

Chapter 9

Health and Safety

CHAPTER SUMMARY

This chapter shows that workers have a right to a safe and healthy workplace and that employers have a moral and, in many cases, a legal obligation to secure this right. The controversial questions concern two matters: What is the morally required level of health and safety, and how can this level be best achieved? Increasing the level of health and safety usually involves trade-offs with other goods, including higher wages for employees and greater profits for employers. The commonly accepted standard for making such trade-offs is cost-benefit analysis, in which the benefits of increased workplace protection are balanced against the costs. In general, employees, employers, and society at large are best served when cost-effective decisions are made. However, the rights to know about and refuse hazardous work and the problem of reproductive hazards raise the different issue of the extent to which employees should be involved in protecting themselves. Not only may a right to employee involvement in matters of health and safety be morally justified, but such involvement may also be an effective means for achieving workplace health and safety that complements the protections offered by employers.

Just as workplace health and safety plays a prominent role in shaping business practices, so does consumer health and safety. Businesses are obligated to provide products that are reasonably safe for consumer use and consumption. The legal standards for liability determine safety standards and the extent to which businesses are liable for unsafe products. Likewise, they may impose liability on consumers for their own negligence and/or misuse of products. An injured consumer's compensation claim may be reduced or even denied due to the consumer's own behavior.

CHAPTER OBJECTIVES

- 9.1: Explain the nature of ethical issues regarding occupational health and safety, employers' obligations to protect their employees, and the arguments over the extent of employers' responsibilities for injury or harm
- 9.2: Analyze the rights of employees to be informed about potential health and safety hazards and to refuse hazardous work, the justifications for these rights, and the difficulties they create for employers
- 9.3: Assess the risks posed by reproductive hazards in the workplace and the problems with fetal protection policies, including issues of discrimination, choice, and legal liability
- 9.4: Identify the responsibilities of manufacturers and consumers regarding harmful products, the ethical basis for three main theories defining these responsibilities, and problems with applying each theory

SUGGESTED DISCUSSION PROMPTS

1. What legal duties do manufacturers have to produce safe products?
2. Should employers be held responsible for all and any workplace hazards, and are cost-benefit analyses acceptable measures of occupational safety?
3. Do you think that employees who accept hazardous jobs could be said to be coerced in doing so?
4. What is the best justification that can be given for employees' right to know about occupational hazards?
5. What is the difficult dilemma faced by companies whose working conditions pose a danger to fetuses?

ASSESSMENT FOR IN-CLASS USE

Multiple Choice Questions

Choose the BEST possible answer for each of the following.

1. The distinction between safety and health is based on the distinction between _____.
A. intention and accident
B. accidents and illness
C. disease and wellness
D. ethics and law

Correct Answer: B

9.1: Explain the nature of ethical issues regarding occupational health and safety, employers' obligations to protect their employees, and the arguments over the extent of employers' responsibilities for injury or harm

Topic/Concept: Rights in the Workplace

Difficulty Level: Moderate

Skill Level: Analyze

2. Utilitarian reasoning in approaching workplace hazards might be based on _____.
A. legal precedent
B. the rights of workers
C. employers' responsibilities
D. cost-benefit analysis

Correct Answer: D

9.1: Explain the nature of ethical issues regarding occupational health and safety, employers' obligations to protect their employees, and the arguments over the extent of employers' responsibilities for injury or harm

Topic/Concept: Rights in the Workplace

Difficulty Level: Moderate

Skill Level: Analyze

3. Employers can defend themselves from responsibility for a workplace accident by claiming that _____.
- A. the accident was preventable
 - B. the worker knew the risks
 - C. the worker was negligent
 - D. the accident was unavoidable

Correct Answer: C

9.1: Explain the nature of ethical issues regarding occupational health and safety, employers' obligations to protect their employees, and the arguments over the extent of employers' responsibilities for injury or harm

Topic/Concept: Rights in the Workplace

Difficulty Level: Moderate

Skill Level: Analyze

4. Part of the reason that employees can be said to voluntarily assume risk for hazardous jobs is that _____.
- A. the jobs require special skills
 - B. the pay is higher
 - C. information is always available about the jobs
 - D. many people are willing to do the jobs

Correct Answer: B

9.1: Explain the nature of ethical issues regarding occupational health and safety, employers' obligations to protect their employees, and the arguments over the extent of employers' responsibilities for injury or harm

Topic/Concept: Rights in the Workplace

Difficulty Level: Easy

Skill Level: Understanding

5. In determining whether workers assumed a risk by choice, a case not finding evidence of coercion means that _____.
- A. workers were not forced to accept jobs
 - B. other jobs may have been more hazardous
 - C. there may have been other people willing to accept the jobs
 - D. not all jobs were hazardous

Correct Answer: A

9.2: Analyze the rights of employees to be informed about potential health and safety hazards and to refuse hazardous work, the justifications for these rights, and the difficulties they create for employers

Topic/Concept: Hazardous Work

Difficulty Level: Moderate

Skill Level: Analyze

6. To be able to work in a hazardous environment, employees must_____.
- A. have the right to refuse hazardous conditions
 - B. be able to sue their employers
 - C. be able to quit their jobs
 - D. have the right to share information

Correct Answer: A

9.2: Analyze the rights of employees to be informed about potential health and safety hazards and to refuse hazardous work, the justifications for these rights, and the difficulties they create for employers

Topic/Concept: Hazardous Work

Difficulty Level: Moderate

Skill Level: Analyze

7. In product safety, manufacturers have to exercise due care or else they _____.
- A. could be outcompeted by another manufacturer
 - B. would have to find new customers
 - C. would have to present an expert analysis
 - D. could be fined or sued

Correct Answer: D

9.4: Identify the responsibilities of manufacturers and consumers regarding harmful products, the ethical basis for three main theories defining these responsibilities, and problems with applying each theory

Topic/Concept: Product Safety

Difficulty Level: Moderate

Skill Level: Evaluate

8. The drawback for the subjective standard of hazard assessment on the part of the employee is that_____.
- A. the employee may not be the one in most danger
 - B. the employee may not have expert judgment
 - C. employees will be looking after their own interests
 - D. employers cannot be counted on to look after their employees' interests

Correct Answer: B

9.2: Analyze the rights of employees to be informed about potential health and safety hazards and to refuse hazardous work, the justifications for these rights, and the difficulties they create for employers

Topic/Concept: Hazardous Work

Difficulty Level: Moderate

Skill Level: Analyze

9. If employers maintain that they can protect employees from hazards better than employees can, this is incompatible with employees' _____.
- A. dignity
 - B. right to work
 - C. autonomy
 - D. safety

Correct Answer: C

9.2: Analyze the rights of employees to be informed about potential health and safety hazards and to refuse hazardous work, the justifications for these rights, and the difficulties they create for employers

Topic/Concept: Hazardous Work

Difficulty Level: Moderate

Skill Level: Analyze

10. Sex discrimination may apply to jobs that pose fetal health risks because _____.
- A. women in certain jobs may be subject to sexual harassment
 - B. pregnant women may have certain skills that others lack
 - C. pregnant women may decide to take less-hazardous jobs
 - D. employers may bar women from holding certain jobs

Correct Answer: D

9.3: Assess the risks posed by reproductive hazards in the workplace and the problems with fetal protection policies, including issues of discrimination, choice, and legal liability

Topic/Concept: Reproductive Hazards

Difficulty Level: Moderate

Skill Level: Evaluate

Essay Questions

1. Explain the concept of a direct cause as applied to workplace safety. How are employers held responsible for direct causes of accidents and hazards?

9.1: Explain the nature of ethical issues regarding occupational health and safety, employers' obligations to protect their employees, and the arguments over the extent of employers' responsibilities for injury or harm

Topic/Concept: Rights in the Workplace

Difficulty Level: Moderate

Skill Level: Analyze

2. Explain the argument that workers assume the risk of hazardous jobs, and describe how the argument can be challenged.

9.2: Analyze the rights of employees to be informed about potential health and

safety hazards and to refuse hazardous work, the justifications for these rights, and the difficulties they create for employers.

Topic/Concept: Hazardous Work

Difficulty Level: Moderate

Skill Level: Evaluate

3. Describe how the issue of sex discrimination applies to jobs that pose health risks to developing fetuses.

9.3: Assess the risks posed by reproductive hazards in the workplace and the problems with fetal protection policies, including issues of discrimination, choice, and legal liability

Topic/Concept: Reproductive Hazards

Difficulty Level: Moderate

Skill Level: Evaluate

4. Identify the responsibilities manufacturers and consumers bear regarding harmful products.

9.4: Identify the responsibilities of manufacturers and consumers regarding harmful products, the ethical basis for three main theories defining these responsibilities, and problems with applying each theory

Topic/Concept: Product Safety

Difficulty Level: Easy

Skill Level: Understanding