



Chem!stry

Name: ()

Class:

Date: / /

Case #1: The New Job

Samantha worked for Acme Chemicals for twenty years but decided to switch jobs to a new chemical company for better pay and a nice location. Soon after she started her new job, she found herself working on a project similar to the one that she had been working on at Acme. After a few weeks, the project came to a halt when her team could not solve an intricate problem that her former team at Acme had solved rather simply and cheaply. Samantha did not want to steal the idea, but management was putting increasing pressure on her team to solve this puzzle, and with the recent talk of downsizing, Samantha's team was growing desperate. Is it acceptable for Samantha to show her team the solution to the problem that she had helped to develop at Acme? If not, can she "guide" her team in that direction and let someone else in the team find the solution that she already knows?

Taken from Kovac, J. (2004). *The Ethical Chemist: Professionalism and Ethics in Science*.

New Jersey: Pearson Prentice Hall. ISBN: 0-13-141132-2

Commentary: The New Job

Ordinarily, employees are required to sign a confidentiality and patent agreements when they join a company. These agreements prohibit them from revealing proprietary information and company secrets both while working for the company and after they leave. If Samantha has signed such an agreement, saying anything might violate the terms of the agreement and make her subject to legal action. Acme could sue her. Therefore she should certainly review the relevant documents to determine the nature of the restrictions.

Even if Samantha has not signed such an agreement or if the information that Samantha might provide is not so restricted, there is still a moral question. Is the information confidential or proprietary, or is it just public knowledge that the team at Samantha's new company could find if it knew where to look? These are questions that must be decided case by case. If the process is protected by a patent or by a clear confidentiality agreement, then the answer is clear: Samantha should not say anything. If, however, the solution is the simple application of a well-known scientific or engineering principle, then Samantha can tell her team at the new company anything they need to know. The situation in this case seems to be in the vast grey area in between, so a detailed analysis of the facts is crucial.

The additional complication is the economic pressure. Samantha's new company would really benefit from solving this problem. If they fail, there is the chance that members of the team, including Samantha, could lose their jobs in a downsizing. This fear could push Samantha to do something illegal or unethical. This is a kind of conflict of interest, in which Samantha's self-interest (keeping her job) or the company's self-interest (a successful new product) conflicts with standards of professional ethics.