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EMPLOYEE RIGHTS - STUDENT RIGHTS: A CLASSROOM EXERCISE

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ABSTRACT

An acted simulation is discussed involving a gradual violation of student rights in a classroom setting. This exercise is designed to simulate the abuse of employee rights in work settings and to explore issues of employee rights by giving students a direct and personal sense of the importance of these issues. It also provides a springboard for discussion of underlying ethical issues, ways of resolving conflicts, and changing employment mores.

INTRODUCTION

Employee rights have increasingly been of interest in the business literature. As Ewing (1977, 1983) has noted, the business environment, as well as the courts, have changed in the direction of extending to the work environment civil rights that we generally have in the political system. No longer can most companies simply justify their behavior by hiding behind the old "agent" doctrine. This view of the employee as an agent of the corporation acting in a fiduciary or contractual role implied that the agent's actions cannot be evaluated morally or legally and that the agent is always "on call for the firm. This view is giving way, and the current trend is for greater civil rights for employees in private places of employment (Beauchamp & Bowie, 1983). For example, most firms must fire an employee for just cause rather than letting them go without a reason.

Since students are likely to be both managers as well as employees in the future, they are likely to find themselves on both sides of the fence. As managers, they must understand the limits of their power and how abuses may be created. As employees, they need to develop an awareness of employee rights and how to react to abuses, perhaps with an increased ability to protect themselves.

This exercise casts the students in the position of watching the rights of fellow students violated during a class presentation. The instructor functions in the role of employer-abuser and student stooges function as employee-abused.

METHOD

The simulation involves an acted representation of the abuse of student rights in a controlled setting. A lecture provides the context for the simulation. In the last run of this simulation, the context used was that of an employee rights segment of a Business Ethics course. The assigned readings for that week included selections on employee rights and responsibilities from

Beauchamp and Bowie (1983). Ewing's (1978) discussion of employee rights was the specific assignment. The syllabus called for a lecture and discussion on employee rights. In addition to this, copies of Ewing's Employee's Bill of Rights (Ewing, 1977) were passed out to the students prior to the class as an assigned reading.

Selected students are assigned roles highlighting various concepts under consideration. The rest of the class is unaware that the action is staged. Many roles and corresponding concepts in violation of employee rights have been used in recent versions of this exercise and the following list is merely suggestive of what the instructor might devise: student eating sandwich in class, student drinking a fake beer, student cutting up in class, instructor rummaging through a student's papers, and student disagreeing with the instructor. Each of these roles demonstrates such employee rights issues as decorum of workplace, various legal issues involved in public drinking, personal privacy, and many others. Roles are tailored to exhibit a graduated series of abuses to employee (student) rights. The roles progress from incidents in which there is widespread agreement on the instructor's authority to remove a student to incidents that illustrate irresponsible behavior on the part of an Instructor or employer.

The instructor realistically enacts the part of an authoritarian, abusive character. Some excuses for one's behavior help to make the transition believable. Such excuses might be created by coming into class acting sick or complaining of a headache or some onerous administrative task.

The following is an account of one run of the simulation, providing a description of how the different elements pull together. The instructor may meet the class on time or a little late. The instructor briefly begins the lecture and then interrupts it to deal with the student eating in class. The instructor asks the student to leave the class until the sandwich is finished. The instructor resumes the lecture only to be interrupted by a student coming very late to class. The instructor comments on the student's lateness and threatens to do something about it.

Resuming the lecture, the instructor's attention is diverted by someone horsing around. The disruption should be intrusive but not explosive leaving a little room for doubt. The instructor asks the student to be quiet after noting that the learning environment is being disrupted. The noise continues to bubble up and the instructor finally ejects the student.

The incidents increase and culminate in the professor tossing a student out merely for disagreeing with the instructor. The

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instructor allows a student to offer opinions and insights contrary to the professor. The student wants to continue the discussion, but the professor finds it intolerable. The incident escalates to the point that the instructor tosses the student out with some dramatic gesture.

During the course of the simulation, and particularly after each actor's performance, the instructor might ask the students, Are there any issues you wish to deal with?, pause, and then proceed with the lecture and simulation. This is a cue designed to give the students a chance to speak up about various rights being violated. However, in all the times that this instructor has done the exercise, not once has a student interrupted the simulation to raise a question about the instructor's behavior. If the pause were longer they might have time to come out of shock to voice an objection.

After all student actors have played out their roles, the lecturer continues for a few minutes as if nothing out of the ordinary has happened. The purpose of this is to see what reactions, if any, the students have. This writer's experience has been that rarely does anyone speak out at this time. At an appropriate time, generally after all possible student reactions have been displayed, the lecturer recalls the actors and informs the class of the true nature of the exercise. At this point the simulation itself is at an end.

The debriefing phase has two important tasks: first, to discharge any potential or actual bad feelings toward the instructor, fellow students, and themselves, and, second, to provide a structured discussion of the issues. After the exercise, students harbor a tremendous range of feeling toward the instructor, fellow students, and themselves. Toward the instructor, they might feel angry and resentful because the instructor made them look foolish, played a trick on them, embarrassed them, or just did something out of the ordinary. A student may be angry at another student because they participated in the simulation or did something, such as speak out, that he or she wished to have done.

Much of this stage of debriefing focuses on helping the student understand his or her behavior. In the case of students acquiescing to unreasonable authority, this does not imply making them feel better or having them accept their behavior as a momentary aberration. Rather (and this is the dangerous part), the instructor must help the student raise his or her consciousness regarding the effects of passivity on violation of student and employee rights.

In the second stage of debriefing, issues of the lecture and the simulation are tied together. Employee rights may be discussed in the context of traditional arguments about the role of the employee as agent of the corporation. What kinds of pressures might an employee expect out in the real world and how can they defend themselves? How can they protect fellow workers? Does the agent have responsibility for his or her actions or is that responsibility shared with the corporation? See Beauchamp & Bowie (1983) for a

more thorough discussion of this topic.

What can or do students do about instructors who overstep accepted ethical, moral, and legal boundaries? Discussion of academic ethics following the exercise has brought forth many comments about instructors abusing students sexually, or plagiarizing their papers, or being genuinely unfair in their policies. An important work on the topic is Cahn (1986).

DISCUSSION

In all the times that this exercise has been run, the number of students who have spoken out or walked out of the room in support of their fellow students could be counted on one hand. That the majority of students who have participated in this simulation are seniors about to embark on careers in business is perhaps a sad comment on our ability to instill character. Even in large lecture sections of one hundred or more students, normally no more than one, if that many, protest in some way.

As briefly noted before, the simulation format provides many opportunities to the student to speak out and challenge the instructor's behavior. This opportunity needs to be explained to them and some incentive provided for doing things differently the next time they encounter similar situation. I have found it useful to show the movie made by Milgram (1965) of his shock experiments at the next meeting. There they have a graphic sense of the susceptibility to authoritarian control. Students find that their comments following the simulation parallel, often word for word, the excuses given by Milgram's subjects for continuing the experiments ("I was just about to stop," "The instructor knows best," etc.).

This simulation has been used in a variety of contexts including Business Ethics and Business and Society courses. This simulation would seem to be appropriate for a variety of personnel, constitutional law, business law, and organizational behavior courses. The only modification needed would be in the lecture content and some change in the debriefing discussion. The simulation may also be used in conjunction (series) with other simulations dealing with similar themes.

SUMMARY

This acted simulation involved a gradual violation of student rights in a classroom setting. The exercise simulates the impact of the abuse of employee rights in work settings. This exercise is designed to explore issues of employee rights within a classroom setting and to give students a direct and personal sense of the importance of these issues. It also provides a springboard for discussion of other underlying ethical issues, ways of resolving conflicts, and changing employment mores. In such ways as this we may strive to overcome the passivity of the current "Me-generation" of students.

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