonmaleficence or not harming patients, and the ACA code of ethics, I will make sure that all negative emotions are identified, and the patient's welfare is taken into consideration.

Welfel (2016), stated that "consistently doing the right thing demands altruistic motives and resoluteness in the face of an obstacle to good conduct, and ACA (section A.4.b) and APA (principle A) both highlight the importance of not allowing personal values or emotional distress to compromise service to client"(p.33). Therefore, my option is to approach my senior colleague concerning this indictment based on the ACA Code of Ethics, A.1 which says that the "primary responsibility of counselors is to respect clients dignity and promote the welfare of clients". Also, A.3 speaks about clients served by others, it says, "when counselors learn that their clients are in a professional relationship with other mental health professionals, they request release from clients to inform the other professional's contacts and strive to establish positive and collaborative professional relationships. Hence, my senior colleague should not be involved in an unethical and improper practice because it is very unprofessional and can damage her reputation and cost her license.

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### **Step 2: Identify the Relevant Facts, Sociocultural context, and Stakeholders.**

My name is Ms. Emmanuel, and I am a new mental health counselor in the Community Based Health Center. Being a new employee, my job descriptions in this clinic is to provide a behavioral health service to a multi-ethnic population of a low- income urban families, children, and seniors. Nevertheless, during an individual session with my senior client's colleague who was on vacation for two weeks, the majority of his clients confided with me that they have an intimate relationship with my colleagues for three months now, they reported that my colleagues have a romantic relationship with some staff members.

Similarly, I was doing a group session with Mr. Robert Clients since he was still on vacation; in the process, one of his clients asked me how much I charged for forty-five minutes session? I responded that the meeting is free because their insurance covers everyone. The client further stated that, well, Mr. Robert usually charged \$30 per session; other members responded yes, that is how much we pay daily. I had to pause for a while and informed the group that I do not charge any fees for my services, and I do not accept any monetary gifts as a form of payment from my clients.

Up to this point, I have not noticed any pitfall from my senior colleague Mr. Robert, though numerous clients complained about such an unethical behavior. However, my senior colleague has been genuinely kind to me since I joined the Community Based Health Center. He oriented me on how to write progress notes after individual and group sessions; he showed me how to complete both the agency and the state-regulated forms. Also, he assisted me in getting adapted to

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the agency's computer systems. In numerous times, Mr. Robert granted me Friday off, Thanksgiving Day off, which I was not entitled to as a new employee.

Nonetheless, based on the ACA code of ethics, A. 4. "Avoiding harm and Imposing Values" counselors are instructed to avoid harming their clients, and A. 5 "prohibited non-counseling roles and relationships," which means that sexual or romantic counselor-client interactions, or relationships with current clients are restricted. My inferences are that I cannot ignore the grievances, I would discuss it with my supervisor because Welfel (2016), states that, "defining potential ethical dilemmas is often the last thing on practitioner's mind during a session, and research confirms that professionals get caught up in the aspect of their work and are at risk for disregarding ethical problems"(p. 32).

Hence before taking any action, the well-being of everyone affiliated with the Community Health Center should be considered. These are: my senior colleague Mr. Robert, my clients, all the staff members, and Community Based Health Center. For the sake of these stakeholders, my goal as a professional counselor is to think about possible ways in which the interest of all the participants can be protected. Substantially, the Community Based Health Center was established by the Affordable Care Act, and it is a federal Medicaid funding for low-income recipients; therefore, the ACA Code of Ethics D.1.g. Employer policies should be considered.

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### **Step 3: Define the Central Issues in the Dilemma and the Available Options**

I am aware that my senior colleague would be coming back to work in the next three days. I have arranged to have a meeting with him on his first day during our launch break so that I can inform him about the accusations from his clients during his absence. On the other hand, before making known to him all his client's allegations, I would ask him appropriate questions in regards to his dealing with the client in terms of the therapeutic alliance, his perspective in terms of accepting monetary gifts from clients, his stance about employees dating clients, and his approaches about staff members dating each other. Based on his response, I would first remind him of the ACA Code of Ethics A. 5. e. that mentioned personal virtual relationships with current clients. It states that "counselors are prohibited from engaging in a personal virtual relationship with individuals with whom they have a current counseling relationship (e.g., through social and other media)." Also, ACA CODE of Ethics A.6.b. "mentioned extending counseling boundaries."

Moreover, the patients that come to seek help in the Community Health Center are those that are going through intense pain, depressed, anxious, fear of the unknown, hopelessness, and helplessness. Therefore, counselors should not take advantage of their situation or worsen their condition by collecting any kind of monetary gifts or getting into a sexual relationship with these vulnerable populations. My intention is not to interfere on my colleague's private life. Still, there are serious issues in the workplace that needs to be resolve because this can hamper clients' recovery and can also cause the Health Center to be closed permanently.

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The substantial issues here are an ethical dilemma that raises many concerns; Mr. Robert was accused by his patients of receiving monetary gifts from them, socializing with them after work and weekends, and dating both them and staff members after business hours. With all these grievances that arise against my senior colleagues, these are my questions to these predicaments: are all these allegations made by the clients true or faults? Are they striving to make him lose his professional license? Or did my colleague truly receive monetary gifts from his patients, dated his patients or staff members?

Also, considering the ethical principle of justice, which is an obligation to act fairly or a "call for professionals to recognize the dignity of all people and avoid bias in professional action" (Welfel 2016, p. 46). I will inform Mr. Robert that due to the reports by several patients, I will have to communicate my concerns to the supervisor for further investigation.

### **Step 4. Refer to Professional Ethical Standards, Guidelines, Relevant Laws and Regulations**

My viewpoint is centered on nonmaleficence, which means do no harm. In this case, it means do not harm to all the stakeholders involved. Therefore, the following Code of Ethics will be decided upon with care before applying a plan of action.

- ACA Code of Ethics A.1.a Primary Responsibility

The primary responsibility of counselors is to respect the dignity and promote the welfare of clients.

- ACA Code of Ethics A.1.b. Records and Documentation

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Counselors create, safeguard, and maintain documentation necessary for rendering professional services. Regardless of the medium, counselors include sufficient and timely documentation to facilitate the delivery and continuity of services.

- ACA Code of Ethics A.3 Clients Served by Others

When counselors learn that their clients are in a professional relationship with others in a professional, they request release from clients to inform the other professionals and strive to establish positive and collaborative professional relationships.

- ACA Code of Ethics A.4.a. Avoiding Harm

Counselors act to avoid harming their clients, trainees, and research participants and to minimize or to remedy unavoidable or unanticipated harm.

- ACA Code of Ethics A.5.e. Personal Virtual Relationships with Current Clients.

Counselors are prohibited from engaging in a personal virtual relationship with individuals with whom they have a current counseling relationship (e.g., through social and other media).

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- ACA Code of Ethics A. 10.f Receiving Gifts.

Counselors understand the challenges of accepting gifts from clients and recognize that in some cultures, small gifts are a token of respect and gratitude. When determining whether to accept a gift from clients, counselors consider the therapeutic relationship.

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- ACA Code of Ethics C.6.d. Exploitation of Others

Counselors do not exploit others in their professional relationships.

- ACA Code of Ethics A.6.b. Extending Boundaries

Counselors consider the risks and benefits of extending current counseling relationships beyond conventional parameters. Examples include attending a client's formal ceremony (e.g., a wedding /commitment ceremony or graduation), purchasing services or products provided by a client (excepting unrestricted bartering), and visiting a client's ill family member in the hospital.

- ACA Code of Ethics C. 1. Knowledge of and Compliance with Standards.

Counselors have a responsibility to read, understand, and follow the ACA Code of Ethics and adhere to applicable laws and regulations.

- ACA Code of Ethics C.6.d. Exploitation of Others

Counselors do not exploit others in their professional relationship.

- ACA Code of Ethics 1.1.b. Ethical Decision Making

When counselors are faced with ethical an ethical dilemma, they use and document, as appropriate, an ethical decision-making model that may include, but is not limited to, consultation; consideration of relevant ethical standards, principles, and laws; generation of potential courses of action; deliberation of risks and benefits; and selection of an objective decision based on the circumstances and welfare of all involved.

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- ACA Code of Ethics 1.2.b. Reporting Ethical Violations

If an apparent violation has substantially harmed or is likely to substantially harm a person or organization and is not appropriate for informal resolution or is not resolved properly, counselors, take further action depending on the situation.

### **Step 5: Search Out the Relevant Ethics Literature**

Being a member of the American Counseling Association, I often searched for articles or journals that are published on this website regarding ethical dilemmas in the workplace. While searching, I found articles, journals, and books that can be useful in ethical decision making. the following articles were found:

Conflicting loyalties by Marvin E MacMillan

Confidentiality limit by Harding Et al.,

Ethical Dilemmas in Psychotherapy: Positive Approaches to Decision Making

### **Step 6: Apply Fundamental Ethical Principles and Virtues to the Situation**

The following ethical principles are going to be used in making decisions to the case of my colleague Mr. Robert and his clients:

**Nonmaleficence: Do No Harm.** As a professional counselor, I must not harm any patients.

Therefore, my patient is my priority.

**Beneficence: Responsibility to do good.** As a professional counselor, I must focus on the welfare of all the stakeholders.

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Justice: Obligation to Act Fairly: Even though my colleague Mr. Robert has rendered multiple help to me, I will make sure that my decision in this matter is unbiased and fair to all the people involved.

Fidelity: Notions of Loyalty and Faithfulness: As a professional counselor, my utmost obligation is to be loyal and faithful to my patients. Hence, I would take into consideration all that the patients revealed to me during sessions and will help them with my best ability.

### **Step 7: Consult with Supervisor and Colleagues About the Dilemma**

It is important to get a second opinion on any ethical decision making. Regarding my colleague and his client's accusations, I am seeking guidance from my immediate supervisor and colleagues, considering the principles of ethical dilemmas. Also, if the Community Health Center offers free legal advice to their staff members, I will ask for their help before I make any further decision.

### **Step 8: Deliberate Independently and Decide**

This is a phase of personal deliberation on whether to report the allegations against my colleague to my supervisor, the Community Health Center director, and the New York State Board of Licensing or not. It is a difficult and mind drifting stage. However, I would review the ACA Code of Ethics with my senior colleague and request him to dismiss any relationship he has with his patients outside therapy, and he should set healthy boundaries immediately. Also, I would ask him to explain in detail his relationship with both the patients and the staff members to our immediate supervisor so that he can handle the situation as our boss.

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### **Step 9: Inform Appropriate People, and Implement and Document the Decision**

At this point, I will report this case to my immediate supervisor for further investigation. According to Welfel (2016), "supervisors have a legal and ethical right to hear the choice and the rationale for it" (p. 53). As a counselor that Mr. Robert's patients confided with, I have documented all that was said concisely and accurately in records and case notes. If there is going to be any legal action taken, the case notes will aid in protecting myself, my colleague, Community Health Center, and the patients, if the allegations are true or not.

### **Step 10. Reflect on the Actions Taken**

Reflecting on the ACA Code of Ethics and the sensitive case of my senior colleagues and his patients who happen to be my patients during his vacation period, there were series of ethical problems that spawned if the accusations were true. Therefore, all the information I gathered during the decision-making process, and all the steps I took will help me to be prepared and respond more effectively when facing a similar ethical dilemma in the future.

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