**Course: IT Law and Ethics**

**Case studies**

**Question 12: Music Downloads – Should you Allow It?**

You, as the system administrator, notice that some members of the technical database team are downloading massive amounts of MP3 (electronic music) files from Internet music download sites. Some of these sites are legal and others are not. You yourself have downloaded a couple on your home computer. Would you feel like a hypocrite

turning the people at work in?

**Answer**

Work is different from home use. What people do at home is on their own time at their own risk. What the company’s personnel do at work puts the business at risk. If they are downloading from illegal sites in massive quantity give them a warning. If they do not adhere to the warning, report them to senior management as they are putting the company at risk legally and abusing company resources technically. Downloading MP3 files onto corporate machines is not just an ethical issue; it is a legal one as well since it is a copyright infringement. When dealing with computer games you must make an ethical choice. When dealing with large quantities of MP3 files from illegal sites you are venturing out of the area of ethical into legal. Use caution and due diligence regarding the jeopardy placed on the corporation through this type of activity. As the systems administrator, you may also be guilty if you knowingly allow the activity. In the case of small downloads of MP3 files from legal sites, you must make an ethical choice to allow this type of activity or not.

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**Question 13: Wireless Systems – Should You Take Advantage?**

A company that shares the same building as the one you work in uses a wireless

network that is not very secure. Since wireless systems are available if you are in

range of the signal, is it inappropriate to tap into the neighboring company’s wireless network?

**Answer**

It is never appropriate to tap into another company’s network under any circumstances. This is invasion of privacy, even if they have not secured the network properly. You should inform the company of the vulnerability of their wireless network.

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**Question 14:** Is it ever appropriate ethically speaking for someone with system administration privileges to spy on a fellow employee by viewing their chats, e-mail, or computer files?

**Answer**

The only case when this type of behavior is appropriate is when you as the administrator suspect the employee of malicious intent to the system.

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**Question 15:** If a system administrator is required to complete an administrative redesign under a very tight deadline, is it acceptable for them to perform shortcuts, which will affect the security of the system to get the job done on time?

**Answer**

All too often, taking shortcuts results in negative outcomes. Performing shortcuts that make a computer system vulnerable to a malicious attack must be avoided. There are acceptable shortcuts; however, this is not one of them.

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**Question 16:** Are mass e-mails using corporate computing resources for personal reasons acceptable?

**Answer**

In some minor and infrequent cases, it may not be a problem to send mass emails. Most companies will have an acceptable threshold for this type of activity. When it is done on daily basis, it is ethically inappropriate as it is an abuse of system resources and a nuisance to other personnel.

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**Question 17: Occasionally, a conflict of interest may occur accidentally or unavoidably. In such cases, the best course of action is to**

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| Α. ignore the conflict of interest; it is one of the benefits of a professional job. |
| Β. disclose the conflict to a fellow engineer and ask for advice. |
| C. keep the conflict of interest secret, but try not to let it affect your decisions. |
| D. disclose the conflict to your employer and anyone else directly involved.  **Answer**  D is the correct answer. A “conflict of interest” occurs when an individual is in a position to make decisions which affect at least two opposing interests, usually including the interest of the decision maker. The seriousness of the issue is made much more severe if the decision maker does not reveal the conflict to the opposing interests. If there is a real or potential benefit to the decision maker for a particular decision that would or could potentially harm the other interests, the individual is in a conflict of interest. The engineer should not be influenced by the conflict of interest. A principle which applies to conflict of interest situations is full, prompt and complete disclosure of the conflict by the person in the situation to all those who also have a significant interest. There is a term for this principle – “informed consent.” By making one’s personal interest clear to the others involved, one allows the others to be fully informed and able to decide whether to consent to continue their relationship with you, stop it, or modify it. You, in turn, can respond to their decision. For example, you can decide to find an option that removes your personal conflict, if it is unacceptable to the others involved.  \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*  **Question 18: Codes of ethics state the engineer's duties to society, to employers, to clients, to colleagues, to subordinates, and to the profession. However, when these duties conflict, which group should take precedence?**   |  | | --- | | 1. Colleagues and subordinates. | | 1. Society (the public). | | 1. The profession. | | 1. Employers and clients.   **Answer**  B is the correct answer. Engineers should always act in the best interest of the society.Engineers shall at all times recognize that their primary obligation is to protect the safety, health, property, and welfare of the public.  \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*  **Question 19 Privacy**  Three years ago, Diane started her own consulting business. She has been so successful that she now has several people working for her and many clients. Their consulting work included advising on how to network microcomputers, designing database management systems, and advising about security. Presently she is designing a database management system for the personnel office of a medium-sized company. Diane has involved the client in the design process, informing the CEO, the director of computing, and the director of personnel about the progress of the system. It is now time to make decisions about the kind and degree of security to build into the system. Diane has described several options to the client. Because the system is going to cost more than they planned, the client has decided to opt for a less secure system. She believes the information they will be storing is extremely sensitive. It will include performance evaluations, medical records for filing insurance claims, salaries, and so forth. With weak security, employees working on microcomputers may be able to figure out ways to get access to this data, not to mention the possibilities for on-line access from hackers. Diane feels strongly that the system should be much more secure. She has tried to explain the risks, but the CEO, director of computing and director of personnel all agree that less security will do. What should she do? Should she refuse to build the system as they request?  **Answer**  In Codes of Engineering Ethics and more precisely in computer ethics, privacy and confidentiality are fundamental principles. Computer professionals are obligated to preserve the integrity of data about individuals "from unauthorized access or accidental disclosure to inappropriate individuals." In this case, sensitive data are at great risk. Moreover, organizational leaders have obligations to "verify that systems are designed and implemented to protect personal privacy and enhance personal dignity", and to assess the needs of all those affected by a system. The company officials have an obligation to protect the privacy of their employees, and therefore should not accept inadequate security. Diane's first obligation is to attempt to educate the company officials, which is to promote "public understanding of computing and its consequences." If that fails, then Diane needs to consider her contractual obligations on honoring assigned responsibilities. We do not know the details of Diane's contract, but she may have to choose between her contract and her obligation to honor privacy and confidentiality.  **\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***  **Question 20: Private Information about Customers – What about Reselling their Information?**  You work for an e-commerce Internet business. A customer places an order and you fail to inform them that your company sells customer information to third parties. This results in the disclosure of their private information to a third party for marketing purposes. Is it morally appropriate to use a customer’s information for marketing purposes without their knowledge?  **Answer**  Using and selling customer information for marketing purposes is not ethical. This is doubly true when you do not disclose to the customer that their private information, entrusted to your e-commerce Web site, will receive this type of exposure.  \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* | | **Question 21: Software Design Testing**  **An engineer, hired by a software company, believes that the company's new software design is safe under existing standards. However, the new software may not meet the new standards that he knows are about to be released--standards that performing more tests could cost both the company and the public significantly. Issues of conflicting obligations to the company and the public also arise.**  Software Engineer Christopher is hired by a software company and involved in the design of specialized software in connection with the operations of facilities that impact public health and safety, such as those that control air and water quality. Testing the software system is part of the design process. Christopher conducts extensive testing and finds that the software is safe to use under existing standards. But Christopher is aware that new draft standards are about to be released by a standard setting organization-- standards that the newly designed software may not meet.  Christopher could suggest that the software company and its client perform more tests on the software to see if it meets these new safety standards. Such tests would determine whether the company should move forward with the use of the software. But the client is eager to move forward and the company is eager to satisfy its client and protect its finances and existing jobs. Doing the tests would be extremely costly and delay the project at least six months. This would put the company at a competitive disadvantage and cost the company a lot of money-- putting the goals of protecting its finances, existing jobs, and pleasing the client in jeopardy. Testing would also result in a significant rise in the state public service commission utility rates during the six months the new testing would delay the project. But at the same time, the management of the software company wants to be sure that the software is safe to use.  The company requests Christopher's recommendation concerning the need for additional software testing. What should Christopher recommend?  **Answer**  Engineering work has an impact on public health and safety in this case. Christopher should be honest in his recommendation and present the need for additional software testing and the risks to come. However, if the company and the client want to move forward without additional testing and the software is safe to use under existing standards, Christopher has accomplished his responsibility by recommending more testing. Exceptionally, if the software were not safe to use under existing standards and public health and security were at risk, Christopher should have withdrawn and eventually report his concern.  **ATTENTION: Some questions might not have only one answer. Slightly different answers might be possible and acceptable as long as they are sufficiently justified.** | |