

## **IDVR Counselor Training Series Decision Making and Ethics - Part 2**

### **Welcome**

Welcome to the Idaho Division of Vocational Rehabilitation Counselor Training. This program is provided by the New Hampshire Department of Education, Division of Workforce Innovation, Bureau of Vocational Rehabilitation, and Interwork Institute of San Diego State University. It is part of the Agency's effort to provide readily available training support to vocational rehabilitation counselors. For further information contact: [shannon.wilcox@vr.idaho.gov](mailto:shannon.wilcox@vr.idaho.gov)

### **New Section: Ethical Decision Making and Dilemmas**

#### **Difficult Ethical Decisions**

**Rehabilitation counselors will face ethical dilemmas in the course of their profession.** Although the Code provides guidance for ethical practice, it is impossible to address every possible ethical dilemma that rehabilitation counselors may face.

**When faced with ethical dilemmas that are difficult to resolve, rehabilitation counselors are expected to engage in a carefully considered ethical decision-making process.** Reasonable differences of opinion can and do exist among rehabilitation counselors with respect to the ways in which values, ethical principles, and ethical standards would be applied when they conflict.

While there is no specific ethical decision-making model that is most effective, **rehabilitation counselors are expected to be familiar with and apply a credible model of decision-making that can bear public scrutiny.** Rehabilitation counselors are aware that seeking consultation and/or supervision is an important part of ethical decision-making.

#### **Recognizing an Ethical Dilemma**

The first step in ethical decision making and resolving ethical dilemmas is to understand what constitutes an ethical dilemma and to recognize when an ethical dilemma exists.

An ethical dilemma occurs when the following conditions exist:

- A choice must be made between two (or more) courses of action.
- There are significant consequences for taking either course of action.
- Each course of action is supported by one or more ethical principles.

- The ethical principle supporting the unchosen course of action will be compromised.

## Case Study: Joe

Let's practice analyzing an ethical dilemma by considering the fictional case of Joe.

Joe is a participant who was found eligible based on a herniated disk in the lumbar region of his spine. He had two surgeries to try and correct his condition, but he still experiences chronic pain and has lifting limitations of no more than 20 pounds. Joe is experiencing significant financial problems and is facing eviction from his apartment. He is a single father of a 10-year old girl and is desperate to find work so that he and his daughter remain in their current living situation. He has been offered a job as a stocking clerk that starts in a week. He has asked for your help with transportation and work clothes, as well as childcare until he gets his first check. After investigating the job, you find out that it requires frequent bending and regular lifting of 50 pounds or more. Joe is aware of this but is willing to take the risk due to his desperate financial state.

## Analyzing Joe's Case

Let's analyze Joe's case and see if we can recognize the ethical dilemma.

**The first step is to determine whether a choice must be made between two or more courses of action.**

In Joe's case, one course of action would be to agree to provide services to Joe to get and keep the job as a stocking clerk. Another course of action would be to deny Joe's request to provide him services for the job.

These are two very different choices, which is the first requirement for the existence of an ethical dilemma. It is important to note that there may be several possible courses of action in a given situation you are facing as a counselor. There need only be two to constitute an ethical dilemma.

**The second step is to determine if there are significant consequences for taking either course of action.**

In Joe's case, if you support his request to provide services for the job as a stocking clerk, he may become gainfully employed and attain short-term financial stability which would allow him to remain in his apartment and take care of his daughter. On the other hand, there would be a likely risk of re-injuring his back which would prolong and worsen his current financial situation.

If you deny Joe's request, he is much less likely to re-injure his back, however he will still be unemployed and in a desperate financial situation, and possibly homeless with his young daughter. There are significant consequences for either course of action, so the second condition for the existence of an ethical dilemma is fulfilled.

**The third step in the analysis of an ethical dilemma is to determine if each course of action can be supported by an ethical principle.**

If you decide to support Joe's request, the ethical principle that supports this course of action is autonomy. You are supporting Joe's right to make his own decision. You might also believe that you are doing good for him, which would mean the ethical principle of beneficence supports this decision.

On the other hand, if you deny Joe's request, you may believe that the principle of non-maleficence supports this choice. You may believe that you are preventing him from re-injuring his back. You can make the case for several different principles at odds in Joe's case, but autonomy versus non-maleficence is clearly present.

**The fourth and final in the analysis of this ethical dilemma is to determine if the ethical principle in the unchosen course of action will be compromised**

If you decide to support Joe's request and provide services for the job as a stocking clerk, then it is possible that the ethical principle in the unchosen course of action (non-maleficence) could be compromised. It is likely that he will re-injure his back. If you deny his request, the principle of autonomy is clearly compromised. Ethical dilemmas are rarely simple, often having several ethical principles at odds. Their complexity underscores the need to have a clear process for resolving ethical dilemmas.

## Knowledge Check

To check your understanding of this lesson, click this [link](#) to complete the knowledge check.

## Resolving Ethical Dilemmas

Now that you are familiar with a model to help you identify and analyze an ethical dilemma, we will look at a six-step model for resolving ethical dilemmas. This model is similar to the one you just learned about, with a couple of extra steps that will help you develop a rationale for choosing a preferred course of action.

## Six Steps of the Model

Step 1: Review the case and identify the two courses of action from which you must choose.

Step 2: List the factually based reasons for supporting each course of action.

Step 3: Identify the ethical principles that support each course of action.

Step 4: List the factually-based reasons for not supporting each course of action.

Step 5: Identify the ethical principles that would be compromised if each course of action were taken.

Step 6: Formulate a justification for the superiority of one of the two courses of action based on the previous five steps. The justification should include a discussion of why the ethical principle supported by your decision takes precedence.

There is often internal conflict when trying to resolve an ethical dilemma. Which course of action to take is often unclear. Depending on the counselor's course of action, one or more ethical principles are at risk of being compromised. In such a situation, the counselor has a duty to make an informed decision **that is in the best interests of the participant**.

Although there can be reasonable differences of opinion when considering ways in which values, ethical principles, and ethical standards would be applied, the Code strongly encourages rehabilitation counselors to seek out the advice of other professionals during the decision-making process. When consulting with others, **rehabilitation counselors are required to uphold confidentiality standards as required under the Code and IDVR policy and procedures**.

## Resolving Joe's Case

The following six steps should be considered to resolve the ethical dilemma in this case:

Step 1: What are the possible courses of action in Joe's case?

Step 2: What are the factually based reasons for supporting each course of action?

Step 3: What are the ethical principles that support each course of action?

Step 4: What are the factually based reasons for not supporting each course of action?

Step 5: What ethical principles will be compromised with each course of action?

Step 6: Justify the course of action you have chosen and identify why the ethical principles you supported take precedence over the ones you did not choose.

We will see examples that illustrate one of the possible courses of action you can consider.

**Step 1: What are two possible courses of action?**

- Agree to provide services to Joe to get and keep the job as a stocking clerk.
- Deny Joe's request to assist him with services to obtain the job.

**Step 2: What are the factually-based reasons for supporting each action?**

- Joe is desperate for money and has a job offer. He has requested that you support his decision based on his right to choose. He understands the risks and still wants to take the job. It is clear that the stocking clerk job requires frequent heavy lifting, and that Joe has lifting limitations. Based on his lifting restrictions and his history of injury, it is likely he will be re-injured.

**Step 3: What principles support each action?**

- Autonomy and Non-maleficence.

**Step 4: What are the factually-based reasons for non-support?**

- The likelihood of re-injury is the greatest factually-based reason for not supporting Joe's request. Joe's desperate financial condition and the fact that he has a guaranteed job offer are the factually-based reasons for not denying his request.

**Step 5: What ethical principles are compromised?**

- If you support Joe's request to provide services, you are compromising the ethical principle of non-maleficence. If you deny Joe's request for support, you are compromising the ethical principle of autonomy.

**Step 6: Justify the course of action you chose.**

- In Joe's case, if you choose to deny his request for support of the job, you would be choosing to support the principle of non-maleficence over autonomy. You would decide on this course of action based on the likelihood of Joe hurting his back again and being in an even more desperate state than he is now. You would want to stress the importance of remaining as healthy and work ready as possible so that he can find employment consistent with his functional capacities and support his daughter and himself far into the future. In the meantime, you can refer Joe to other agencies and

organizations within the community that may help him with rental assistance and other living expenses until he is able to obtain suitable employment.

## **Conclusion**

This lesson has focused on ethical decision-making as it applies to the counseling relationship. The Rehabilitation Counselor Code of Ethics also guides decision-making in other areas, including relationships with other professionals. Learning to make ethical decisions comes with practice applying the Code throughout your career. Ethical decision-making can be challenging, and the correct decision is often not clear. A thoughtful analysis and application of the ethical dilemma resolution model should help you facilitate the personal, social, and economic independence of people with disabilities.

## **Lesson Completed**

You have now completed the second part of the lesson for this module. Click this [link](#) to access the end of module quiz. You must get a score of 80% to move on to the next module.