



**Global Center
for Health Security**

**Ethics Advisory
Committee Case
Study**

Doing the Right Thing: Tough Decisions in Preventing and Controlling the Spread of COVID-19

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Target Audience

The ideal audience are those interested in public health ethics, workplace ethics, or occupational wellness.

Learning Objectives

At the end of this case study activity, learners will be able to:

- List common recommendations for how to prevent spreading COVID-19 illness in the workplace and at home
- Describe two or more ethical principles for workers or managers that might come into conflict when trying to prevent the spread of infection at work
- Identify two possible ways to prevent infection and promote safety at work that would be acceptable to both workers and managers

How to Use this Case Study

Participants should work in small groups (4-8 people). Each group should select a recorder to take notes and a reporter who will report back to the entire class. Each small group should read through the case study. The group should work on the questions following the case study. If time is short, the questions may be divided among the groups and between the group members.

Background

Throughout the COVID-19 pandemic, workers in essential industries have been faced with a number of difficult decisions. To provide for themselves and their families, frontline workers must work during the pandemic, even though they face an increased risk of getting COVID-19. Although some businesses have taken actions to reduce the risk of disease spread, many essential workers work in conditions that could be improved. Due to a number of reasons, including language barriers, a lack of education, immigration status, or a fear of being punished, workers might be afraid to speak up about workplace safety to their superiors. The case below demonstrates the importance of considering both facts and values when making decisions by discussing the situation of Mr. Sanchez, a worker in a meat processing facility who has been impacted by COVID-19.

Ethics Case

Mr. Sanchez is a 42-year-old worker in a meat processing plant. He has worked at the plant for 6 years. He has not missed a day of work in 3 years, including since the start of COVID-19.

Mr. Sanchez works shoulder-to-shoulder with other employees, removing the bones from meat on a processing line. His duties have not changed since COVID-19, but he and his co-workers are now required to have their temperature taken at the start of every shift.

Mr. Sanchez knows that some of his co-workers have tested positive for COVID-19. He also knows he could catch the virus because he works indoors in a crowded setting. But he feels fine, and he cannot quit his job because he is the only provider for his family, including his young children and his elderly parents.

Everyone in Mr. Sanchez's household is worried about catching the virus. They have all read the materials he received at work about how to avoid catching and spreading the virus (see the attachment to this case) (<https://www.unmc.edu/healthsecurity/education/programs/docs/Protecting-yourself-from-COVID-19-at-work-and-outside-of-work.pdf>). His family has stayed at home as much as possible. They wear masks when they go out. They all wash their hands before they eat.

Two months into the pandemic, Mr. Sanchez's father comes down with a fever and a cough. His father cannot isolate from the family because their house is too small. After two days of fever and cough, Mr. Sanchez's father starts to have trouble breathing and has pain in his chest. Mr. Sanchez takes his dad to the hospital. At the hospital, Mr. Sanchez's father tests positive for COVID-19. Mr. Sanchez is the only person his father has had contact with that could have been exposed to COVID-19. Mr. Sanchez assumes that he gave the virus to his dad.

Mr. Sanchez gets tested for COVID-19. He still feels fine, but he does not go to work while he waits for his test result. Two days later, Mr. Sanchez's test is positive. He calls his supervisor about his positive test. The supervisor says he will need to stay home for at least 10 days, and he will be paid for the time he is required to stay home.

But on his third day home from work, his supervisor calls back. The supervisor says that production in the plant has gone down. Since Mr. Sanchez has no symptoms, the company will not pay him for sick leave. In fact, if he does not work his shift the next day, he will get a penalty point. If he receives five penalty points, he will be fired.

Mr. Sanchez cannot provide for his family without paid sick leave, so he returns to work the next morning. Other workers are not told about Mr. Sanchez's diagnosis. Over the next week, three of his co-workers get COVID-19. Scared by the fast spread of disease at the plant, Mr. Sanchez tells some co-workers that the plant is allowing people who have COVID-19 to work. His co-workers are also scared about getting sick and want to know how to stay safe.

Mr. Sanchez and a few co-workers schedule a meeting with the supervisors. They are worried that speaking up could get them fired, but they are even more worried about catching and spreading COVID-19. At the meeting, the supervisors say that they did not know that people were being told to work when they were contagious. They agree to review health and safety measures.

The plant leadership consults the University of Nebraska Medical Center's Meat Processing Facility COVID-19 Playbook for ideas. They decide to put plexiglass between workstations, give workers a clean mask each day, and schedule breaks in shifts to avoid crowding in the break rooms. The Playbook also recommends giving sick pay to all COVID-19 cases and people in quarantine, but the management team says they cannot afford to pay sick pay to workers who aren't actually sick.

Ethical Principles

- Being fair about helping workers avoid getting infected. This means recognizing what people must do to avoid getting infected at work and giving them what they need to do it. *We call this principle reciprocity.*
- Using the right solution to the problem; not too little and not too much. *We call this principle proportionality.*
- Being honest about what is expected and what it will take to get there. *We call this principle transparency.*

- Keeping the plant open. For example, this means keeping workers healthy and at work, and keeping profits high enough to stay in business. *We call this principle sustainability.*
- To prevent infection and keep people safe, it is important for everyone on the team to have a right to say when they don't feel safe or when rules to keep people safe aren't being followed. *We call this principle empowerment.*

Discussion Questions

1. Pick one of the five principles listed above (sustainability, reciprocity, proportionality, transparency, or empowerment) and explain how it fits into this case.
2. What can workers do to protect themselves from COVID-19 in the workplace and outside of the workplace? Refer to the handout:
<https://www.unmc.edu/healthsecurity/education/programs/docs/Protecting-yourself-from-COVID-19-at-work-and-outside-of-work.pdf>
3. Make two lists:
 - a) In addition to their health, what are other things workers care about in this case? What do they value?
 - b) In addition to making sure enough workers show up every day, what are other things the managers are worried about; what do they value?
 - c) Which of things on the lists match up? Which conflict with each other?

References

1. Herstein J, Schwedhelm S, Lowe A, et al. *Meat Processing Facility COVID-19 Playbook*. UNMC Global Center for Health Security and Central States Center for Agricultural Safety and Health; 2020:1-17.
2. Jackson-Meyer K. The principle of proportionality: An ethical approach to resource allocation during the COVID-19 pandemic. *Bioethics.net*. April 2020. <http://www.bioethics.net/2020/04/the-principle-of-proportionality-an-ethical-approach-to-resource-allocation-during-the-covid-19-pandemic/>. Accessed September 22, 2020.
3. Jennings B. Ethical Aspects of Sustainability. *Minding Nat*. 2010;3(1). <https://www.humansandnature.org/ethical-aspects-of-sustainability>. Accessed September 22, 2020.
4. Lampton J. Transparency Is the Bedrock of Ethics. *Strategic Finance*. <https://sfmagazine.com/post-entry/september-2019-transparency-is-the-bedrock-of-ethics/>. Published September 1, 2019. Accessed September 22, 2020.

Appendix: Facilitator's Guide

Introduction (3 minutes)

People may think that choices would be easy if we just had all the facts. Some may believe that we should simply "let science" guide our decisions. But that's an oversimplification of real life, and there are many factors to be considered when making decisions about how best to control the spread of an infectious illness, like COVID-19 - these factors include both key scientific facts and important ethical values.

3 key points to make before reading the case

- *Uncertainty is common in difficult decisions:* with COVID-19 and other infectious diseases we sometimes have to make decisions to help control spread despite not having all the information we would like, or even all the information we *need*, to be sure we are making the right decision. For example, we often have to balance risks, despite not being certain what all the risks are.
- *More than just scientific facts are involved in making good decisions:* even if we all agreed on all the relevant facts, and even if we knew all of the risks, the messy reality is that oftentimes multiple people are affected by the decisions each of us must make. A risk that is acceptable to one person might not be acceptable to someone else who is affected by the decision – or vice versa. So, more than just scientific facts must be weighed when making decisions.
- *Ethical values often come into play, and they can conflict with each other:* each of us holds certain values as part of our moral or ethical core. These might be values you got from your parents, your church, your friends, or from books you've read or movies you've seen. We all think certain things are really important – whether it's the health of our family, success in business, always telling the truth, or being a loyal friend and a kind person. But what happens when these values come into conflict with each other? For instance, how do you decide what to do when telling the truth might also be unkind? This is an **ethical problem** – when two or more important values tell us to do different things.

Throughout the COVID-19 pandemic, workers in essential industries have been faced with a number of difficult decisions, based on one key fact: to provide for themselves and their families, frontline workers must work during the pandemic, but working during the pandemic means facing an increased risk of getting COVID-19. This case will help the group explore some of the ways that uncertainty, science, and different values can play into decisions about COVID-19 prevention and control in the workplace. As you read the story, keep in mind two things: first, how different *people might be affected* by the decisions being made, and second, what *values are being put first* when the decisions are made.

Participants Read the Case Together

Ideally, have one person read the case aloud so those who don't read well can participate equally in the discussion.

Discussion about Ethical Principles (no more than 5 minutes)

Ask participants to think about the people involved in this case and have them make a list of who needs to be considered when making decisions. There are a number of possible values (often called ethical principles) that readers might see in the story – a few important values in this story are reciprocity, proportionality, transparency, sustainability, and empowerment.

- *Reciprocity* means giving people what they deserve in return for what they are being asked or required to do. In this case, it means recognizing what people must do to avoid getting infected at work and giving them what they need to avoid infection.

- *Proportionality* is defined as using the right solution to the problem; not too little and not too much.
- *Transparency* requires that people are honest about what is expected and what it will take to get there.
- *Sustainability* entails keeping workers healthy and at work and keeping profits high enough to stay in business.
- *Empowerment* means that everyone on the team, without fear of being punished, has a right to say when they don't feel safe or when rules to keep people safe aren't being followed.

Ask participants: What questions do you have about these principles? Are there other principles that you saw influencing decisions that different people made in the story? As moderator, it's fine for people to use their own words to describe these principles, and it's common for different people to refer to similar principles using different labels. These principles also can overlap, and they can be in conflict with each other – let the group explore these issues a bit before breaking into small groups.

Small Groups

Participants should work in small groups (4 – 8 people). Each group should select a member to report back to the entire group. Each small group should try to answer the questions at the end of the case study. If time is short, the questions may be divided among the groups and/or between the group members.

Sample answers are listed below the questions:

- **Question 1: Pick one of the principles listed above (sustainability, reciprocity, proportionality, transparency, or empowerment) and explain how it fits into this case.**
 - Sustainability: The meat processing facility does not want to decrease production because decreased production leads to a loss of money. To maintain production, the plant needs employees to be at work.
 - Reciprocity: Workers at the meat processing facility are expected to work during the pandemic, so in return, the leadership of the facility installs plexiglass between workstations, staggers breaks in shifts, and distributes masks to provide some protection to the workers. Workers are owed protection because they are risking their health and safety by working during the pandemic.
 - Proportionality: When deciding which infection prevention and control measures to implement, workers' health and safety must be balanced with the meat processing plant's need for continued operations and production; and measures that protect against COVID-19 could potentially raise other safety risks (e.g., if goggles get fogged up...), which might also need to be weighed in the balance.
 - Transparency: The meat processing plant should share information required to keep workers safe. For example, Mr. Sanchez's coworkers are not informed of his COVID-19 diagnosis and are put at risk by working alongside him. [Note that someone might bring up his privacy rights – in this regard, most of the time coworkers are not told the name of the person that might have exposed them, but they are told they might have had an exposure and should quarantine and/or be tested]
 - Empowerment: Mr. Sanchez and his coworkers should be allowed and even encouraged to approach the management team to express their concerns about the adequacy of infection prevention and control measures within the plant.
- **Question 2: What can workers do to protect themselves from COVID-19 in the workplace and outside of the workplace?**
 - Show or distribute the handout:
<https://www.unmc.edu/healthsecurity/education/programs/docs/Protecting-yourself-from-COVID-19-at-work-and-outside-of-work.pdf>
 - In the workplace:
 - Stay home if you are sick
 - Correctly wear a face mask at all times

- Wash/disinfect your hands often
 - Avoid touching your face
 - Avoid gathering in large groups
 - Outside of the workplace:
 - Avoid carpooling when possible; wear masks in the car if riding with someone outside of your household
 - Wash/disinfect your hands often
 - Follow physical distancing recommendations; stay 6 feet apart from others
 - Isolate infected people within your household
- **Question 3: Make two lists:**
 - **In addition to their health, what are other things workers care about in this case? What do they value?**
 - Making money to provide for themselves and their families
 - The health of their friends and families
 - Their employment and not losing their jobs
 - Transparency and honesty from the plant leadership
 - The ability to trust the people they work for
 - **In addition to making sure enough workers show up every day, what are other things the managers are worried about? What do they value?**
 - Maintaining levels of production
 - Making money to provide for themselves and their families
 - Their employment and not losing their jobs
 - The relationships they have with workers
 - **Which values on these two lists match up? Which values conflict with each other?**
 - Matching: Both parties want to maintain their employment to be able to provide for themselves and their families.
 - Matching: Both might value the relations they have with each other and their co-workers
 - Conflicting: Managers aiming to keep up production might allow workers to work while sick, but they also don't want rampant infection in the plant.
 - Conflicting: Workers value their paycheck, but also don't want to work while sick and infect others or be exposed to other workers who are sick.
- **Question 4: Provide 1-2 ideas that your group thinks would be MOST effective and MOST acceptable to both workers and supervisors to overcome the challenges related to showing up to work with confidence of safety.**
 - More flexible sick leave policies: Allowing workers to quarantine and isolate for the required period of time can lead to a greater workforce in the long term. Upon being identified as a close contact or receiving a positive test result, workers should be allowed to stay home from work without being penalized.
 - Implement additional control measures: There are additional infection prevention and control measures that could be implemented, including ventilation controls, increased cleaning and disinfection, a universal mask policy, and increased communication and education.