**Module 3 - Background**

**Physical Privacy**

[Introduction](http://cdad.tuiu.edu/CourseHomeModule.aspx?course=67&term=88&module=3&page=home)[Background Information](http://cdad.tuiu.edu/CourseHomeModule.aspx?course=67&term=88&module=3&page=bkg)[Case assignment](http://cdad.tuiu.edu/CourseHomeModule.aspx?course=67&term=88&module=3&page=case)[Session Long Project](http://cdad.tuiu.edu/CourseHomeModule.aspx?course=67&term=88&module=3&page=slp)[Objectives](http://cdad.tuiu.edu/CourseHomeModule.aspx?course=67&term=88&module=3&page=objectives)

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| Required Reading  Please go to Proquest and look up the following two articles from the Journal of Business Ethics.  Use them.  **Privacy at work ethical criteria**  *Anders J Persson*,  *Sven Ove Hansson*. Journal of Business Ethics. Dordrecht: Jan 2003.Vol.42, Iss. 1;  pg. 59  <http://proquest.umi.com/pqdweb?index=1&did=455362041&SrchMode=1&sid=11&Fmt=3&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1236293626&clientId=29440>  **Abstract**  New technologies and practices, such as drug testing, genetic testing, and electronic surveillance infringe upon the privacy of workers on workplaces. We argue that employees have a prima facie right to privacy, but this right can be overridden by competing moral principles that follow, explicitly or implicitly, from the contract of employment. We propose a set of criteria for when intrusions into an employee's privacy are justified. Three types of justification are specified, namely those that refer to the employer's interests, to the interests of the employee her- or himself, and to the interests of third parties such as customers and fellow workers. For each of these three types, sub-criteria are proposed that can be used to determine whether a particular infringement into an employee's privacy is morally justified or not.  Defining privacy in employee health screening cases: Ethical ramifications concerning the employee/employer relationship.  Simms, M. (1994)*Journal of Business Ethics, 13*(5), 315-325.  <http://proquest.umi.com/pqdweb?index=0&did=405822051&SrchMode=1&sid=12&Fmt=3&VInst=PROD&VType=PQD&RQT=309&VName=PQD&TS=1236293702&clientId=29440>  **Abstract**  Issues of privacy and employee health screening rank as 2 of the most important ethical concerns organizations will face in the next 5 years. Despite the increasing numbers of social scientists researching personal privacy and the current focus on workplace privacy rights as one of the most dynamic areas of employee law, the concept of privacy remains relatively abstract. Understanding how the courts define privacy and use the expectation of privacy standards is paramount given the strategic importance of the law as a legal socializing agent. A report is presented on 2 federal court decisions involving employer drug and HIV testing whose determinations relied on assumptions about the psychological dimensions of privacy. How the courts define privacy, the outcome of this definition and the ethical ramifications as it affects the employee/employer relationship are discussed.  **Optional Material**  To read the: *Opinion of the European Group on Ethics in Science and New Technologies to the European Commission* (2007). Retrieved2009 from <http://ec.europa.eu/research/conferences/2004/genetic/recommendations_en.htm>  To read the Markkula Center for Applied Ethics' perspective on genetic testing. Click: <http://www.scu.edu/ethics/publications/iie/v4n2/genes.html>  *Then search on as you will...the web is full of information about genetic testing at work.* |