

## Case 2: THE FORKLIFTER

(<http://ethics.tamu.edu/pritchar/forklift.htm>)

Engineering student Bryan Springer has a high paying summer job as a forklift operator. This job enables him to attend college without having to take out any student loans. He was now staring at a 50 gallon drum filled with used machine coolant, wondering what he should do.

Just moments ago, Bryan's supervisor, Max Morrison, told him to dump half of the used coolant down the drain. Bryan knew the coolant was toxic, and he mentioned this to Max. But Max was not swayed.

**Max:** The toxins settle at the bottom of the drum. If you pour out half and dilute it with tap water while you're pouring it, there's no problem.

**Byran:** I don't think that's going to work. Besides, isn't it against the law?

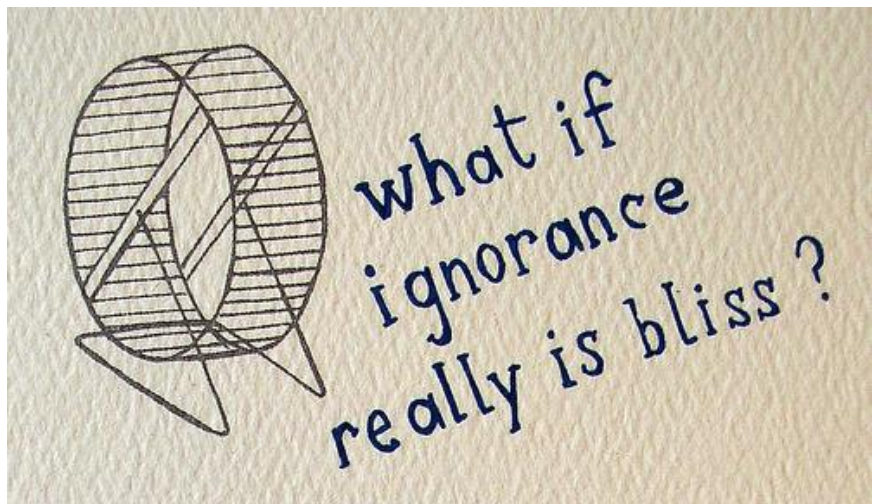
**Max:** Look, kid, I don't have time for chit-chat about a bunch of silly laws. If I spent my time worrying about every little regulation that comes along, I'd never get anything done -- and neither will you. Common sense is my rule. I just told you --Toxins settle at the bottom, and most of them will stay there. We've been doing this for years, and nothing's happened.

**Byran:** You mean no one's **said** anything about it? That doesn't mean the environment isn't being harmed.

**Max:** You aren't one of those "environmentalists," are you? You college guys spend too much of your time in the "ivory tower." It's time to "get real" -- and get on with the job.

**Byran:** But....

**Max:** Butt nothing. Time to get off yours and do the job. You know, you're very lucky to have a good paying job like this, kid. In three months you'll be back in your cozy college. Meanwhile, how many other college kids do you think there are out there wondering if they'll be able to afford to go back -- kids who'd give their eye teeth to be where you are right now.



Max then left, fully expecting Bryan to dump the used coolant. As Bryan stared at the drum, he pondered his options. What options do you think he has? What do you think he should do?

*Commentaries (Two of several available)*

**By Michael Rabins** (excerpt only)

Bryan Springer has at least four options, and perhaps some middle ground combinations of the four. Just listing them to start offers a basis of discussion for leading to a personally acceptable course of action for Bryan to follow. The options:

- i) Do as he is told and nothing else.
- ii) Do as he is told, but on his own time develop as convincing a documented argument as he can to present to Max Morrison and Max' superiors to convince the company to change its dumping policy.
- iii) Similar to (ii), but to take his arguments outside of the company he is working for; possibilities include appropriate municipal agencies, federal regulatory agencies or the news media.
- iv) Refuse to do as he is told, citing his personal convictions. He can then hope to be reassigned, or more likely, he can prepare to resign or be fired.

**By Ted Lockhart**

Bryan might easily convince himself that it is not his responsibility to subject himself to the possibility of getting fired for disobeying the directive he has been given. After all, he is only a summer employee who needs the job to pay his way through college. He is not yet a member of the engineering profession and therefore has no obligation to "hold paramount the safety, health, and welfare of the public." The responsibility for whatever environmental damage or violations of environmental regulations would result from dumping the coolant down the drain is Max's and possibly Max's superiors. Of course, Max's arguments for dumping the coolant are very un-compelling, and there is little doubt about the meaning of Max's thinly veiled threats against Bryan. Furthermore, Max is probably right that Bryan's going ahead and dumping the coolant on this one occasion, and perhaps on the few occasions on which he will be called on to perform similar acts during his temporary employment, will have no discernible effects on the environment. Why then should he risk antagonizing Max further by continuing to resist Max's directive and quite possibly losing his job as a result? More-over, even if he were to refuse to dump the coolant, there is little reason to doubt that task would simply be assigned to someone else who has fewer qualms about doing what he/she is told.

However, there are good reasons for Bryan not to carry out Max's directive. Bryan should consider not just the consequences of his actions on the one or few occasions on which he would be called on to dump toxic substances into drains but rather the consequences of the practice of similar persons in similar situations performing similar actions. And the latter consequences are significant and can be expected to have significant negative effects on the safety, health, and welfare of the public. If no one refused to participate in such a practice, then it is difficult to see how the practice itself would ever be stopped. And if someone should at some point refuse to participate, then why shouldn't Bryan do so under the present circumstances? Of course, there may be little hope or expectation that Bryan's sacrificing his summer job and jeopardizing his career plans would catch on and start a ground swell of workers' refusing assignments that endanger or harm the environment. But this is not the point. We would not say that one has no duty to vote in an election if he/she is reasonably certain that his/her vote would not affect the outcome of the election. The appropriate question is "What if everyone in your situation did what you are contemplating doing?" This is also the question that Bryan should ask himself in deciding what to do in the situation in which he finds himself.

Given what is at stake for Bryan, we should not blame him if he decides not to be a hero, and he deserves praise if he chooses the heroic course. But questions of praise and blame are not really the crucial issues for the decision-maker. Bryan has the best reasons for doing what would be best to do in the situation. And that means that he should respectfully but firmly refuse to carry out Max's directive.