

## SOURCES OF ETHICS AND ETHICAL DILEMMA IN BUSINESS ENVIRONMENT

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### **ABSTRACT**

*An ethical dilemma is a situation of making a choice between two or more alternatives. An agent is in unpleasant and difficult situation because he/she often needs to make a choice between ethical and unethical alternatives, and when it comes to the ethical alternatives, he/she should choose the best one. Selection reflects to a large number of principals, so this situation causes conflicts between different levels of ethical dilemmas, but also the conflicts within the same level. These conflicts can be solved by applying the hierarchy and priority rules which are incorporated in the procedure and, in particular, in the strategy for solving the ethical dilemmas. This study points out the sources of ethics, essence and different types of the ethical dilemmas, as well as the characteristics of several strategies for resolving the ethical dilemmas. The studies, old and new are used, showing that the ethical dilemma is continuously present phenomenon. Also, these studies show that the way of thinking in the process of resolving the ethical dilemma affects the survival of the ethical dilemma actors at all levels.*

**Keywords:** *Ethics, ethical dilemma, types of ethical dilemmas, strategies.*

### **INTRODUCTION**

An ethical dilemma is a moral situation in which a choice has to be made between two equally undesirable alternatives. Dilemmas may arise out of various sources of behaviour or attitude, as for instance, it may arise out of failure of personal character, conflict of personal values and organizational goals, organizational goals versus social values, etc. A business dilemma exists when an organizational decision maker faces a choice between two or more options that will have various impacts on (a) the organization's profitability and competitiveness, and (b) its stakeholders. "In situations of this kind, one must act out of prudence to take a better decision (O'reilly, 2022).

Individuals in everyday life, whether in personal or business, face with the necessity to make decisions. They usually have more than one alternative available. Consequently, they face with the dilemma which alternative to choose. The aim is to choose the best one, but the criterion *the best* is different for different individuals, organisations and countries. Besides, the alternatives are regularly in conflict, so the decision maker is in a *dilemma* which alternative to choose. Basically, every dilemma contains an *ethical dilemma* (ED), i.e. whether the decision is good/bad, fair/unfair, moral/immoral. Judgments are made from the point of view of those who make the decision (agents), from the point of view of those who require decision (principals) and from the point of view of the most people who do not participate in decision-making but are affected by them (the common good or the general interest). There are different types of the EDs of which the knowledge is necessary because different types of the EDs require different strategies for their resolving. However, any attempt to find the solution is a process, not a one-time act, indicating the complexity and the importance of the ED.

Ethics can protect the society in a better way than even the legal system of the country. Where law fails, ethics always succeed. The government cannot regulate all the activities that are harmful to the society. A HR manager, who is ethically sound, can reach out to agitated employees, more effectively than the police. Ethics is the science of good/bad, just/unjust, moral/immoral behaviour. As the *good* and *right* are equated with *moral*, ethics is considered to be the science of studying

morality (Rossouw & Van Vuuren, 2006; Weiss, 2009; Desjardins, 2009), where morality is estimated from three key aspects (Rossouw & Van Vuuren, 2006 p. 3): in terms of the common good, personal interests and the interest of the others. *Common good* means that the behavior of an individual is in the public interest or in the interest of the most people. If the *personal interest* is excluded from the interaction, then an individual becomes altruistic, because he/she takes into account only the interests of others and his/her neglect. Altruism is unsustainable, and therefore ethical behaviour must involve respect for the interests of all the others, because only in this way the requirement for general goodness can be met. The element *other individuals* also cannot be excluded, because the individual then becomes *an egoist*, and egoism, in itself, expresses an unethical behaviour. Thus, the behavior of an individual or a group can be assessed as ethical if it is good for an individual and for the most of the others (individuals and groups).

Stoner, Freeman and Gilbert (1997) define ethics as a science which deals with human values, rights, duties and moral principles in their behaviour (Stoner et al., 1997, p. 96). Therefore, according to them, the essence of ethics is determined by four basic elements: values, rights, duties and moral principles. Values represent the permanent desires of an individual or a group, or express the general good (e.g. peace in the world, a decent life for all people, freedom - of movement, choice, expression, etc.). Values could be identified by answering the question *why?* When it comes to the point where somebody does not want anything else, different from the last answer, then the essence of the value is determined. But when it comes to determining the value levels, answers can be different at the same time in different areas, as well as at different times in the same area (Weiss, 2009, p. 13). In the first case it is about *geographic relativism* and in the second it is about *time relativism*. Ethical relativism creates conditions for the emergence of *an ethical dilemma*.

*The right*, as one of the key elements of ethics, expresses the freedom of the individual or groups to achieve desired values. Since the values at a certain time and in the certain area are already defined, the right includes a method for achieving the values. Bearing in mind the key elements of ethics given by Rossouw and Van Vuuren (2006), the ethical choice exists only if in choosing the ways for achieving the values egoism and altruism do not exist. Therefore, it could be said that the rights for achieving desired (and defined) values are limited by the rights of the others or by *the common good*.

The realisation of rights is always limited by certain *obligations*. The individual or a group have an obligation to exercise their rights in achieving desired values in an ethical manner (not causing the detriment for the others, not against their own interests, but in the interests of the majority of people or for the common good).

*Moral principles* are norms (rules, principles and procedures) that regulate the rights and obligations while defining the essence of desired values, as well as the ways to realise them. One of the basic norms of general morality is *keeping promises* (that the individual or a group will follow generally accepted ethical norms in defining desired values as well as that in the realisation of the values will not violate their own rights and the rights of the others). Values, rights, duties and moral principles can be defined in several ways. Whenever there is a choice between two or more alternatives, there is a possibility for *a dilemma* to emerge. Therefore a *dilemma* presents an unpleasant situation in which the individual is (RatkovićNjegovan, 2015, p. 65). The situation is more unpleasant if the individual's need to make a choice between conflicting alternatives (Weiss, 2009, p. 96). Then individuals "fall" in the so-called *ethical dilemma*: which alternative is right (ethical), and within many "rights", which is the best? (Ethical Dilemmas Examples). Such dilemmas exist both in a personal and business life, but also as a conflict between

personal and business ethics. For example, a student during the study was receiving a scholarship from a company. This company did the *common good*, because it provided financial support for a student to be able to study. The student also realised his obligations towards the company: regularly ended years with satisfactory average grades. During his/her studies he/she formed a family with a partner who had a scholarship from the company from another town. When he/she finished his/her studies, he/she found himself/herself in a dilemma whether to start to work in the company that provided him/her scholarships or in the company that provided scholarships for his/her spouse. For him/her the better alternative is to live together with his/her partner and be employed, and for the company that provided scholarships is to obtain a qualified employee because it invested in his/her education. An ethical dilemma occurs at the individual and at the organisational level and at the individual level manifests as personal and business ethical dilemma. Resolving this dilemma is possible by joint efforts of both sides. The acceptable solution is the one that meets the following three conditions: neither student, nor company should be *egoists*, or insist on meeting only their interests; neither a subject can be an *altruist*, i.e. give up of their rights; chosen alternative must be in the interest of the *common good* (students, businesses and society).

### **Ethics**

Ethics in general refers to a system of good and bad, moral and immoral, fair and unfair. It is a code of conduct that is supposed to align behaviors within an organization and the social framework. Ethics is a set of standards that society places on itself. They guide individual's behaviour, choices and actions as a member of the society. Ethics are derived from various sources, including religion, traditions and customs.

#### **Sources of ethics include:**

- 1. Religion:** Religion is the most important source of ethics, as religious teachings often prescribe what is right and wrong and society subscribes to such norms. Religion is the oldest source of ethical inspiration. There are more than ethical inspirations. 1, 00,000 religions which exist across the whole world, but all of them are in agreement on the fundamental principles. Every religion gives an expression of what is wrong and right in business and other walks of life. The Principle of reciprocity towards one's fellow beings is found in all the religions. Great religions preach the necessity for an orderly social system and emphasize upon social responsibility with an objective to contribute to the general welfare. With these fundamentals, every religion creates its own code of conduct.
- 2. Culture:** Culture is the set of important understandings that members of a community share in common. It consists of a basic set of values, ideas, perceptions, preferences, concept of morality, code of conduct etc. which creates distinctiveness among human groups. When we talk about culture we typically refer to the pattern of development reflected in a society's pattern of knowledge, ideology, values, laws, social norms and day to day rituals. Depending upon the pattern and stage of development, culture differs from society to society. Moreover culture is passed from generation to generation. Culture facilitates the generation of commitment to something larger than one's individual self interest. Culture encourages the members of the organisation to give priority to organizational goals over and above their personal interests. Culture also serves as a sense making and control mechanism that guides and shapes the attitudes and behaviour of people. Managers have to run an industrial enterprise on the cutting edge of cultural experience. The tension that their actions create makes the business ethically more complex.
- 3. Law:** The legal system of any country, guide the human behaviour in the society. Whatever, ethics the law defines are binding on the society. The society expects the business to abide by the law. Although it is expected that every business should be law abiding, seldom do the businesses adhere to the rules and regulations. Law breaking in business is common eg.

Tax evasion, hoarding, adulteration, poor quality & high priced products, environment pollution etc.

### **Ethical Dilemma**

Ethics are the moral standards and principles by which entities (individuals and organizations) govern their behaviors and decision-making. When these standards and principles conflict with each other in a decision-making situation, an ethical dilemma may occur. An ethical dilemma takes place in a decision-making context where any of the available options requires the agent to violate or compromise on their ethical standards. I observe that ethical dilemmas can be characterized by the following three elements:

- The agent must be faced with a choice or the need to make a decision.
- The agent must have more than one course of action available.
- The agent recognizes that all available courses of action require them to compromise on some personally held ethical standard or value.

Ethical standards are the moral frameworks that individuals and organizations use to guide their decision-making and differentiate between right and wrong. Companies and professional organizations may adopt their own ethical standards and require that employees/members adopt those standards as part of their personal business ethics. Common ethical practices in the workplace include:

- Telling the truth
- Taking responsibility for one's actions
- Following company policies
- Fulfilling professional obligations
- Following through on commitments
- Following the law
- Acting in the best interests of shareholders
- Acting in the best interests of customers
- Acting in one's own best interests
- Treating others equally
- Conducting sustainable business practices
- Maximizing profits
- Avoiding layoffs

Ethical dilemmas happen because ethics are inherently contradictory. Employees may face situations where compromising on telling the truth or following the law seems to serve other valued goals, such as maximizing profits or avoiding layoffs.

### **Types of Ethical Dilemma**

There are several different types of ethical dilemmas that agents may encounter in the course of performing their roles and responsibilities:

- Epistemic dilemmas take place in a decision-making context where moral standards conflict and the agent cannot readily determine which ethical principle should take precedence over the other.
- A self-imposed dilemma is one created by the agent's own errors in judgment, such as making competing promises to multiple organizations that cannot be fulfilled simultaneously. In contrast, a world-imposed dilemma is caused by circumstances outside the agent's control.
- An obligation dilemma is one where an agent has multiple options and more than one of them is obligatory, while a prohibition dilemma occurs when all available options are prohibited.

### **What is an Example of an Ethical Dilemma?**

Ethical dilemmas occur regularly in the business environment where employees make decisions that impact the success and profitability of organizations. Employees may experience an ethical dilemma when deciding whether to report an incident of workplace harassment or declare a conflict of interest. In the first case, the employee might understand that the harassment is wrong, but feel guilty about getting their colleague in trouble. In the latter case, the employee might recognize their fiduciary duty to the organization, but feel a sense of loyalty to their family and friends that makes it difficult to do the right thing.

### How Do You Identify an Ethical Dilemma?

Experts agree that identifying an ethical dilemma starts with recognizing your gut reaction to a problematic situation. If a decision seems to challenge your moral compass, it's time to take a step back and investigate further. You might proceed by writing down:

- The decision you need to make.
- The various options or courses of action available.
- The ethical pros and cons of each available action.
- How Do You Resolve an Ethical Dilemma?

An ethical dilemma does not always offer a clear solution that conforms with ethical norms. Here is how entities can cope with the most challenging ethical dilemmas:

- **Talk it out** – The best way to determine whether a dilemma exists is to discuss it with other people. A collective analysis of the situation can shed light on whether a dilemma really exists and the moral implications of each available option. This might involve reporting the incident to your company's hotline so that you may discuss the situation with the compliance team and get proper guidance.
- **Understand duties & obligations** – A great way to approach any ethical dilemmas is from the standpoint of understanding the agent's duties in the situation. In a business context, a fiduciary duty to the organizations legally obligates the agent to act in the best interests of shareholders. Contractual obligations can also play a role in determining how to resolve an ethical dilemma.
- **Maximize the good & minimize the bad** – When a problem has no perfect solution, the best approach is to analyze the outcomes of each potential action and choose the action with the greatest positive impact and least negative impact.

### The Rules for Solving Ethical Dilemmas

When it comes to solving the ethical dilemma we speak about: theories for solving, approaches, rules, principles and criteria. The difference between these terms is reflected in the broadness of the treatment approach for solving the ethical dilemma. On one side, theories and approaches equalize, and on the other, rules and principles. Without entering into consideration of the justifiability/unjustifiability of the equalisation of these terms, in this paper the authors present some of the universal rules that need to be followed in the ED resolving.

Since the ethical dilemma occurs whenever there are two or more alternatives for solving problems, immanent to the ED resolving is the *rule of choice*. From the rule of choice follows the *rule of hierarchy*, i.e. forming the list of the alternative priorities for resolution the ED. It would be logical that the first alternative on the list would be one which is the best. However, the choice of the alternatives is often influenced by the emotions and situations. Emotions have two components: empirical (positive and/or negative experience that an agent gain in resolving the ethical dilemmas) and cognitive (beliefs about the process of resolving the ethical dilemmas). When it comes to the situations, they can be urgent and non urgent. Therefore, dilemma whether to respect the rule of hierarchy or the rule of choice, emerged (which changes the given hierarchy of priorities)? The question is: Why the hierarchy of the alternatives exists if it

is not implemented when it comes to making the choices? Or, why the hierarchy of choices exists if it does not reflect a realistic choice? Again at the scene is an *ethical dilemma*, which also indicates its complexity.

The rules for solving the ethical dilemma can be simple and multiple (Steps to Solve an Ethical Dilemma, 2008). *Simple ethical rules* are related to *the consequences* for the person who makes the decision, or to *an agent*. They consist of the "golden rule" and rule of the categorical imperative. "*The golden rule*" requires that an agent should take moral action through which he will treat others in the way he/she would like to be treated himself/herself. It is about the rule of symmetry or the proportionality rule. *The rule of the categorical imperative* requires that everybody behaves in the same way and expresses the universalism in behaviour.

*Multiple ethical rules* consist of the several simple rules, such as: the rule of duty (Prima Facie Duties), the rule of the maximum of justice (Maximum Principle of Justice) and the principle of proportionality. *The rule of duty* requires that an agent has to fulfill its moral obligations (accuracy, gratitude, justice, charity, self-esteem and not hurting others). *The rule of maximum justice* requires that an agent has to ensure equal rights and freedom to everybody, except in the cases of the social and economic inequality. *The rule of proportionality* requires that an agent does not want, does not allow and does not harm the others without proper reasons.

Depending on whether the ED is associated with the consequences or actions that are taken, the role of the outcome (result) and action rules are different. *The rule of the outcome* takes into account the consequences of alternatives and requires selecting an alternative that produces the best consequences for the greatest number of people. *Action rules* dictate the choice of the ethical actions, and the consequences of these activities are second-rate. These two types of the rules can be contradictory in terms of their application: the best resulting alternative may be the result of the unethical activities or the ethical activities are not always the best in producing the outcomes (especially in the short term). This relationship between the rules complicates the resolution of the ED and suggests that for its solving the choice of the rules is very important.

### Characteristics of Ethical Dilemmas

1. **Right and wrong:** When you're unfamiliar with ethical dilemmas, it can be difficult to tell them apart from regular dilemmas and simple problems. Before you can attempt to recognize ethical dilemmas or respond to them, you need to know what sets ethical dilemmas apart. Although each ethical dilemma looks different, there are a few characteristics that they all share.
2. **There is a right and wrong choice.** In an ethical dilemma, you must decide between doing the right thing and the wrong thing. This is true even if you aren't sure yet what the right thing is! Sometimes the right choice is very clear, but sometimes it requires more work to figure it out. If you're dealing with a regular dilemma or an everyday problem, there may not necessarily be a choice that is wrong or right.
3. **Someone (or something) could be hurt.** In an ethical dilemma, someone or something could be harmed if the wrong decision is made. However, that harm doesn't just refer to physical pain-it can also mean being emotionally hurt. This could happen if the wrong decision causes someone to be upset, offended, or insulted. The hurt could also refer to harm that a business's reputation or financial situation might encounter if someone makes an unethical decision. Imagine that you work on a project with a classmate, and then the classmate takes all the credit for your work. Your classmate isn't being respectful, and now your grade will likely suffer. Or imagine that you don't want to get blamed for a mistake you made at work, so you tell your boss that your coworker made the mistake. This isn't honest, and your coworker will get in trouble. On the other hand, if you have two job offers

and you're trying to decide which job is the best one for you, this isn't an ethical dilemma. It might be a tough decision for you, but no one is likely to be harmed.

4. **They often deal with what's legal.** A large part of ethical behavior is following the law. For example, if someone is considering stealing money, that's an ethical dilemma because there is a right and wrong choice and one choice is clearly illegal. That doesn't mean that simply doing what's legal is enough, though. There are many behaviors that are technically legal but that may still be untrustworthy, dishonest, or otherwise unethical Neil (2020).

### Strategies for Resolving Ethical Dilemmas

In the literature and the practice several strategies for resolving the ED are known. Common for all strategies is that they represent a process, consisting of a smaller/larger number of stages or including lower/higher number of dimensions of the ED.

*Strategy SP* gain this name since it includes five dimensions of the ED, starting with the letter **P**: **P**roblems, **P**ossibilities, **P**eople, **P**inciples and **P**riorities (RatkovićNjegovan, 2015). Firstly, the *problems* related to the ED are defined, then the *possibilities* for its resolution are analysed through the determination of a certain number of the alternatives. Thirdly, how these alternatives which reflect on the *people* and the relevant stakeholders are analysed. In accordance with that, obligation to some stakeholders are determined. They must be in accordance with the law, current industry standards, professional codex, ethical principles and organisational culture, or in accordance with the certain *principles*. As a result emerge a list of possible alternatives for resolving the ED, and *priority* is given to the most favourable one (one that meets the interests of the enterprises and the society).

In the management of the ED there are two basic approaches. One focuses on the consequences of what is done. Therefore, for resolution of the ED *the strategy of consequences or corrective strategies is used*. The second approach focuses on the actions that are taken in order to prevent the ED, so they are called *the action or preventive strategies*. Since that these two approaches are not contradictory, *complementary strategies* are designed for *analysing and resolving the ED*. They are implemented in three steps (White, 1993): analyses of the consequences, analyses of the actions and making the decision.

**The first step** - Analyses of the consequences refers to the consideration of the positive and negative consequences of different options, the positive and negative consequences which are connected and on the basis of their combinations, the alternative with the most favourable consequences (so-called the best consequence) is chosen.

**The second step** - Analysis of the actions focuses on the activities based on the moral principles, such as honesty, fairness, equality, respect for the dignity of others, respect for human rights and involvement in solving the problems of the weaker and less fortunate people (empathy). The agent puts himself/herself in a situation in which the principal is and takes actions that he/she wants to be taken against him/her if he/she is in the same or similar situation. In resolving the ED the application of the "golden" rule dominates.

**The third step:** Making the decision based on the previous two steps, and reference to the selection of the best alternative.

### Advantages of Ethical Dilemmas

1. **Following the Law:** Society's laws put into writing our collective understanding of right and wrong, and clearly define behaviors that are considered unacceptable. Local, state and

federal laws help to guide part of a company's ethical policies. At the very minimum, policies should embrace adherence to applicable laws. But most policies go beyond the minimum legal requirements. For example, a zero tolerance corporate policy for sexual harassment is in response to the many laws that govern this kind of workplace activity. Your policy communicates to employees that sexual discrimination and harassment is unacceptable at all levels. Ethical compliance helps companies to develop a work culture that abides by the workplace laws and reduces the costs associated with fines and lawsuits.

2. **Better Workplace Culture:** A policy of ethical compliance helps to create a workplace culture where all employees are treated with respect. Employees are given equal access to advancement opportunities and the workplace becomes a positive and nurturing environment. Put simply, your ethics policies can leave employees feeling good about the place in which they work and the manner in which they carry out their activities. A strong ethical standard in the workplace helps to create strong working relationships between the staff and management. It reduces employee turnover, improves morale and has a positive effect on productivity.

### Disadvantage of Ethical Dilemmas

1. **Lack of Management Support:** One of the disadvantages of an ethical compliance program is that it requires the comprehensive support of management to be effective. If members of the management team decide to apply their own version of corporate ethics to the way they manage their departments, then this clash of principles can cause confusion in the workplace. For example, a manager who tends to look the other way when his employees are committing sexual harassment sets a precedent that can start to undermine the entire corporate culture. As the MeToo movement has made abundantly clear, even with detailed policies in place, senior company managers all too often act as if the rules do not apply to them.
2. **Cost:** Developing, implementing and maintaining an ethics compliance program within your organization can be expensive and time-consuming. Ethics policies need to be continually updated to reflect changes in workplace laws and changes in your company culture as the organization grows.

### CONCLUSION

An ethical dilemma is a situation in which the agent has to choose the best ethical alternative for the principal. The same person can be in the role of an agent and in the role of a principal. In this case a conflict between personal and business ethics can arise. If an agent gives priority to his own interest, he/she will choose an egoistical alternative; if he gives priority to the interests of others, he will choose an altruistic alternative; if he gives priority to the interests of the majority, with respect to his own interests, he will choose an ethical alternative. Elimination of the egoism and altruism, and respect for the general interest help in resolving the ED. Different types of the ED assume different meanings of *the common good*. Therefore, it is helpful to know typology of the ED, especially in the business world, since the business EDs are more complex than the personnel EDs. Complexity arises because of the conflict between the business ethics of different levels as well as because of the conflict of business ethics at the same level. The company, as a business entity, has a variety of stakeholders, therefore the ED can occur in relationships with each of them. However, the most visible EDs are those that appear in relationships with users of the products/services, because users are the those who verify what is ethical and what is not. Some businesses (e.g. the pharmaceutical industry, food industry, health care) are more susceptible to discovering unethical, but all suffer long-term negative consequences of an unethical behavior. Given examples of the companies such as *Johnson and Johnson, Nestle* and others confirm this fact. Therefore, the ED must be resolved in an adequate and timely manner, which assumes using the appropriate strategies - strategies that represent a process, not a

single act (such as, for example, the withdrawing the harmful products from the market). Even the best ethical alternative is not selected, it should strive to minimize the consequences (a good example is the company *Gerber* in 1984, and the bad example is the same company in 1986). Geographical and time ethical relativism give the possibility for the occurrence of the ED at any time and in any space. Therefore, the ED is a continuous problem-solving issue.

## RECOMMENDATIONS

The study recommended as follows:

1. **Know the Principles:** In ethical decision making there are three basic principles that can be used for resolution of problem. These three principles are that of intuitionism, moral idealism and utilitarianism.
2. **Debate Moral Choices:** Before taking a decision, moral decisions need to be thought upon and not just accepted blindly. It is a good idea to make hypothetical situations, develop case studies and then engage others in brainstorming upon the same. This throws some light into the unknown aspects and widens the horizon of understanding and rational decision making.
3. **Balance Sheet Approach:** In balance sheet approach, the manager writes down the pros and cons of the decision. This helps arrive at a clear picture of things and by organizing things in a better way.
4. **Engage People Up and Down the Hierarchy:** One good practice is to announce ones stand on various ethical issues loudly such that a clear message to every member of the organization and to those who are at the greater risk of falling prey to unethical practices. This will prevent the employees from resorting to unethical means.

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