

The Ethics of Poaching Staff

One of the issues currently being discussed by our member organisations is the ethics of "poaching" staff.

With the rapid increase in government funding to deliver expanded services, many of our member organisations are desperately looking to fill positions. The problem we all face is the lack of enough qualified and skilled people not just from within our own ranks but also from outside. We recognise that in reality we are all competing for a small pool of people and will end up drawing people away from other member organisations. As member organisations network and cooperate in the delivery of services, certain people from other organisations may be identified as potentially good fits to needs within our own organisation. Is it ethical to approach them directly and lure them away? Is it becoming necessary to get into questionable recruitment practices well known in the corporate world to fill positions?

One of the major things that distinguish non-profit community organisations from the business world is that we don't consider ourselves in competition where it is OK to succeed at the expense of our "competitors" (ie other organisations in the same business) even if our behaviour is "ethical". We have a sense of camaraderie and want to do things differently.

Some important ideas may help our thoughts and discussion about this.

- **The people who work for us are ends, not means**

Simon Longstaff (2008) from the St James Ethics Centre reminds us that the people who work for us should be considered as ends and not means. They are not disposable inputs to production. They are not expenses or liabilities. It is possible to have a situation where the organisation benefits and the staff member benefits at the same time. Longstaff even goes to the point of suggesting that we rename Human Resources as Human Relations.

Seen in this light, the personal development of each member of our staff is something we should understand and encourage. However, if they see that their personal situation will be better served by working in another organisation then perhaps this should be understood as well. By then it is usually too late to do anything to stop them leaving. It is important in retaining staff to always be acting to ensure people can develop to their satisfaction within our own organisation, not waiting until they want to leave to make a better offer. On this point it is also important not to confuse inertia with satisfaction. Just because someone still works for us does not mean they are happy or not looking to leave if the right job came along.

Perhaps we have come to see it a matter of awkward competition among organisations in the sector as to who can pay the most and who has the best working conditions. Although traditionally relying on lower paying SACS awards, organisations have also been relying on the goodwill and passion of those who want to work in the sector. Eventually goodwill and passion may not be enough and pay and conditions and opportunities for personal development are some of the important signals you send of how you value your staff and the contribution they can make to achieve your organisational goals.

- **Our recruitment practices must be ethical and fair but the end result does not have to be fair to everybody**

First we need to define what we mean by fair. Fairness is something that is interpreted very differently depending where we stand but it relies on an assumption that from a particular point of view everyone has been treated equally and gets an equal or just share of the result. A fair recruitment process will be an ethical process and vice versa (for example following EEO principles) but the outcome will not be fair (or equal) to every stakeholder. Although your recruitment may be fair to the person who comes to work for you and your own organisation, those who miss out on the job they wanted, the organisation that loses the staff member and perhaps even the client so well previously served by that staff member may consider that they have suffered a loss they did not deserve. For them the result might not be "fair" even if they agree that the selection process was fair and ethical.

The way that you recruit however may be ethical or unethical. It is not unethical to want to go the extra mile in recruiting the best person to apply for a position within your organisation, but your organisational practices in recruitment should be the same as all your other organisational practices, and consistent in how you treat all your stakeholders - staff, service users, suppliers, board members, funding bodies etc. They are the values of your organisation. Honesty and integrity are perhaps two that come to mind. This does not mean that it is unethical to be discrete or have a need to keep things from being out in the open.

It is perfectly ethical to advertise a job vacancy, consider applicants and fill the position. In principle, it is ethical for people to leave one job in one organisation and go to another organisation. As long as there was no attempt to deceive anyone, it might also be considered ethical to point out to a desired candidate your vacancy and your offer. The ethical consideration might only be in how you approach the desired candidate and whether your methods involve deception but it is hard to find deception in communicating directly with someone to let them know about a job while being truthful and open.

The fairness debate is actually separate from the ethics debate. Getting the best person available for the job at the time means even if the process is fair, there will still be winners and losers – it is part of operating in a society of free labour and human rights. People make choices to work for an organisation or leave a job based on certain personal considerations and organisations make choices to hire people (or even terminate people) based on their own organisational needs and considerations. This process involves inconvenience and costs in differing amounts to various stakeholders. We should rightly stand up against unethical processes but in the end we must live with results that appear “unfair” from our perspective. As long as we can all live with our actions as ethical and that should include wanting the best for our staff, even if it ends up not being with us.

Longstaff, Simon (2008) “Ethical Issues and human resource development: Some tentative thoughts” retrieved from *St James Ethics Centre website* www.ethics.org.au 7 May 2008

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