Supervisors Behaving Badly: Witnessing Ethical Dilemmas and What To Do About It

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Abstract

The *NASW Code of Ethics* (1996) guides social workers' professional conduct, but provides little instruction when one's own supervisor behaves unethically. Using student-collected interviews, we found six typologies of supervisors behaving badly, and used descriptive qualitative analysis to outline steps taken to navigate the situation. Results hold pedagogical relevance to social work practice.

Key words: unethical, supervisor, qualitative, education, case study

1.   Introduction

From alcohol use on the job to slapping employees, some social work supervisors behave badly. While the *National Association of Social Workers* (NASW) *Code of Ethics* (1996) guides the everyday professional conduct of social workers, little instruction is provided when it is one's own social work supervisor who is behaving unethically (Corey, Corey, & Callahan, 2003).

This phenomenon does occur, albeit in a minority of cases of ethical dilemmas encountered in social work practice. Navigating ethical dilemmas can be difficult, but it is made much more complex when one's own boss is behaving badly. This study presents six types of supervisor-instigated ethical dilemmas, and utilizes descriptive qualitative analysis to outline how each was navigated. Practitioners and students can benefit from learning how dilemmas involving a supervisor were handled, and thus acquire skills better to manage such complex experiences.

2.   Literature Review

In social work settings, a supervisor's role is to act as an educator, mentor, and evaluator (DeTrude, 2001). Supervisors are expected to maintain ethical interactions between themselves and their subordinates (Tyler & Tyler, 1997). To employees, supervisors are often held up as a beacon of responsibility and professionalism, and are expected to support employee development (Drake, Meckler, & Stephens, 2002). However,

it is also within a supervisor's capacity to behave unethically. Broadly, ethical dilemmas arise from situations whereby professional codes, standards of care, or state and local statues have been violated (Westrick & Dempski, 2009). These can include breaking confidentiality, having dual roles or sexual relationships with clients, lacking competency to practice, or engaging in financial conflicts of interest.

A broad range of helping disciplines including counseling, psychology, and social work have formal codes of ethics that guide professional conduct (e.g., American Counseling Association, 2005; American Psychological Association, 2010: National Association of Social Workers, 1996). It is only fairly recently that professional organizations in the helping fields have established and published ethical guidelines specifically for supervisors (i.e., Association for Counselor Education and Supervision, 1993; Ladany, Lehrman-Waterman, Molinary, & Wolgast, 1999). Research suggests that persons belonging to professional organizations are more likely to report wrongdoing (Miceli & Near, 1992). However, a number of studies also report that professionals are uncertain how to interpret ethical dilemmas, or that a small percentage are unaware of ethical concerns (for a comprehensive review see Welfel & Lipsitz, 1984). This ethical uncertainty can make for a tenuous situation when one's own supervisor behaves badly.

2. 1   Ethics of Supervision vs. Unethical Supervisors

Despite the apparent importance of supervisors' adherence to ethical practices, there have been limited empirical investigations assessing these practices (Ladany et al., 1999). Most social work literature on the topic deals with the ethics of supervision itself, and not the unethical behavior of a supervisor. Within the context of supervision, the purpose of ethical standards is to provide behavioral guidelines for supervisors, to protect supervisees from undue harm or neglect, and ultimately to ensure quality client care (Bernard & Goodyear, 1992). In one of the few studies examining supervision, Ladany and colleagues found that 51% ($N =$ 151) of supervisees reported that their supervisor had violated professional ethical standards of supervision. Ethical guidelines that were least adhered to included performance evaluation and monitoring of supervisee activities, confidentiality issues in supervision, and the ability to work with alternative theoretical perspectives.

Examining the ethics of supervision is important, because ethical violations can directly affect the professional relationship between supervisor and supervisee (Ladany et al., 1999). However, the unethical behavior of a supervisor witnessed by a subordinate is a different issue, and can pose a particularly troubling situation for employees. Much of the literature on the subject deals with "whistleblowing," or reporting the unethical behavior, and the characteristics of persons who do so (Miceli & Near, 1992). As several researchers have discovered, whistleblowing presents a potentially uncomfortable situation with serious consequences (Cohen, 1987; Dewane, 2007; Rodie, 2008; Upchurch, 1985). Whistleblowing on badly behaving bosses comes with personal and professional costs such as loss of one's job, threat of a lawsuit, or other forms of retaliation (McAuliffe, 2005; Westrick & Dempski, 2009).

Understanding supervisor-instigated ethical dilemmas is paramount to acquiring the necessary skills to manage them in the field (Dolgoff, Loewenberg, & Harrington, 2005). Little formal instruction is given for situations when a subordinate witnesses his or her supervisor's unethical behavior. Introductory social work ethics textbooks (e.g., Corey et al., 2003) mention that if an employee is having trouble with their supervisor, they should speak to him or her first before going above them to seek out help. While some attention has been paid to whistleblowing, less research has been devoted to specific situations of supervisor-instigated ethical dilemmas, courses of action taken by the supervisee, and the outcomes of such actions.

3. Study purpose

We sought to describe real-life situations of social work supervisors behaving unethically, and to delineate how their subordinates handled the dilemmas. The first aim of the study was to discuss the type and nature of supervisor-instigated ethical dilemmas, and the second aim was to uncover the steps the social workers took to navigate the unethical situations, as well as to gather student reactions to the situations. This study is especially relevant to social work students, so that they may be able to recognize potential supervisor-instigated ethical dilemmas and to learn from the experiences of other practitioners who have encountered these situations.

4. Methods

4.1 Procedure

As part of an online elective in social work ethics, graduate students ($N = 43$) from a large urban university conducted interviews with practicing social workers regarding an ethical dilemma they had experienced. The purpose of the assignment was to apply course concepts to real-life ethical dilemmas to prepare students for social work practice. Specifically, students asked interviewees to describe an ethical dilemma that they encountered; how they handled the situation; how their values and training influenced their decision-making; how issues of culture, gender, or religion played a role in the situation; and what they found particularly difficult about the situation. Interviewees had a Master of Social Work (MSW) degree and at least two years post-masters experience. Interviews took place either in person or over the phone. Students wrote a final paper summarizing the interview and their personal reflection (e.g., what they would have done differently and why). The final paper was de-identified and shared with the class via an online discussion board. Approval to use the student papers was granted from the university's Institutional Review Board.

4.2 Sample

The current study included student papers concerning ethical issues between a supervisor (or an agency policy) and supervisee. Ten of the original 43 student papers (23%) focused on such dilemmas. Most of the social workers interviewed were in direct practice (e.g., case managers, counselors). Four cases involved a mental health and/or substance abuse treatment provider, two of which occurred on tribal grounds. The remaining direct-practice cases involved a school, a child welfare agency, a skilled nursing facility, and a service provider for persons with disabilities. Two of the 10 cases occurred in macro practice settings; one with a social advocacy group and the other with an administrative entity of a children's nutritional program. All names and agencies have been changed to protect the participants' anonymity.

4.3 Analysis

The analytic strategy employed in this study was descriptive qualitative analysis. This analytic approach matches the study's purpose, which is to describe actual practice situations and the steps taken by practitioners to navigate them, without the imposition of a theoretical or interpretive lens (Sandelowski, 2000). This method stems from a history of naturalistic inquiry common in social and behavioral research (Lincoln & Guba, 1985). It has been argued that this method is underutilized given the increasing array of qualitative methods from which to choose, and because some researchers view this method as less sophisticated. On the contrary, descriptive qualitative analysis offers the benefit of staying close to how the events were described by interviewees themselves – including *their* interpretation of how these events unfolded. It is also the choice method when a study seeks to answer questions of particular relevance to practice, including responses to an event, reasons for responses, and/or factors facilitating or hindering a particular outcome (Sandelowki).

In order to assure qualitative rigor, the confirmability of the study was strengthened via analytic triangulation among three authors that specialize in different areas of social work practice and research (Padgett, 2008). Each author read all 43 student papers and identified 10 cases that they agreed were supervisor-instigated or agency-policy ethical dilemmas. There were no disagreements concerning which papers dealt with this theme. Per Padgett's (2008) recommendation regarding multiple case analyses, similar cases were kept together in order to maximize the integrity of participants' experiences without over-aggregating. Furthermore, and in line with a qualitative descriptive-analysis paradigm, the authors stayed close to students' descriptions pertaining to the setting occurrence (the "where?"), the type and nature of ethical dilemma, and the action steps taken to navigate the conflict (the "what?": Sandelowski, 2000, p. 339). Given that open-ended questions were used to solicit interviewees' experiences, reactivity and researcher biases – two threats to the trustworthiness of qualitative research – were minimized (Padgett, 2008). The trustworthiness of the ethical dilemmas encountered was further strengthened by the deliberate sampling of experienced practitioners in the field (i.e., holding a minimum of a two years' experience and a Master's of Social Work degree), which added strength to the results in that maximally-informed sources were solicited for information. An audit trail also detailed each step of the data collection and analysis processes (Padgett, 2008).

5.   Results

The 10 student papers represented six typologies of badly behaving bosses. Most of the typologies centered on supervisor-instigated unethical behaviors, but two were related to an agency policy (i.e., the whole organization behaved badly). We recognize that the six typologies presented here may not be comprehensive to all supervisor-related dilemmas, and represent just a few examples of this particular phenomenon.

In the following section, we summarize the type and nature of these six dilemmas, the steps the interviewee took to address the dilemma, and reactions on the part of the student interviewer.

5.1   One: The Alcoholic

A social worker, Marty, recalled an incident 10 years ago when she was an intern at a mental health facility. She discovered that her supervisor was drinking on the job. Marty confronted her supervisor, who became angry, and subsequently threatened to end her internship. In spite of her internship and graduation being on the line, Marty chose to report her supervisor to the head of the facility. She stated, "No amount of training can prepare you for making this kind of tough ethical decision." The decision to report her supervisor was complicated; barring the termination of her internship, the intern initially felt well-supported by her supervisor, whom she liked and worked well with. Ultimately, Marty's commitment to client well-being and safety drove her to report her supervisor's alcohol abuse to the director of the agency. To Marty's surprise, the director was aware of the supervisor's drinking problem, and was reluctant to take action. The supervisor's drinking lasted another six months after the intern reported it. Eventually, Marty's supervisor was put on leave to get treatment, but only after the intern pointed out irrational decisions on the part of the supervisor to the director of the agency.

In reflecting on the incident, Marty and the student interviewer agreed that sticking to the *NASW Code of Ethics* helped guide Marty's appropriate actions as an intern. Marty stated, "On one side were the values of service, dignity and worth, integrity, and competence, and on the other side was further angering my supervisor, losing my internship, and maybe my graduation." The student interviewer felt confident that she would make the same decision, however recognized just how easy it would have been not to report the situation. In this case, the student agreed that commitment to clients and to the profession as a whole were more important than an individual's risks: "There

is a responsibility to the profession to make sure that it is held in the highest esteem and that social workers are held to the highest integrity."

5.2   Two: The Bully

Another interviewee, Janet, described a situation that happened within the first three months of her first case management position with a large mental health services provider. The interviewee witnessed her supervisor scolding a client for coming in late to a group, telling her she was not committed to the program, and forcing her to sign a form waiving services. Janet felt her supervisor was out of line, but was afraid to confront her because she was being bullied as well. Janet recalled several instances of bullying behaviors, the most egregious being when her supervisor slapped the back of her head for making a mistake.

Janet, new to the agency, asked her colleagues for advice, and discovered that the supervisor was bullying her co-workers as well. She decided to report the supervisor's bullying of the client and of herself to her director and to human resources, who both advised her to document the incidents. The director held a mediation meeting between the supervisor and her employees, but according to Janet, the supervisor's behavior did not change. Instead, the bullying escalated as the supervisor "made things difficult" and attempted to have Janet fired for making minor mistakes. The stress of "being under a microscope" and feeling like the agency did not support its employees ultimately led Janet to decide that her best option would be to resign. Eventually, she found out that her supervisor was fired after letting a male employee, whom she fancied, falsify hours on his timesheet.

Janet had regrets about how she handled the situation. First, she wished she had left her job sooner: "No one should have ulcers because of their boss." Janet also discussed a number of boundary issues between her and her supervisor. For example, they were classmates who would carpool together, and edit each other's term

papers. "I now look back and see how easily boundaries can be crossed," Janet said. The student interviewer pointed out to Janet that ethics textbooks advise employees to follow the chain of command (i.e., speak to one's supervisor before going above them), but both believed it would not have helped Janet's situation. The student said, "I think that since [the supervisor] was such a bully and was so unprofessional, it would have only made things worse by confronting her." Both Janet and the student interviewer were surprised that a boss could get away with such harassment despite having been reported, and were disturbed that the boss was only fired after it came down to money. Janet said this "reflected the true values of the organization."

5.3   Three: The Romeo

In another incident, Matt, a child welfare worker at Child Protective Services (CPS), recalled a time when his supervisor was romantically involved with the father of a family being investigated for child abuse. The father had been a client of Matt's supervisor when she was a caseworker. Being romantically involved with a client is unethical, but because Matt's supervisor was only supervising the case, there was some distance between her and the client/father. The unethical nature of the situation intensified, however, as over the course of the investigation it was revealed that child abuse had occurred in the presence of Matt's supervisor. In addition, the supervisor did not report the abuse, as she was legally obligated to do under the state's mandatory reporting laws.

Once Matt discovered his supervisor's intimate connection to the case, as well as the fact that the supervisor had witnessed the abuse, he followed CPS protocol and reported his concerns up the chain of command. The management told Matt to continue his investigation while they conducted their own investigation into the supervisor's behavior. Aside from the investigation, Matt said that there was no other response from the management. In the end,

the supervisor kept her position and received no disciplinary action, even though the abuse allegations were true and the father lost custody of his children.

Upon reflecting on the case, Matt said that the organizational culture "had a huge impact on how this incident took place… and then how management continued to cover up and protect their [employee]." For him, the most difficult part was the management's inaction, as this was clearly inappropriate and overtly a violation of CPS's values. The student interviewer wondered if she would be able to stand up to the hierarchy of supervisors and questioned whether she would leave the agency, ultimately deciding not to: "I do not believe [resigning] is ethical either as we are obligated to address these dilemmas."

5.4 Four: The Three Profiteers

Three cases centered on unethical financial practices. In one instance, Sam, a case manager in a nursing facility, was reprimanded for not discharging a client to a home health care agency that the supervising doctor owned. Instead of being swayed by the doctor's threats and unethical behavior, the caseworker upheld the patient's discharge wishes, citing a commitment to protecting the patient's right to choose, especially when there is a known conflict of interest.

The second unethical financial dilemma occurred with a non-profit agency that "turned for-profit" and began filtering all cash and in-kind donations from their non-profit entity to a newly created for-profit sector. Carole, the subordinate employee, recognized this as an embezzlement scheme, and before resigning from her position, left an audit trail and communicated the transfer of funds to all the original donors. Carole felt doing so cleared her conscience, and stated, "I value my integrity most of all. At the end of the day, I have to be able to look at myself in the mirror and reflect on the consistency of my character."

The third financial dilemma involved a counselor, Hilda, who worked in an outpatient program for Native American teens. The Chief Economic Officer (CEO) of this small, for-profit agency was pressuring employees to cut corners and increase profits by providing suboptimal care. On several occasions, the CEO told Hilda to stop referring clients out to facilities that provided more intensive care, or the company would be forced to downsize. Hilda sought guidance from her peers within the organization, who urged her to consider the personal and professional consequences of providing inadequate treatment to a client for whom she is ultimately responsible. After two employees resigned, Hilda contemplated the same action. However, she worried about the effect leaving her job might have on her clients' continuation of care. Ultimately, she decided to file a 30-day notice of resignation so that she could properly transition her clients. She also filed a complaint with the Board of Behavioral Health to notify them of the agency's practices. Both the student and interviewee felt that commitment to clients was more important than maximizing profits, and leaving the organization was in everyone's best interests.

5.5 Five: The Misguided

There were three instances of supervisors who undermined a caseworker's assessment of a client's treatment. In each instance, the caseworker sought counsel from his or her supervisor about a client and the supervisor disagreed with a course of action that was in the best interest of the client. In one example, Brian, a school social worker, was told by his task instructor to not report an allegation of child abuse to CPS, because it would be "too much paperwork." Brian strongly disagreed with his task instructor, and spoke to his direct supervisor, who told him to report the incident. Although CPS did not formally investigate the case, Brian felt obligated to uphold mandatory reporting laws, regardless of the amount of paperwork.

In another case, Sarah's supervisor at a behavioral health clinic told her to discharge a potentially suicidal client because he thought the client "was faking it." Sarah said she was new

to the profession at the time and complied with his request because of his experience. However, looking back, she said she would prefer to have filed a grievance with the company, so that her objections would be in writing in case something did happen to the client.

Finally, Beryl, a case manager for persons with developmental disabilities, was told by her supervisor to not allow a client to live with her boyfriend, because it violated the supervisor's personal values against co-habitation. Beryl had done her due diligence by meeting with the client, her boyfriend, the family, and the clinical team, who all agreed the client was able to live independently. Ultimately, Beryl supported the client's decision, despite her supervisor's opinion.

5.6   Six: The Unjust

Maria, the lead program coordinator for a social advocacy organization, discussed a time when her agency implemented a controversial policy that was contradictory to their cause. The organization participated in legislative advocacy around human rights violations, and Maria facilitated conflict resolution with immigration cases. Some time ago, the agency's national headquarters mandated a policy that required the immediate reporting of undocumented staff, volunteers, and interns working in the organization. Maria was outraged by the irony, stating, "I built my career defending immigrants and undocumented workers on behalf of the very organization that was now asking me to 'out' potential immigrants or undocumented workers within my own staff." Although one staff member did not have legal documentation to work, Maria felt she could not morally or ethically report him. She questioned the values of the organization and whether she possessed the desire to continue working for an organization with such an unjust policy. Maria filed a grievance with the national headquarters, and was prepared for the lengthy legal battle ahead for being a conspirator who was violating company policy.

"I lucked out," Maria said, because "the national headquarters cut funding to the program, and the policy became irrelevant." While she and the entire staff were let go, Maria felt that her integrity and values were intact. "I remain dedicated to the ethics of social service, and to extend equal access to resources to all peoples, whom I [hold] in higher regard than agency policy." Her religious upbringing and extensive training and experience in social advocacy directly influenced her actions. She consulted the *NASW Code of Ethics*, particularly the sections pertaining to service and social justice. The student interviewer identified with Maria's strong commitment to service, "even if it is in the worst interest of my own job."

6.   Main Findings

This study sought to delineate the nature of supervisor-instigated ethical dilemmas among experienced social work practitioners. We utilized descriptive qualitative analysis of student interviews with practicing MSW social workers to identify six typologies of supervisors behaving badly. We summarized the ways that each situation was navigated, and provided student reactions to interviews in line with our focus on social work education. Each supervisee who was interviewed showed a commitment to personal and professional values and to client wellbeing. This commitment helped them recognize the unethical nature of their situations, and influenced how they navigated these dilemmas. A sense of personal integrity was key for most interviewees, even among those who had less experience in the field.

The supervisees engaged in a number of ethical decision-making steps, which depended on the nature and severity of the ethical dilemma. In some instances, confronting one's supervisor was the most appropriate course of action, especially in relatively isolated events, such as when Sam was reprimanded for not discharging a client to the doctor-owned care facility. Similarly, Marty only sought assistance from the director when

her boss's drinking continued despite being confronted. Although it took many months before her boss received treatment, going above her supervisor was successful. Janet's bullying, however, was prolonged and pervasive, so she did not feel comfortable confronting her boss, and instead went to the director. Unfortunately, the bullying worsened after speaking to the director, because of the agency's negligible response to the allegations.

Another common step among many of the supervisees was seeking counsel from colleagues, friends, and family. Support from others helped supervisees be more confident in the decisions they made. In our study, seeking outside support was especially warranted for employees whose supervisors did not have a social work background, or when the ethical dilemma stemmed from supervisors pursuing profits over a client's rights or self-determination. Other employees, like Matt and Maria, filed official paperwork documenting their concerns, whether it was to internal or external entities (e.g., the Board of Behavioral Health). There appeared to be intrinsic value and meaning in officially reporting the dilemma. In addition, this course of action helped to address any liability issues (Corey et al., 2003).

Many of the employees believed resigning was the right thing to do for themselves and for their clients. An employee's decision to resign was more often because the agency was perceived as corrupt more than as a result of the actions of a single person. It is interesting to note that a portion of supervisees felt that the organizational cultures supported their supervisors' unethical behaviors. Clark (2007) argues that at the core of organizations that have failed to perform properly is a lack of personal responsibility and accountability among all members of the organization. Whatever the chosen course of action, most supervisees faced personal and professional costs, which is a finding consistent with other literature (McAuliffe, 2005). Marty was threatened with the loss of her internship; Hilda lamented leaving her clients; Carole felt like

she was losing her family; Janet faced a financial burden by leaving her job, and only did so because she could deal with the loss of income, unlike her co-workers who had families to support.

7. Limitations

A limitation of this study was that the student interviewers have re-described the interviewee's accounts of the unethical situation (i.e., students did the interviewing), and may have over- or under-exaggerated portions of the narrative, especially because the supervisors themselves could not be interviewed (most events happened over five or more years ago). The threat of respondent bias, or the subjectivity of the interviewee in his or her interpretation or recall of the events that occurred (Padgett, 2008), is a potential concern for the trustworthiness of the data. However, maintaining confidentiality of the participants minimized this threat (Padgett, 2008). Furthermore, gaining the students' perspectives offered the benefit of additional depth to the analyses. The students' role also highlighted the utility of this assignment as a worthy pedagogical tool for learning about complex ethical dilemmas encountered in social work practice.

8. Recommendations

All professionals, supervisors or not, have the capacity to succumb to ethical weaknesses and misjudgments (Clark, 2007), and the importance of establishing and maintaining strong professional ethics throughout one's career should not be discounted. Practice experience and opportunities for professional development are some ways to foster the personal character and reasoning skills necessary to deal with unethical behavior (Clark, 2007). Furthermore, positive relationships between supervisors and their trainees (e.g., employees, students in the field) are pivotal to the development of competent and responsible professionals (Corey et al., 2003). Having honest and open discussions about ethics during supervision can assist in the

ongoing development of standards of practice, and professional support (Christie, 2009).

As demonstrated by the interview narratives, witnessing a supervisor behaving unethically presents a complex and uncomfortable situation; student interns were particularly vulnerable given their dependency at a placement for their degree. Some students may hesitate to speak up because of their grades, while others fear it might interfere with future job opportunities. We believe that supervision should incorporate an "open door policy," whereby supervisees can discuss their concerns with anyone in their agency without recourse or fear of retribution. In Britain, legal protections are in place for whistleblowers (Rodie, 2008). Like other scholars, we agree that ideally, supervision should be a safe, confidential, and transparent process (Christie, 2009; McMahon, 2002; Scaife, 2001). Establishing a "bill of rights" can help ensure a measure of quality supervision (Corey et al., 2003; Tyler & Tyler, 1997; Weinrach & Morgan, 1975), and monitoring and legal protections can make the supervision process more ethically sound.

In conclusion, this study offers a model for educators to openly discuss supervisor-instigated ethical dilemmas in the classroom, and provides guidance on how practicing social workers navigated these complex situations. The dilemmas described in this study offer real-life perspectives that give readers the ability critically to analyze ethics in the context of micro and macro practice. The authors were motivated to convey supervisor-instigated ethical dilemmas because many of the students in the course stated that they benefitted greatly from learning about these dilemmas prior to entering the field themselves. It is interesting to note that student interviewers in this study were "surprised" and "shocked" at the behavior of the supervisor and/or agency. Their language suggests that students (and other professionals) need to be exposed to supervisor-instigated ethical dilemmas. While there are not always easy or clear-cut answers to such dilemmas, learning from the experiences of others in the field affords students the opportunity to collaborate with one another, and with their field instructors. In doing so, students may feel better equipped to navigate difficult practice situations in accordance with high ethical standards.

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