

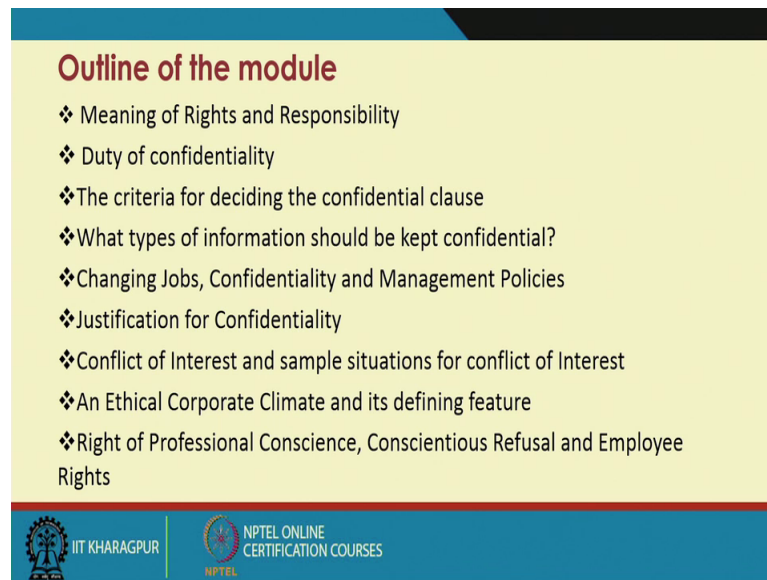
Ethics in Engineering Practice
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Indian Institute of Technology, Kharagpur

Lecture - 08
Workplace Rights and Responsibilities

Welcome to the session of ethics in engineering practice. Today we will be discussing about workplace rights and responsibilities. In the earlier session we have discussed about the professional rights and responsibilities of engineers. Today we will be looking into the workplace rights of the engineers and the workplace responsibilities of engineers. So, there will; obviously, be some overlap in these two discussions as we understand. Because engineering as a profession has its own responsibilities which will also get repeated when we are talking of workplace rights and responsibilities, but along with that there are other certain specific rights and responsibilities that the engineers have, when they are as a working as a part of organization. And it is there that employer employee relation with the organization, the internal stakeholder relation with the organization that generates these rights and responsibilities.

And here in this session we will be focusing on those rights and responsibilities. So, they along with the professional rights, these will be there some extra rights and responsibilities that we will be discussing in this particular session. So, let us look into the overview of today's session.

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Outline of the module

- ❖ Meaning of Rights and Responsibility
- ❖ Duty of confidentiality
- ❖ The criteria for deciding the confidential clause
- ❖ What types of information should be kept confidential?
- ❖ Changing Jobs, Confidentiality and Management Policies
- ❖ Justification for Confidentiality
- ❖ Conflict of Interest and sample situations for conflict of Interest
- ❖ An Ethical Corporate Climate and its defining feature
- ❖ Right of Professional Conscience, Conscientious Refusal and Employee Rights

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The outline of the module will be we will be discussing meaning of rights and responsibilities. We will be discussing about the duty of confidentiality. The criteria for deciding the confidential clause, what types of information should be kept confidential, changing jobs, confidentiality and management policies, justification for confidentiality, conflict of interest and sample situations for conflict of interest and ethical corporate climate and its defining feature and write a professional conscience contentious refusal and employee rights.

So, we have already discussed about importance of confidentiality, we have discussed about the conflict of interest issues in the professional rights and responsibility discussion. Also today we will have a relook into these concepts from the workplace rights and responsibilities perspective.

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Rights and Responsibilities of an Engineer

Right: *a legal entitlement to have or do something*

Responsibility: *A duty or obligation to satisfactorily perform or complete a task (assigned by someone, or created by one's own promise or circumstances) that one must fulfill, and which has a consequent penalty for failure.*

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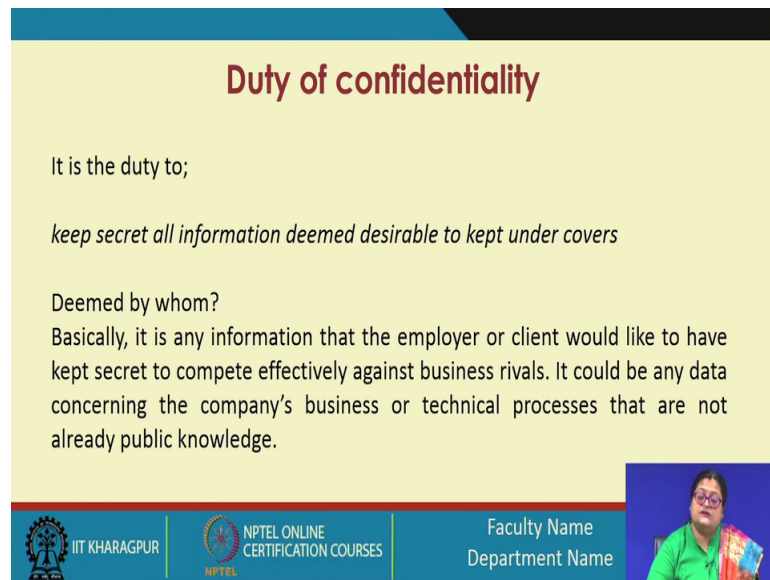
So, what we understand by right is, it is a legal entitlement to have or to do something. When we talk of responsibility, it is a duty or obligation to satisfactorily perform or complete a task assigned by someone or created by one's own promise or circumstances that one must fulfil and which has a consequence of penalty for failure.

So, if you are not meeting up your responsibility, you are not up to the mark for meeting up your responsibility there is a consequence penalty off for failure also. So, it duty is an obligation to satisfactorily perform or complete a task, and when you are talking of right, it is a legal entitlement to have or to do something at this juncture, we must understand.

Though right is a legal entitlement to have or to do something, it is practically not possible to enjoy any right if the corresponding other party, who is connected to do us is not carrying out his or her responsibility towards us, in terms of like the duties that binds both of us together. So, we will, if that duty is not performed, responsibility is not performed in one way, the other connected party can never enjoy the rights. So, rights and duties, rights and responsibilities goes hand in hand.

We cannot just tell like we have rights for something until and unless we also realize that we have the responsibility of performing something, according to the satisfactory standard, according to the level of expectations and we have to keep our promises for it.

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Duty of confidentiality


It is the duty to;

keep secret all information deemed desirable to kept under covers

Deemed by whom?

Basically, it is any information that the employer or client would like to have kept secret to compete effectively against business rivals. It could be any data concerning the company's business or technical processes that are not already public knowledge.

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So, one of them, that is why is important to discuss about the responsibilities and duties at first. First here we will be discussing about the duty of confidentiality. The duty of confidentiality is the duty to keep all information secret, which is deemed desirable to kept under covers. So, one question may arise like who tells us to keep thing secret, it is deemed desirable by whom, who are the stakeholders.

So, basically if it is a, it is any information that the client or the employer would like to have kept secret to compete effectively against business rivals, it could be any data concerning the company's business or technical processes that are not already public knowledge. So, it is generally that USP of the organization.

That core competence knowledge or the skill which may gives competitive advantage to the organization, with respect to other competitors that is what they want to keep secret. So, because they want to compete effectively against business rivals.

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The criteria for deciding the confidential clause

There is no fixed criteria.

It is what an employer considers to be confidential shall be kept confidential .

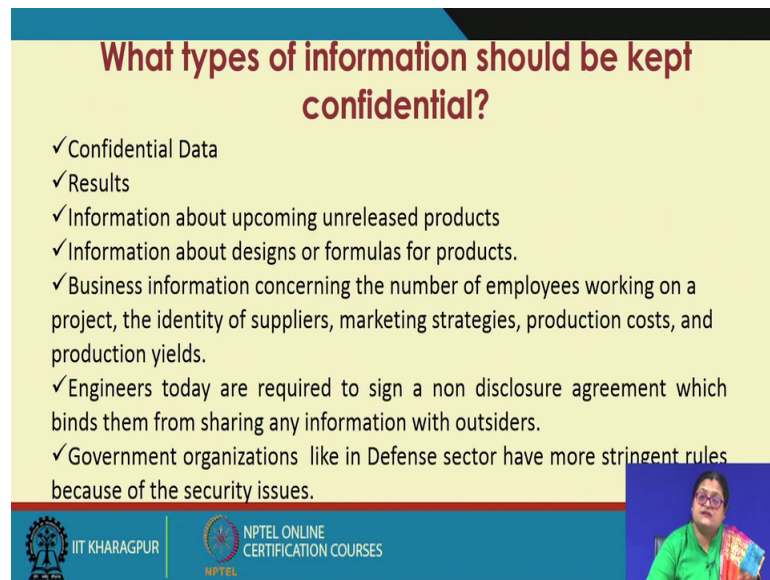
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So, now if we have discussed this, the natural question which may arise in our mind is, then what are the criteria for defining? What is to be kept confidential and what is not confidential?

What is the seriousness of an information? Seriousness of an issue which needs to be kept confidential. So, the criteria for defining the confidential clause are, actually there is no fixed criteria as such, it is what an employer considers to be confidential, shall be kept confidential, because it is the employers vision, employers view like this is important for me and it is the employer's perception also.


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What types of information should be kept confidential?

- ✓ Confidential Data
- ✓ Results
- ✓ Information about upcoming unreleased products
- ✓ Information about designs or formulas for products.
- ✓ Business information concerning the number of employees working on a project, the identity of suppliers, marketing strategies, production costs, and production yields.
- ✓ Engineers today are required to sign a non disclosure agreement which binds them from sharing any information with outsiders.
- ✓ Government organizations like in Defense sector have more stringent rules because of the security issues.

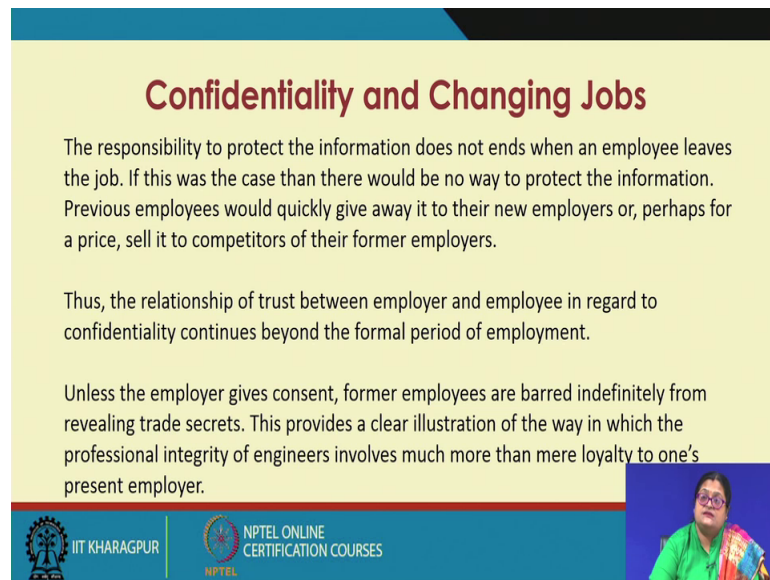
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Next it comes like if there is no fixed criteria for keeping things confidential. So, are there any special type of information which needs to be kept confidential? Let us have a look into it. Yes, there are types of information which needs to be kept confidential. We have already discussed this earlier, let us review it again. It is the confidential data, it is results information about upcoming unreleased products, information about designs and formula.

For products, business information concerning the number of employees working on a project, the identity of suppliers, marketing strategies, production costs and production yields. Engineers today are required to sign a disclosure non disclosure agreement which binds them from sharing any information with outsiders. Government organizations like in different sector have more stringent rules, because of the security issues.

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Confidentiality and Changing Jobs

The responsibility to protect the information does not end when an employee leaves the job. If this was the case then there would be no way to protect the information. Previous employees would quickly give away it to their new employers or, perhaps for a price, sell it to competitors of their former employers.

Thus, the relationship of trust between employer and employee in regard to confidentiality continues beyond the formal period of employment.

Unless the employer gives consent, former employees are barred indefinitely from revealing trade secrets. This provides a clear illustration of the way in which the professional integrity of engineers involves much more than mere loyalty to one's present employer.

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Now, in the earlier discussion while discussing about the confidentiality issues, we have discussed about confidentiality and going to keep like, not to tell it to the outside organization or outside society, and we have discussed the case of whistle blowing over there; like we should, if the employer is doing something wrong and the employer wants that to be kept secret as an engineer, as a professional should be keep secret or it is our professional ethics.

Which tells no, our, we are primarily duty bound towards the societies protection at large, the welfare of the public at large and we should go and try to whistle blow. We should try to generate the awareness of the wrong doings first to the inside of the organization, to the higher ups and if they are correcting themselves it is fine.

We should try to make them understand, so that they correct the wrong processes and do something in the right way, but if things are going beyond control and they are not listening then maybe we can go to the outside world or the board of directors and then to the outside world and find out the solution.

When there is again a conflict of interest between like what the employees are telling to keep secret and what is good in the interest of the public at large. Here we will discuss about confidentiality and the changing of jobs. For engineers it is very frequent like they are changing jobs, organisations very often and how does then this confidentiality be

maintained, or till what time it should be maintained, and how does it, and how does it affect the changing of job or is it related to the changing of jobs or not.

Let us review those with respect to confidentiality, the changing of jobs, because here we are discussing about the workplace rights and responsibilities. So, the responsibility to protect the information actually does not end when an employee leaves the job. If it was the case then there would have been no way to protect the information. Previous employees would quickly give it away to their new employers or perhaps for a price, sell it to competitors of their former employers.

Thus the relationship of trust is actually very important over here between the employer and employee in regard to confidentiality, it continues beyond the formal period of employment. It is ideally supposed to continue beyond the formal period of employment, unless the employer gives a consent a former employees are barred of indefinitely from revealing trade secrets.

These provides a clear illustration of the way in which the professional integrity of engineers involves much more than their present loyalty to one's own more than loyalty to their own present employer.

So, this is the professional integrity of the engineers actually, which restricts them from telling in a secret of the past employer to the new employee, a new employer.

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Do you think?

Do you think that the issue concerning the disclosure of secrets after leaving the job is a clear illustration of the way in which the professional integrity of engineers involves much more than mere loyalty to one's present employer?

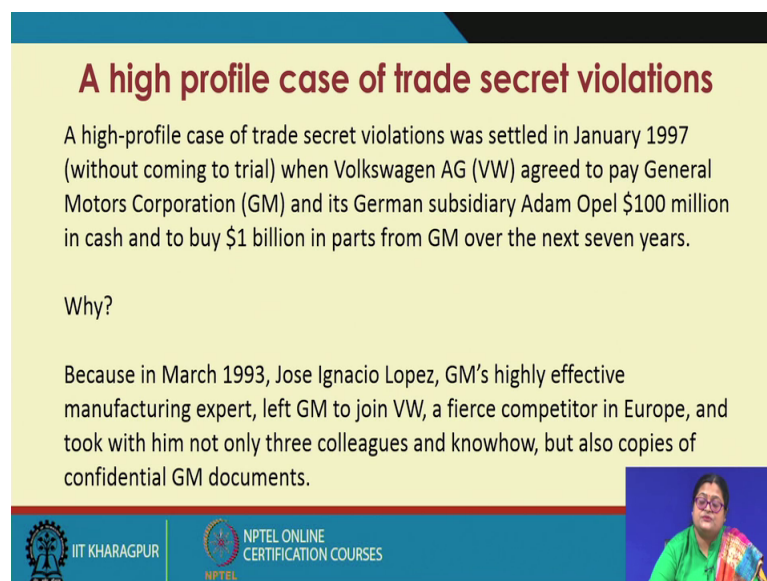
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So, this is where you know, like when you talking of, why professional ethics is important for an engineer due to this reason, because the employer may not directly stop you, may not be able to stop you.

May not be able to monitor you to find; like whether you have actually shared the information with their competitors or not, but it is a personal integrity, the character, the professional integrity of the engineer which restricts the engineer from telling any secret of the past employer to the new employer.

So, these type of things is where the professional ethics becomes important, really important and overwrites in the decision making when a person is in point of dilemma like whether to share the secrets or not to share the secrets. Because a new employer may be giving you gifts, may be giving you bribes to understand the trade secret of the past employer. In this case what you are supposed to do? It is your professional integrity as an engineer. Will give you the guidance of what exactly you need to do, it this regard.

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A high profile case of trade secret violations

A high-profile case of trade secret violations was settled in January 1997 (without coming to trial) when Volkswagen AG (VW) agreed to pay General Motors Corporation (GM) and its German subsidiary Adam Opel \$100 million in cash and to buy \$1 billion in parts from GM over the next seven years.

Why?

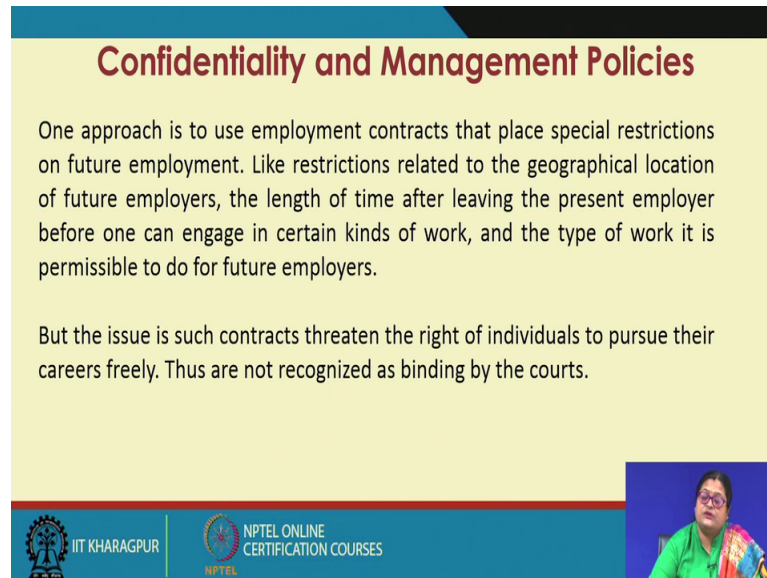
Because in March 1993, Jose Ignacio Lopez, GM's highly effective manufacturing expert, left GM to join VW, a fierce competitor in Europe, and took with him not only three colleagues and knowhow, but also copies of confidential GM documents.

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So, we will discuss here about a high profile case of trade secret violation. A high profile case of trade secret violation or settle in January 1997, without coming to trial with Volkswagen agreed to pay General Motors Corporation and its German subsidiary Adam Opel 100 million dollars in cash and to buy 1 billion in parts from GM over the next 7 years why? Why this happened?

Because in march nineteen ninety three Jose Ignacio Lopez GMs highly effective manufacturing expert left GM to join Volkswagen, a fierce competitor in Europe and talk with him not only three colleagues and know how, but also copies of confidential GM documents. So, actually Volkswagen is trying to compensate for the loss that GM had in its intellectual property.

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Confidentiality and Management Policies

One approach is to use employment contracts that place special restrictions on future employment. Like restrictions related to the geographical location of future employers, the length of time after leaving the present employer before one can engage in certain kinds of work, and the type of work it is permissible to do for future employers.

But the issue is such contracts threaten the right of individuals to pursue their careers freely. Thus are not recognized as binding by the courts.

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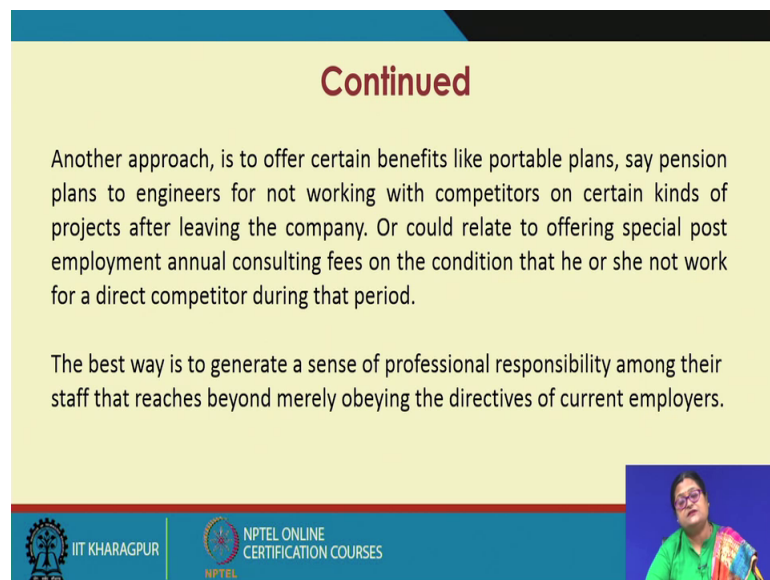
So, to restrict this see you cannot ensure like these are not going to repeat again, you cannot monitor also people from your. Once they have left and gone outside, so as a company are there anything that can be done.

So, that it, it acts as an incentive you know it acts as an incentive or it restricts people from restricts engineers from doing this, can there be any management policy regarding these confidentiality issues? Can we do something regarding it in terms of incentives or to reinforcements or policies? Let us look into it, confidentiality and management policies.

Here we discussed about one of the approaches where the employment contract that place special restrictions on future employment; like restrictions related to the geographical location or future employers, the length of time after leaving the present employer before one can engage in certain kinds of work and the type of work, it is permissible to do for future employers. But the issue is in such contracts, threaten the right of individuals to pursue their carriers freely.

So, you can understand when you are talking of conflicts of interest. So, here it is like if you are imposing so many like restrictions. It is somewhere threatening the right, the legal entitlement of the individuals to pursue their carriers freely. So, thus these are not recognized as binding by the court. So, you cannot force the people now for doing it.

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Another approach, is to offer certain benefits like portable plans, say pension plans to engineers for not working with competitors on certain kinds of projects after leaving the company. Or could relate to offering special post employment annual consulting fees on the condition that he or she not work for a direct competitor during that period.

The best way is to generate a sense of professional responsibility among their staff that reaches beyond merely obeying the directives of current employers.

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Another approach is to, so that was a restricting negative approach. Another approach could be a positive approach which it is to offer certain benefits; like portable plans, say pension plans to engineers for not working with competitors and certain kinds of projects after leaving the company or could relate to offering special post employment, annual consulting fees on the condition that he or she should not be working for a direct competitor during that period.

The best way is to generate again a sense of professional responsibility among their staff that reaches beyond merely, obeying the directives of current employers. So, this, again this part is very important discussion. So, organization can try many ways out; either by threatening you or by trying to incentivize you in terms of restricting you from or the engineers from not sharing secrets of the present employer to the future employers, but all these measures may or may not yield the result.

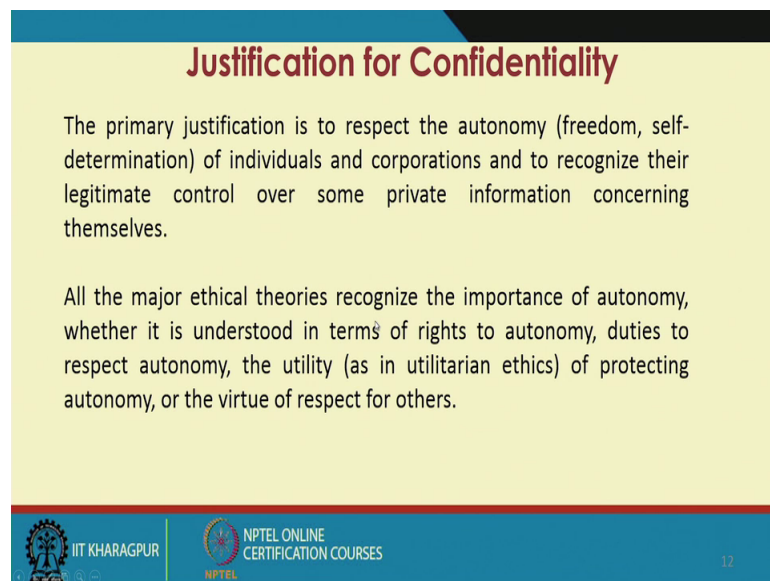
You may try to threaten me, I may not get threatened, I will join a new organization, take money from there and pay you back. You tell me it will be given me pension plans, you

will give me consultancy fees, but I do not see these to me like much worthy in terms of money, because the new company that will go and join will be paying me much higher.

And then we paying me higher, because I share your secrets with you. So, by doing these processes the management cannot really ensure like these are going to give 100 percent result, until and unless it is a call from within the person, it is a call from within the conscience of the person of the engineers in terms of professional responsibility, professional conscience.

Like I should not be doing sharing the information of my past employer with the future employers, and I should maintain my integrity in that way. So, the best way to generate is to ensure like the secrets will be maintained, is to generate a sense of professional responsibility in the engineers, because giving threats or incentives or directives to follow the instructions of the current employers may not always in the proper result.

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Justification for Confidentiality

The primary justification is to respect the autonomy (freedom, self-determination) of individuals and corporations and to recognize their legitimate control over some private information concerning themselves.

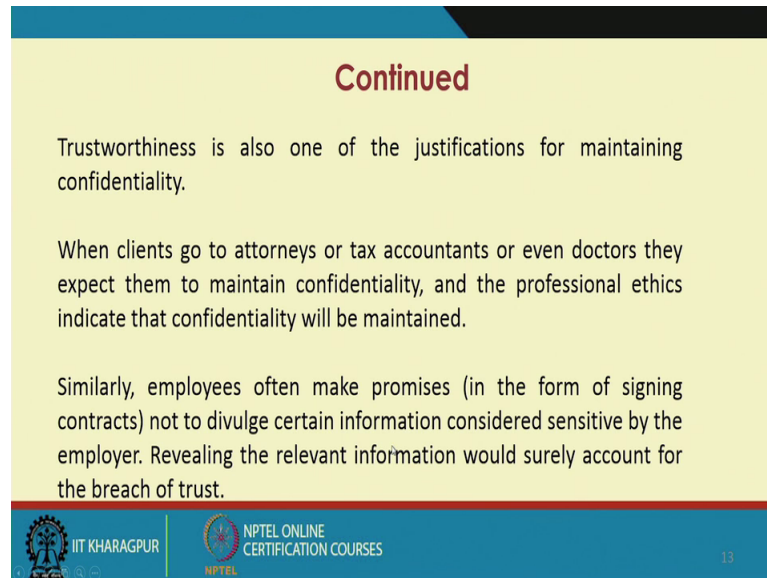
All the major ethical theories recognize the importance of autonomy, whether it is understood in terms of rights to autonomy, duties to respect autonomy, the utility (as in utilitarian ethics) of protecting autonomy, or the virtue of respect for others.

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So, what are the justification for confidentiality is. The primary justification is to respect autonomy, freedom, self determination of individuals and corporations and to recognize their legitimate control over some private information concerning themselves and all the major ethical theories, recognize the importance of autonomy where it is understood in terms of right to autonomy, duties to respect autonomy and the utility of protecting autonomy or the virtue for respect to others.

So, we have to respect peoples autonomy, we have to respect the private space of the person, where the person may or may not be willing to share certain parts of the secrets with the public at large and we need to respect that part of autonomy and we have to, which is our responsibility also to protect the autonomy by the virtue of respect to others, that is why confidentiality is important.

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Trustworthiness is also one of the justifications for maintaining confidentiality.

When clients go to attorneys or tax accountants or even doctors they expect them to maintain confidentiality, and the professional ethics indicate that confidentiality will be maintained.

Similarly, employees often make promises (in the form of signing contracts) not to divulge certain information considered sensitive by the employer. Revealing the relevant information would surely account for the breach of trust.

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So, another importance of confidentiality is the trust worthiness part. So, when that clients go to attorneys or task on consultants or even doctors, they expect them to maintain confidentiality, and the professional ethics indicate that confidentiality will be maintained.

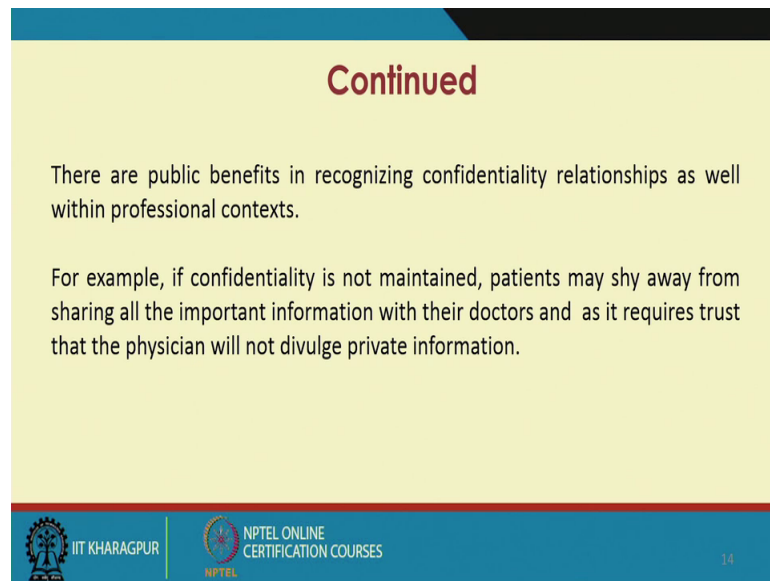
Similarly, employees often make promises in the form of signing contracts not to divulge such an information, considering sensitive by the employer, revealing their information would surely account for the breach of trust. Here again I will like to highlight.

Like, this also we need to understand, then again if the importance of these information like if it is something which is damaging to the health welfare and safety of the public at large. Then of course, the right of the person, the conscience of the engineer as our professional responsibility of the engineer, to protect the health welfare and safety of the public at the large, is the overriding principle. Caring principle which will tell; like it is a primary responsibility or primary responsible to the public at large and even if you have

sign the confidentiality document, a bond where there are certain sensitive information which is not to be shared.

But if that sensitive information is such, which is acting against the interest of the public at large or the safety welfare of the public at large, then it is a part of the responsibility on the engineer to sound a voice regarding it to the higher UPS or to the boards or to the society at large, and that is where whistle blowing of course, comes in.

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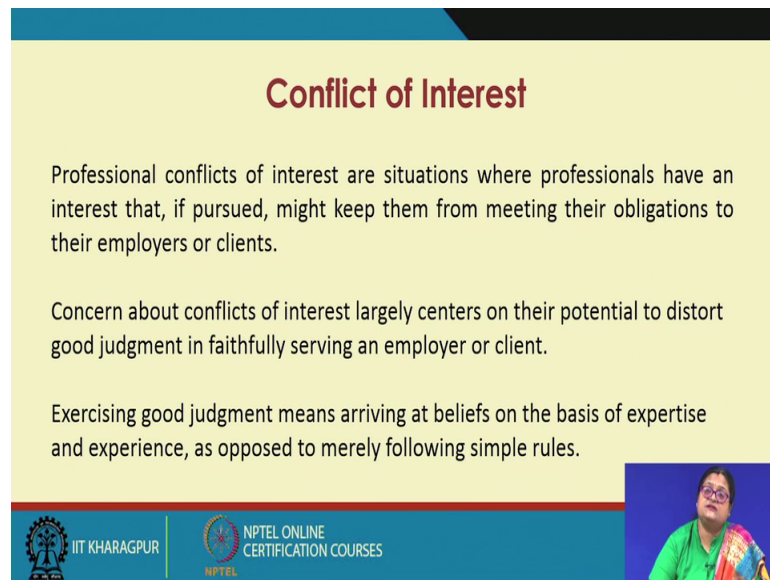
There are public benefits in recognizing confidentiality relationships as well within professional contexts.

For example, if confidentiality is not maintained, patients may shy away from sharing all the important information with their doctors and as it requires trust that the physician will not divulge private information.

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So, there a public benefits in recognizing confidential to relationships, as well as professional contracts. So, if suppose in case of doctors; like if by confidentiality is not maintained, then maybe the patients are not going to come, because it requires, doctors knowing some private information about the patients which they may not want to discuss with the public at large. For engineers we have to be careful like we solve at the best interest of the public at large. And when to voice about what information to voice needs to be a very rational and logical decision for the engineers to take.

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Conflict of Interest

Professional conflicts of interest are situations where professionals have an interest that, if pursued, might keep them from meeting their obligations to their employers or clients.

Concern about conflicts of interest largely centers on their potential to distort good judgment in faithfully serving an employer or client.

Exercising good judgment means arriving at beliefs on the basis of expertise and experience, as opposed to merely following simple rules.

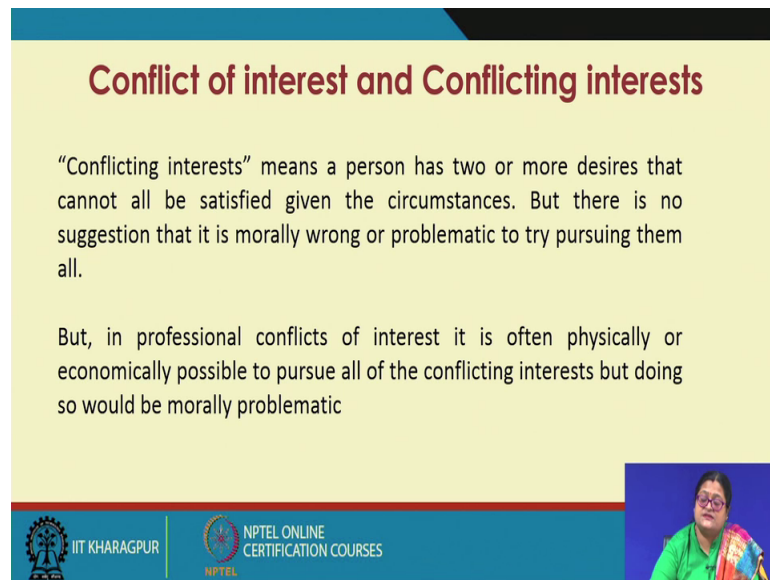
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Next we will discuss about conflict of interest, professional conflicts of interest of situations, where professionals has an interest that if pursued might keep them from meeting their obligations to their employers or clients. So, we have already discussed this over, like when you talking of competitive bidding and why engineers are not permitted to enter into competitive bidding, and if you were a decision maker in terms of selection of suppliers and you also have a company who supplies same types of goods, then whether you will be able to do it or not.

So, these conflicts of interest we have already discussed earlier. So, why it is a concern? What is the concern and conflict of interest is. It is largely centers on their potential to distort good judgment in faithfully serving an employer or client. Exercising good judgment means arriving at beliefs on the basis of expertise and experience as opposed to merely following simple rules.

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Conflict of interest and Conflicting interests

“Conflicting interests” means a person has two or more desires that cannot all be satisfied given the circumstances. But there is no suggestion that it is morally wrong or problematic to try pursuing them all.

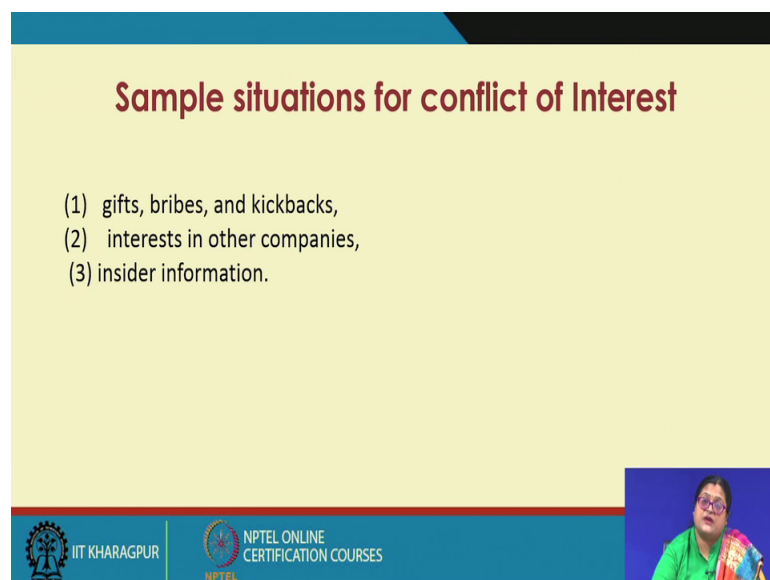
But, in professional conflicts of interest it is often physically or economically possible to pursue all of the conflicting interests but doing so would be morally problematic

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So, there could be conflict of interest and conflicting interest. So, conflicting interest means a person has two or more desires that cannot all be satisfied giving circumstances, but there is no suggestion that it is morally wrong or problematic to pursuing them, but in professional conflicts of interest, it is physically or economically possible to pursue all the conflicting interest, but doing so will be morally problematic.

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Sample situations for conflict of Interest

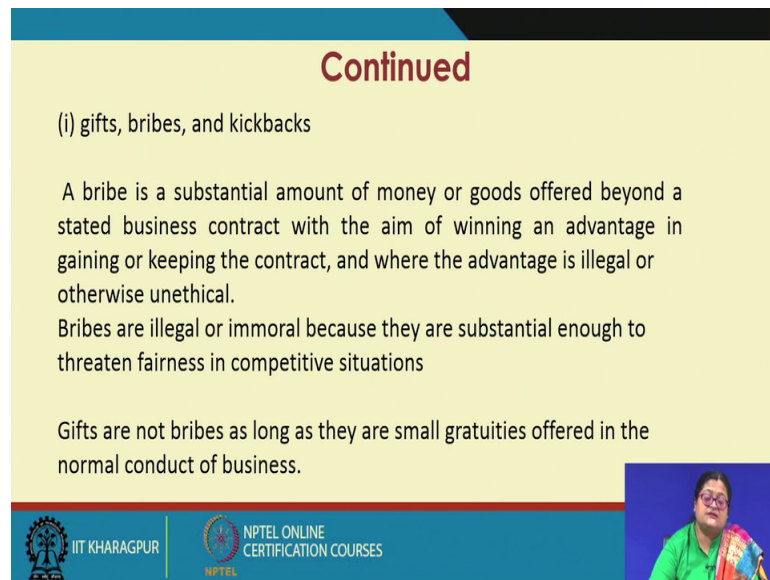
- (1) gifts, bribes, and kickbacks,
- (2) interests in other companies,
- (3) insider information.

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So, what could be the sample situations for conflict of interest like gifts, bribes and kickbacks, interest in other companies, insider information.

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(i) gifts, bribes, and kickbacks

A bribe is a substantial amount of money or goods offered beyond a stated business contract with the aim of winning an advantage in gaining or keeping the contract, and where the advantage is illegal or otherwise unethical.

Bribes are illegal or immoral because they are substantial enough to threaten fairness in competitive situations

Gifts are not bribes as long as they are small gratuities offered in the normal conduct of business.

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So, we have already discussed about insider information. So, what are gifts bribes and kick backs. A bribe is a substantial amount of money or good offered beyond a stated business contract with the aim of winning and advantage in gaining or keeping the contract and where the advantage is illegal, or otherwise unethical bribes or illegal or immoral, because they are substantial enough to threaten the fairness in the competitive situations.

Gifts are not bribes, as long as there are small gratuities offered in normal conduct of business, but offer this thread is a very narrow lying over here and sometimes gifts are become, so like costly that it becomes bribes in disguise. So, you have to be very careful when gifts are gifts and actually when gifts are bribes, because in bribes there is an expectation to do something or winning an advantage for something, where the advantage is either illegal or unethical.

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(i) interests in other companies

Some conflicts of interest consist in having an interest in a competitor's or a subcontractor's business.

It could occur if an employee is actually working for the competitor or subcontractor as an employee or consultant

Another example is partial ownership or substantial stockholdings in the competitor's business.



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And second we will be discussing about interest in other companies. Some conflict of interest consists in having an interest in the competitors or a subcontractors business. It could occur if an employee is actually working for the competitor or subcontractor as an employee or consultant. Another example is a partial ownership or substantial stock holdings in the competitors business. So, in that case, there could be possibility of like passing away secret of one organization to the other organization.


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(iii) sharing insider information

An especially sensitive conflict of interest consists in using "inside" information to gain an advantage or set up a business opportunity for oneself, one's family, or one's friends.

The information might concern one's own company or another company with which one does business. For example, engineers might tell their friends about the impending announcement of a revolutionary invention, which they have been perfecting, or of their corporation's plans for a merger that will greatly improve the worth of another company's stock.



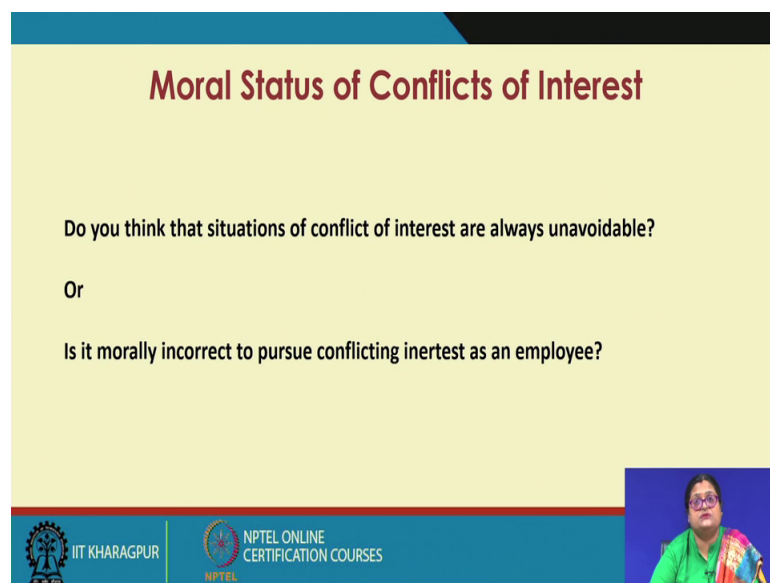
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Sharing insider information; it is especially sensitive conflict of interest, which consists in using inside information to get an advantage or set up a business opportunity for oneself, one's family or ones friends. The information might concern ones company or another company with which one does business.

For example, engineers might tell their friends about the impending announcement of a revolutionary invention, which they have been perfecting for their corporations plan or for the corporations plan for a merger that will greatly improve other company's stock.

So, being inside of the organization if you are sharing certain information to set up a business advantage for yourself, your own family, your own friends then this is called to be insider information and that is also unethical. Because here we have, we have to understand, keeping the confidentially of the information for the employer is one of the primary duties of the engineers or the employees of the organization.

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Moral Status of Conflicts of Interest

Do you think that situations of conflict of interest are always unavoidable?

Or

Is it morally incorrect to pursue conflicting interest as an employee?

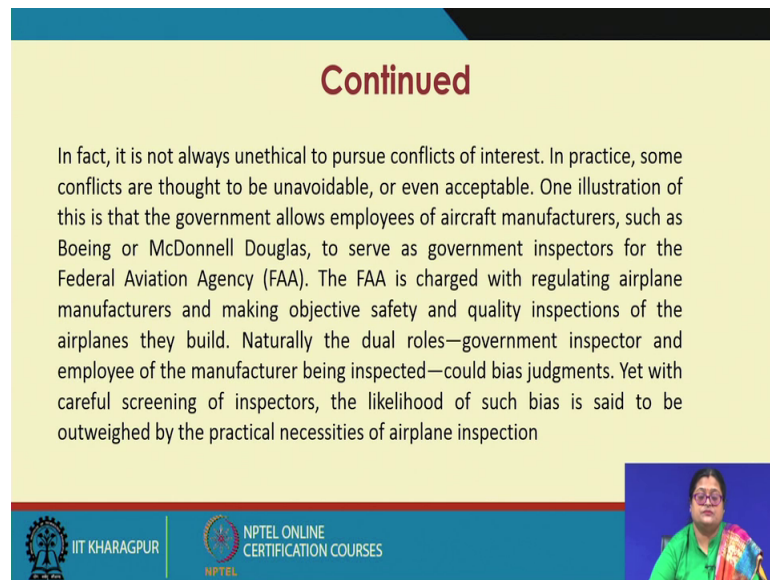
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The slide features a yellow background with a blue header and footer. A small video inset in the bottom right corner shows a woman with glasses and a green top speaking.

We will discuss about the moral status of the conflict of interest. So, it is a question for you to ponder on like do you think, like conflicts of interest are always unavoidable or is it morally incorrect to pursue conflicting interest as an employee, what do you think, or is there any way so, that we can balance these.

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Continued

In fact, it is not always unethical to pursue conflicts of interest. In practice, some conflicts are thought to be unavoidable, or even acceptable. One illustration of this is that the government allows employees of aircraft manufacturers, such as Boeing or McDonnell Douglas, to serve as government inspectors for the Federal Aviation Agency (FAA). The FAA is charged with regulating airplane manufacturers and making objective safety and quality inspections of the airplanes they build. Naturally the dual roles—government inspector and employee of the manufacturer being inspected—could bias judgments. Yet with careful screening of inspectors, the likelihood of such bias is said to be outweighed by the practical necessities of airplane inspection

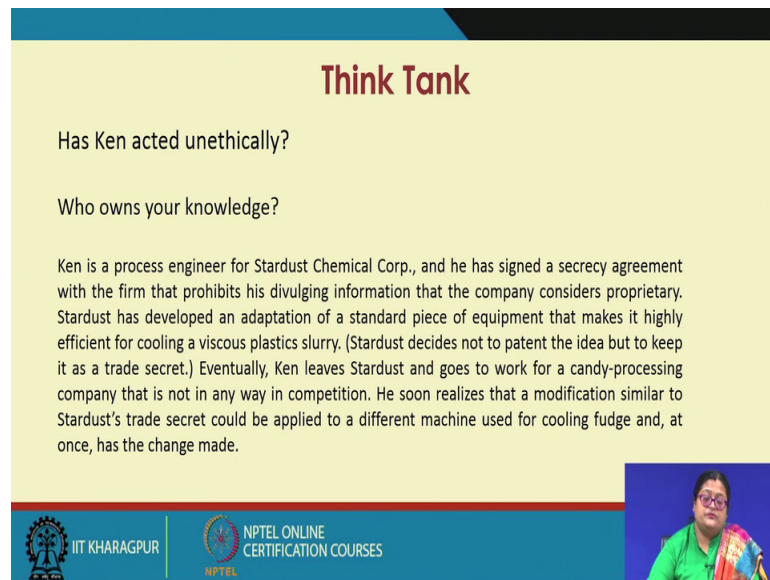
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If you remember in the last class we have discussed in the, we are discussed this in the professional ethics responsibilities. So, it is actually not always, you know like unethical to pursue conflict of interest conflicts, but in practice like some conflicts are thought to be unavoidable or even it is acceptable.

Like one illustration is that the government allows employees of aircraft manufacturers; such as Boeing or McDonnell Douglas to serve as government inspectors for the federal aviation agency. The FAA is charged with regulating airplane manufacturers and making objective safety and quality inspections of the airplanes they build.

Naturally the dual roles government inspector and employee of the manufacturer being inspected could bias judgment, yet with careful screening of inspectors the likelihoods of such bias is said to be outweighed by the practical necessities of airplane inspection. So, from situation to situation basis, case to case basis we can have like ways of solving this conflicts of interests.

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Think Tank

Has Ken acted unethically?

Who owns your knowledge?

Ken is a process engineer for Stardust Chemical Corp., and he has signed a secrecy agreement with the firm that prohibits his divulging information that the company considers proprietary. Stardust has developed an adaptation of a standard piece of equipment that makes it highly efficient for cooling a viscous plastics slurry. (Stardust decides not to patent the idea but to keep it as a trade secret.) Eventually, Ken leaves Stardust and goes to work for a candy-processing company that is not in any way in competition. He soon realizes that a modification similar to Stardust's trade secret could be applied to a different machine used for cooling fudge and, at once, has the change made.

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So, we will discuss a small case over here and like Ken is a process engineer for Stardust Chemical Corporation and he has signed a secrecy agreement with the firm that prohibits his divulging information that the company considers proprietary.

Stardust has developed an adaptation of a standard piece of equipment that makes it highly efficient for cooling a viscous plastics slurry. Stardust decides not to patent the idea, but to keep it as a trade secret. Eventually Ken leaves Stardust and goes to work for a Candy Processing Company; that is not in any way in competition. He soon realizes that a modification similar to Stardust trade secret could be applied to a different machine used for cooling fudge, and it once has the change mate.

So, this again brings us to the area, where like again it is a point of you know life dilemma, where do you and this point of debate to understand, as Ken acted unethical way and who is the owner of that knowledge. Because they have not Stardust decides not to patent the idea, but to keep it as a trade secret and again Ken as a process engineer, he assigned a secrecy agreement with the firm that prohibits his divulging information. So, that company considers its proprietary. So, in solving this type of dilemma we have to understand.


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In the following case, are the actions of Client A morally permissible?


Client A solicits competitive quotations on the design and construction of a chemical plant facility. All the bidders are required to furnish as a part of their proposals the processing scheme planned to produce the specified final products. The process generally is one which has been in common use for several years. All of the quotations are generally similar in most respects from the standpoint of technology.

Contractor X submits the highest-price quotation. He includes in his proposals, however, a unique approach to a portion of the processing scheme. Yields are indicated to be better than current practice, and quality improvement is apparent. A quick laboratory check indicates that the innovation is practicable.


Client A then calls on Contractor Z, the low bidder, and asks him to evaluate and bid on an alternate scheme conceived by Contractor X. Contractor Z is not told the source of alternative design. Client A makes no representation in his quotation request that replies will be held in confidence




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So, like, whether like it is possible to in this case, In this case we have to think like what are the possible points, like to what extent Ken have used this before we come to conclusion about this and has he used the knowledge? As it is like then, who is the owner of the knowledge, because they have not signed any patent idea.

They have not signed the patent then who is the owner of the idea and then to what extent the design, the idea that Ken has shared to a and applied to a different machine used for cooling fudge. So, what is the degree of similarity and transfer that has been done over here, and whether this has given any threat to the existing company's competitive advantage.

So, there is a decision about this is a, it needs to be looked into like from different moral perspectives also. From the utilitarian perspective you need to look at it, from the rights and justice duties perspective you have to look it, from the justice perspective also and the care perspective, but if the case needs to be like delved into much deeper. In the sense; like in terms of, then if this is a, you know like Chemical Corporation and this is a Candy Processing company, how much similar they are to each other. Are the competitors of each other? Maybe not now, can they be so in future.

So, and for this, what is the importance of this, what is the importance of this design? So, stand adaptation that they have done of a standard, how much it is important for the business of this organization and what degree of adaptation have they made as a standard

piece of equipment, and how much that knowledge is transferred over here, and is it done to a similar kind of machine or it has been done to a different kind of machine.

Here what we see is, it is done to a different kind of machine which is used for cooling fudge and here it is for cooling viscous plastic slurry. So, what is the degree of similarity and dissimilarity between these two functions, can in future they be acting as competition, competitive to each other.

We have to look into these future things, then what we understand like who design this; like was Ken; the person who designed this adaptation. The case here does not tell us anything about it. So, whether who was the person, whose idea was involved over in this adaptation of the standard piece of equipment.

Was it Ken himself or it was a somebody else and Ken has observed that and he has used it over here. So, this word patent, patenting your idea, we are talking of it is a proprietary thing, but you have not patented the idea. So, there are some you know like gaps over here, but above all, like if we talk of like who owns the knowledge, we tell its the you know like the company maybe owns the knowledge, because from here we do not know, also like to what Ken contributed in designing this thing and to what extent has been the transfer over here and whether ken has acted unethically.

Yes, of course, to certain extent there is no, and it has been unethical, because without the knowledge of Stardust after living, maybe he has applied it to a different machine altogether. But somewhere it has been replicated without the knowledge of the in this previous employer, and it is the, and violation of the secrecy agreement, that prohibits is divulging of information.

So, in that case maybe we can consider he has acted in an unethical way, the degree can be debated like to what extent it was unethical and all. In the next we will discuss other cases about; like the whether the actions of client a is morally permissible or not. In this lectures we will be discussing few cases which will help us to understand the moral situations and dilemma and how we can understand what are the rights and responsibilities of the engineers with respect to it.

Thank you.