

Research Article

# Ethics in Human Resource Management: A Study of Ethical Hiring and Employee Selection

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## I N F O

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## A B S T R A C T

The act of hiring a new employee may have significant repercussions for an organization on both the ethical and legal fronts. A survey of the current literature discovered various areas of importance for both academics and hiring managers and other employees. This was done with the intention of better identifying the concepts that impact employment selection ethics and hiring practices. Previous scholars have asserted that the concepts of moral duty, diversity, antidiscrimination, integrity, and employment justice all play a role in the hiring hiring anytime new people is being brought on board. Awareness and action in these areas will lead to motivating elements that may influence attitudes, while ethical hiring practices will be allowed to create the culture of the organization. This article provides a dichotomy of knowing that when organizations apply a stated ethical hiring criteria, employers are more likely to attract and hire ethical applicants. This dichotomy of knowledge is presented in the form of a paradox. This conception gives rise to the presumption that managers are required to fulfill the organization of ethical gatekeepers for the organizations to which they belong.

**Keywords:** Ethics, Hiring, Anti-discrimination, Integrity, Gatekeepers, Human Resource

## Introduction

The hiring of choosing new employees and filling open positions is a never-ending cycle for the managers in the various businesses. When hiring someone, you should search for someone who has previous experience, educational credentials, or even simply an outstanding personality. As a major role of management, upholding ethical standards should be a top priority for hiring managers, and they should be cognizant of the ethical repercussions of their decisions (Paine, 1994). Hiring managers are faced with the difficult problem of selecting employees who can satisfy and suit the criteria of the organization and have the appropriate qualifications while complying to both regulatory and internal employment organizations. A manager should be aware of the ethical duties connected with hiring processes

in addition to the legal framework that is engaged in employment practices. If the success of an organization is directly proportional to the quality of its workforce, then the person in charge of hiring should be aware that the selection of ethical manager employees is of the highest significance to the success of the organization (York, 2014). According to Ashkanasy, Windsor, and Trevio (2006), the activities of a small number of compromised personnel who knowingly engage in unethical behavior have the potential to tarnish the image of the whole organization. Every person in a position of hiring authority inside a company need to take on the task of acting as an ethical gatekeeper for that company in order to forestall or, at the very least, reduce instances of unethical activity. Companies that wish to conduct their business in accordance with an internal ethical standard should adhere to ethical hiring practices

and guiding principles (Alder & Gilbert, 2006) in order to support managers in the promotion of ethical employees.

### Objectives of the Study

To determine how important ethical considerations are in the importance of hiring and selecting employees for an organization.

To compile a list of some of the most prevalent ethical conundrums that human resource professionals confront throughout the recruiting process.

### Literature Review

A survey of the relevant literature has been conducted on topics like morality, diversity, the fight against discrimination, integrity, and justice.

The study that has been done so far reveals that the employees of an organization are the major source for building a competitive edge for that organization (Ruona & Gibson, 2004). If this is the case, a manager has the responsibility of making sure that newly hired employees represent the kind of ethical human capital and strategic advantage that can assist an organization thrive rather than bring about its downfall. In an organization, ethical conduct is not something that simply happens on its own; rather, it is the result of conscious decisions made by managers and concrete acts taken by employees. It is impossible to overstate how crucial it is for managers to have a role in hiring responsibly and choosing ethical individuals. The research that has been done on this literature offers a look into the many different facets that are associated with upholding ethical standards while hiring new employees. Several theories pertaining to this sector of business management have assisted in defining the ethical practices necessary for ethical employee selection. Among the most prevalent of these theories are concepts such as moral obligation, diversity, antidiscrimination practices, integrity-based approaches, fairness/ justice, and the requirement for honest communication.

### Obligation towards Morality

(Salvador Villegas, 2019) It is not something that ought to be done flippantly when there is a vacant position: making the decision to recruit the proper individual for the job. Managers have an obligation to establish the ethical atmosphere of a business, which may lead to improved relationships, reputations, and the eventual success of the organization. All of these things are contingent on management awareness of their responsibility to uphold ethical standards (Paine, 1994).

In addition, previous researchers have argued that hiring managers not only have the positional power to choose one candidate and reject other applicants, but that hiring managers also have a moral obligation to exercise their

decision in a responsible manner. This is in addition to the fact that hiring managers have the positional power to choose one candidate and reject other applicants (Alder & Gilbert, 2006).

If a manager fails to pick the most qualified applicants for a position and disregards their obligation to act in an ethical manner while making hiring choices, then there is a greater risk that their organization may be contaminated by dishonest employees. According to the hypothesis put forward by Ashkanasy et al. (2006), "bad apples" are persons that are morally deficient, have a predisposition to act in an unethical way, and will do so if given the chance. Every organization may fall prey to the flaws of employees who behave in unethical or immoral ways if they are allowed to work there. It is a fact that ethical hiring practices and management controls may not be able to totally stop less than ideal employees from finding employment. However, a manager who acts in accordance with a moral obligation has the ability to reduce the risk of the organization and its stakeholders being adversely affected by the hiring of an individual who might have a negative impact on the organization. "Moral behavior builds trust, which attracts customers, employees, suppliers, and distributors, not to mention earning the goodwill of the general public," says Lantos (1999) in response to the ethical debate on employment practices.

On the other hand, immoral conduct drives these different groups farther apart (p. 225). Even though the short-term rewards produced by immoral business activity have to be forfeited in order to adhere to ethical standards, the long-term effect of doing business in an ethical manner may result in significant benefits for the organization. In line with what has been suggested by a number of previous academics, it is the responsibility of hiring managers to ensure that ethics are a primary priority when choosing new employees. It has been proposed as a guidance that managers follow a three-step process in order to help them in meeting their responsibilities for ethical employment and hiring. First, in the process of making any hiring decision, an applicant's ethical character should be determined through the use of behavioral interview questions. These questions should be designed to better identify an applicant's individual character traits, such as openness, self-discipline, and personal virtues. Second, the corporate leaders and managers who are already in place need to show ethical behavior in both their words and their actions. Third, in order for managers to be able to recognize and respond appropriately to ethical dilemmas, they need to work on developing their own personal sensitivity. (Lantos, 1999).

There is a gap between understanding what to do and actually carrying out the acts that are essential for its

execution, which is also specified in Rest's model of moral conduct (Johnson, 2015).

According to Lantos (1999), if managers make it a point to consciously concentrate on generating ethical incentive matched with action, both for themselves and when carefully hiring employees, it is possible that future press on corporate ethics may look less criminal than it does now.

### **Assortment/ Diversity**

Research done in the past has provided a crystal clear definition of the business case for diversity in organizations. There is a correlation between a diverse workforce and increased levels of creativity, higher workplace retention, enhanced decision making, higher quality employees, and an improved public image, among other benefits (Johnson, 2015).

Differences among employees might be based on factors such as color, nationality, gender, religion, handicap, or even genetic composition (Roberts, 2016).

Differences in education, experience, and values are some examples of aspects of diversity that may be included under this overarching category. Employers should value diversity not just because it is beneficial to their business from a financial and operational case, but also because of the ethical and philosophical benefits it offers. For instance, hiring people from a variety of cultural backgrounds leads to more benefits than drawbacks (utilitarianism), recognizing and appreciating individual differences upholds the dignity of each person (deontology), furthers the cause of social justice, and demonstrates love for our community by helping individuals realize their full potential (altruism) (Johnson, 2015).

When it comes to diversity in hiring, the ethical aspect of the process shouldn't be judged based on general patterns; rather, it should be evaluated based on the effect that the process has on the person who is being picked for the role (Alder & Gilbert, 2006).

In spite of the compelling moral and financial arguments in favor of pursuing diversity in hiring practices, a deliberate business is still required to reach the desired level of diversity. According to the findings of several studies, the overall motivation of an organization's workforce may be affected by factors such as the social composition of the workforce (Lloyd & Mertens, 2018).

Even if there is established case law stating that protected class status should not be a consideration in hiring choices, some kind of affirmative action policy is still required for diversity in hiring to take place (Alder & Gilbert, 2006).

Affirmative action is "a class of public policies focused on achieving equality of opportunity, especially in the realms of tertiary education and employment, for certain historically

oppressed groups," according to the definition provided by previous study (Taylor, 2009, p. 478).

Alder and Gilbert (2006) suggest a four-step action plan to expand the diversity of an organization, which is meant to serve as a framework for managing diversity in hiring practices. This plan's components are as follows: He suggests that the first job in achieving diversity is to eliminate the personal prejudice that hiring managers have against prospective applicants by mandating diversity training. Second, he recommends eliminating any obstacles that may be preventing members of under-represented groups of job searchers from submitting applications for vacant jobs. The use of solely online apps, which need access to the internet, is one of the barriers. Another barrier is publishing assistance wanted advertising in publications that are not generally read. Next, he suggests that necessary steps need to be taken in order to increase a diverse mix of applicants by broadening recruitment efforts such as engaging applicants from a number of different schools or areas of town. Specifically, he suggests that this should be done in order to increase the number of people who apply for the position. Finally, he arrives to the conclusion that diversity should prioritize giving preference to members of legally protected groups throughout the job process. It is essential for hiring managers to have an understanding of the concept of welcoming difference if they want for diversity to take root inside an organization and alter its demographic make-up. A climate of inclusion can help to create a sense of comfort that encourages all employees to apply their personal differences to specific work processes, necessary tasks, and organizational strategies in an environment that is composed of culturally diverse groups, as opposed to groups that are culturally homogenous. This is because a climate of inclusion is more likely to exist in an environment that is culturally diverse than in an environment that is culturally homogenous (Boekhorst, 2015). Because of the ethical, business, and societal benefits that can directly be achieved from the contributions of people with different backgrounds, cultivating a diverse environment ought to be a distinct hiring priority. This is due to the fact that different people bring different perspectives to the table. In order to achieve diversity, it is necessary to eliminate both overt and unconscious forms of prejudice in the hiring process.

### **Anti-discrimination**

It is a flagrant violation of the employment laws in the United States to refuse to hire someone because of their membership in a protected class. This comprises practices that cause an explicit discrimination, which the EEOC refers to as disparate treatment, as well as practices that result in a de-facto discrimination regardless of intentions, which the EEOC refers to as disparate effect. Both of

these categories are included here. Even though there are laws and regulations in place, the press often reports on businesses who have been very discriminatory in their hiring practices, refusing to hire individuals on the basis of race, gender, sexual orientation, religion, or other grounds.

Even with legal frameworks in place, the likelihood of eradicating manager bias is difficult, if not impossible. Some researchers will argue that discrimination is human (Cuilla, Martin, & Solomon, 2014), and even with legal frameworks in place, the likelihood of eradicating manager bias is difficult.

According to the findings of other studies, not only is discrimination unethical, but also hiring managers and the organizations that they represent have a moral obligation to uphold the concept of non-discrimination in employment. This is despite the fact that discrimination is itself unethical (Demuijnck, 2009).

Demuijnck (2009) postulates that in order for businesses to satisfy the moral obligation, they need to execute effective diversity training by first establishing long-term diversity targets, and then assigning particular management tasks to support this endeavor. In order for a business to have successful hiring practices, there must be a motivated motivation inside the company to assist managers in avoiding discriminatory actions. When it comes to avoiding discriminatory actions, some managers may be organically motivated to do so, while others may depend on the corporate culture for direction and structure (Lantos, 1999). It is considerably simpler to pinpoint instances of overt and purposeful discrimination on the basis of protected characteristics when it occurs. The hiring process might be fraught with unanticipated challenges when an applicant is subjected to prejudice due to unconscious stereotyping or individual bias.

Roberts (2016) presents the case for harmful stereotyping and the bad impacts that it may create via employee selection and employment as part of her legal study of employment discrimination in respect to the harm principle. The researcher explores the concept of behaviors that might contribute to the perpetuation of specific types of stereotype threats in her study. Even the simple act of pointing out that an individual belongs to a diverse or protected class may be a detrimental trigger in some circumstances, leading to feelings of disenchantment with the organization, diminished ability, a sense of being tokenized, or even a sense of being excluded (Roberts, 2016).

Roberts (2016) contends, among other things, that some triggers for stereotypical stereotype might potentially make an organization vulnerable to employment discrimination, whilst other factors could not. The author suggests that the

best strategy to prevent unethical stereotyping in hiring is to adopt tight internal regulations and processes via self-evaluation, with the goal of decreasing the incidence of stereotypic damages (Roberts, 2016). There are certain types of discrimination that organizations need to be aware of in order to maintain an environment that is conducive to ethical hiring practices. The classes that are protected have been established by federal legislation; however, there are additional forms of discrimination. There are many of examples of ways that organizations might eliminate discrimination in their hiring practices based on unprotected characteristics in the research that has been done, but for the purpose of brevity, just a few more examples will be offered here.

Employers are beginning to take into consideration economic factors such as the likelihood that an applicant will use medical benefits, a desire to restrict the personal liberties of employees outside of work, and the requirement of pre-employment health screenings, which can be viewed as an invasion of privacy, according to the findings of some researchers (Ladd, Pasquerella, & Smith, 1994).

The same authors claim that “using non-job-related criteria for hiring is discriminatory and that hiring decisions should be based exclusively on the prospective employee’s ability to do the job” (Ladd et al., 1994, p. 326). However, the outcomes of such activities might be branded as discriminatory and immoral, despite the fact that some employers may attempt to rationalize this sort of discrimination as a technique of decreasing the corporate risk associated with hiring employees. The moral disengagement of corporate executives and hiring managers who enable such behaviors to take place by using moral justification to persuade employees that their damaging conduct is helpful is a great illustration of this phenomenon (Johnson, 2015).

Some academics are urging businesses to begin addressing the problem of discrimination based on perceived physical appearance (Harvard Law Review as cited by Cuilla, Martin, & Solomon, 2014). This research, which was first published in the Harvard Law Review, presents various cases that illustrate why employers need to develop policies that overlook personal beauty and unambiguously prohibit pre-employment queries relating to appearance (with the exception of grooming). The majority of this research comes from more recent studies in which persons who are overweight have reported being discriminated against due to their appearance rather than their ability to execute the job that they are looking for. In a manner that is reminiscent of the approach that was proposed by earlier research, the author(s) who want to remain anonymous say that employers should reflect on their own practices and focus emphasis on genuine work-related applicant criteria



rather than examine applicants' appearance. Changing the mentality of hiring managers and people in general is the only way to put an end to this kind of discrimination. When managers behave with integrity by adhering to ethical hiring practices, whether such practices are based on personal principles or company policies, the phrase "acting with integrity" comes to mind. Discrimination and bias are not always to be avoided, and there are situations in which they might actually work in an applicant's favor while applying for a job.

The researcher Howard Ross (2014) discusses in his book *Everyday Bias* that occasionally interviewers may quickly prefer one applicant above others owing to some stereotype or related sentiment. Ross analyzes this phenomenon in the context of job applications.

According to Ross (2014), our unconscious biases may be created either individually or collectively, and they influence every choice that we make, including who we interview, how we interview, hire, allocate roles, promote, or take a risk in hiring.

### **Integrity**

When managers carry out their responsibility of sustaining the ethical identity and atmosphere of an organization throughout the hiring process, they are demonstrating both their moral character and their integrity. Integrity is not to be mistaken with compliance with the law; rather, integrity is a crucial component that plays a role in every form of business choice (Johnson, 2015), including hiring. When it comes to management, adhering to regulatory compliance standards serves as a guide to avoiding legal ramifications, but implementing an integrity-based approach goes far deeper, influencing both operations and conduct. In a setting that makes the conscious decision to conduct its business in an ethical manner, the management will give concrete expression to moral principles, cultivate an atmosphere that is ethically encouraging, and establish the concept of shared responsibility among all of the workforce (Paine, 1994).

If an organization has guiding principles that are centered on integrity, then it will have a greater chance of recognizing the ethical and work-related skill sets of potential candidates while making decisions about whether or not they are suitable for employment (Paine, 1994).

Employers are allowed to recruit potential employees, but they must do it in a way that does not include dishonesty or other violations of ethical standards (Gardner, Stansbury, and Hart, 2010). In a strategy based on integrity, behaviors of this kind would not be tolerated in any circumstance. During the course of the hiring process, all potential candidates should be provided with open and honest

information about the ethical requirements associated with the job (Evans, 2009; York, 2014).

This open and public attitude on ethical standards reflects the commitment made to ethical action inside the organization as well as the value that is put on it. People who are selected for employment via a procedure that adheres to ethical standards will likely have a high level of gratitude for the honesty and integrity that was shown prior to being employed (Evans, 2009).

When an organization makes the conscious decision to direct its actions toward the maintenance of an atmosphere of integrity, this will be reflected not just in how they hire, but more importantly, in who they hire. A company absolutely has to have crystal-clear ethical requirements in order to be able to hire ethical and valuable personnel while avoiding hiring potential bad apples.

In circumstances such as the selection of new managers, supervisors and leaders are expected to demonstrate integrity between their words and actions (McFall as cited by Ciulla, Martin & Solomon, 2014). Integrity may be seen as a guiding corporate concept when a corporate ethical standard is established, which benefits both current employees and potential employees.

### **Fairness**

Within the scope of this literature study, the fundamental ideas of fairness and justice have infiltrated almost every single conversation on ethical hiring practices. Rawls (1971) presented an argument for fairness in which he explained how individuals are often fast to construct norms for society activity while remaining oblivious to their own self-interests. These interests have an impact on the equitable distribution of advantages and obligations for everyone, including the fairness of hiring standards (Ladd et al., 1994).

The objective of a fair hiring process, within the context of ethical employment protocol, is not simply to have formal access to a position, but rather to actually be considered for an open position without the blindness caused by managerial self-interest. This is the definition of fairness in hiring (Rawls as cited by Demuijnck, 2009).

When a manager acts in a manner that is in accordance with their own self-interests by intentionally withholding employment opportunities from individuals who are qualified for the position but are disregarded due to the manager's personal prejudices, this is an example of bias, which undermines fairness (Alder & Gilbert, 2006).

Organizations that make the decision to uphold the values of fairness and justice have earned the right to be labeled ethical, while organizations whose values emphasize profits or allow for the bending of regulations are often thought to

be acting unethically (Alder & Gilbert, 2006). When it comes to the recruitment of new staff members, ethical conduct may be defined as fairness in the applicant selection process and the hiring procedure.

### **Ethical Dilemmas that HR professionals face during the Recruiting Process**

In spite of the fact that there are anti-discrimination laws that protect individuals from unlawful treatment during the hiring process, the ethics of recruiting go beyond regulation and may have an effect on the reputation of both a business and an individual recruiter. The following are some of the most prevalent ethical conundrums that might occur throughout the recruiting process.

#### **Posting a JOB ad for a Position that does not exist**

This may be done for a number of reasons, including the following: to find out what kind of skilled employees could be found in a potential new location; to entice passive candidates in order to construct a talent pipeline; to use up any remaining postings in an expiring contract with an online jobs board, even if it is just to collect resumes; to determine whether or not current workers will respond to a blind ad, which would indicate that they are prepared to leave the company; or to promote the talent that the If a job ad is placed when there is truly no available position, then potential candidates, employees, clients, and customers may be lead to doubt the company or recruiter due to unethical practices. This may happen for any of these reasons. A single post on social media has the potential to damage a company's reputation in a hurry; reducing the amount of advertising to just real job opportunities will mitigate this danger.

#### **Misrepresenting the duties or Requirements of an open Position**

In most cases, this takes place when a position is difficult to fill, or when a recruiting quota has to be fulfilled and desperation sets in. Both of these scenarios are problematic for the hiring process. If a prospective hire is promised greater autonomy or control than the position really possesses, the new hire may end up being dissatisfied, which may cost the firm even more money if the employee quits fast. The same principle applies whether you are considering hiring someone who is overqualified or someone who is underqualified but who eventually gets overwhelmed and unproductive. Be absolutely upfront and honest with candidates about the requirements of the position for which they are applying in order to uphold your own and your company's reputation for integrity and ethical business practices.

#### **Unethical Employee Referral Practices**

Employee recommendation systems are a popular and

effective technique for hiring exceptional applicants; yet, there is a potential for these programs to hire ethical concerns, which HR should be aware of. When senior-level employees make a reference and anticipate a hire regardless of merit; when a recommended candidate is recruited and there is a feeling that the referring employee is indebted to the hiring manager for "doing him or her a favor" and when special interests, such as a client referral, hold weight over merit. These concerns may develop when senior-level employees make a referral and expect a hire regardless of merit; when there is a perception that the referring employee is indeb Any referral system requires continuous monitoring, which must include the collection of employees' feedback in an anonymous manner, in order to maintain ethical standards. Also think about restricting the levels of employees who may make referrals via the program, or making it such that all referrals can be made anonymously for a short period of time. Instead of concentrating on the person who referred you, you should stress the reasons of the applicant that led to the reference (such as their experience, reliability, and so on). Also, be aware of any requests for special favors that are made to HR in an effort to get around the standard hiring processes.

#### **Unethical use of Social Media**

Discovering and exploiting information about an applicant's protected status (such as age, ethnicity, or religion, for example) in a discriminatory manner presents not just potential legal liability but also ethical challenges. To provide an example of the most egregious kind of unethical action, recruiters may create fake social media accounts in order to acquire access to the applicant profiles that include private information about the applicants and their connections. Even if candidates are informed that their social media accounts will be viewed and, as a result, they will be required to provide their passwords (which is legal in some states), you have still crossed a line into their private lives and gained access to information that is not related to the position for which they are applying, and this information should not be used as leverage against them. However, what is seen cannot be hidden, and as a result, there are restrictions on how such information may be used both morally and legally. Furthermore, the legitimacy of any material acquired on social media that cannot be independently confirmed is lacking, and it would be dangerous to utilize such information when making a hiring choice. A person whose identity has been stolen, for instance, may not be aware that a fake social media account has been created in his or her name, nor that potential employers could be utilizing it in an unfair manner to evaluate his or her suitability. Consider restricting the use of social media as a screening method to occupations that need a social media presence or abilities in order to

maintain acceptable levels of ethical conduct. To decide whether or not such screening is appropriate, you should, at the very least, do a risk-benefit analysis with the assistance of your attorney. In such case, standardized evaluations should be developed, and multiple raters should be used. Verify the veracity of any and all information that has the potential to be utilized adversely against an applicant in every instance.

## Conclusion

Discoveries have been made in a few different areas, each of which calls for more research. Within the framework of this review, and in an effort to expand the body of knowledge on this topic, it could be of significant importance to properly investigate and create a framework to define the role and value of ethical gatekeepers. This would be done in an effort to grow the body of knowledge on this subject matter. A significant portion of the literature that was chosen for the study centers on the importance of ethical acknowledgment and integrity to managers. However, given the imperative nature of advancing research in this area, it seems prudent to conduct further investigation into defining ethical gatekeepers. It would seem that more testing of these systems is still required, despite the fact that managers employ tools for testing the ethical aptitude of job seekers that provide a forecast for future ethical conduct. Even though human behavior and response may vary depending on the scenario, additional investigation of this scale and other ethical testing tools might establish their usefulness and aid hiring managers in their quest for ethical employees, should that become a corporate goal. Although it is only touched on briefly, it would be of great academic importance to investigate how hiring practices directly affect the philosophical and sociological components of Ethical Climate Theory-ECT (Martin & Cullen, 2006). Even if doing ethical business may be a desirable business practice, this does not guarantee that it will be profitable; in fact, ethical practices may not be profitable at all (Kline, 2012). It would be vital to research how, if at all, ethical hiring impacts an organization's profitability as a matter of financial precedence. This is because ethical hiring may not effect profitability at all. Along the same lines of thought, it may be advantageous for organizational leaders to calculate the ethical awareness, growth, and operations in a company both before to and after the implementation of an ethical hiring framework. It has also been determined and explored what the most prevalent ethical conundrums are that HR professionals encounter throughout the process of hiring new employees, as well as how such conundrums might have an effect on the recruiting process. The body of review on the topic that will be discussed in this article has a wealth of knowledge; yet, it has also thrown light on a great deal of subject territory that calls for more inquiry. A better theoretical and practical knowledge of how ethical

hiring practices affect the numerous stakeholders in an organization, such as its executives, its customers, and society in general, may be achieved via research on these topics that is both appropriate and exhaustive (Alder & Gilbert, 2006; Martin & Cullen, 2006).

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