



**You've interviewed the candidates**, selected a potential new hire and just as you're about to make the offer it happens: You hear rumours about your star candidate. It may be risky to ignore the buzz, but acting on rumours is risky in its own right. Not knowing the facts, and accepting word-of-mouth as truth is neither safe nor ethical. Companies or individuals should endeavour to do their due diligence before acting on suspicion or speculation.

# The Rumour Mill

When do you act on a rumour in the workplace? Only if due diligence is part of your job.

Take, for example, the following scenario:

While discussing a file, two employees notice a job applicant being escorted into a nearby meeting room for her interview. One of the employees realizes that the interview candidate was "let go" from her previous employment rather suddenly and suspiciously "with cause."

The two employees are conflicted about what they should

do. This may not be the person in question, but they had heard that this morning's meeting was a final interview. In all likelihood the applicant would be offered the job. Should they act on the rumour and advise the interviewer and/or senior management about what they think they know? What if they're mistaken and their steps could prevent the hiring of a potentially strong employee or possibly hamper

the applicant's opportunities in the future?

"Speculation, even if there is some truth to it, can be damaging to a reputation in ways unforeseen by those who spread it," says Marcus Snowden, a lawyer with Blaney McMurtry LLP. "Apart from concerns about legal liability under local defamation laws for false or misleading statements, the prudent insurance professional should be very careful about either passing along or encouraging the passing along of gossip."

The employees should consider what it might be like to be in the job applicant's shoes. They should ask themselves: What if I were the subject of such rumours? Would I want people in the industry, whom I don't know, passing along unsubstantiated rumours and jeopardizing my chances at a new job?

## Warnings can backfire

Also, voicing unsubstantiated rumours could backfire in many ways. The compulsion to provide a warning to the interviewer or senior management seems driven by an assumption that the job applicant won't be forthcoming in the interview process.

The employees can't know whether this person will act ethically and disclose their



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past circumstances to the interviewer. Perhaps the interviewer or senior management are working with more factual information, not rumours, in this interview process.

Employees should not work to substantiate the rumours and confirm further details. Taking action to get more specific and reliable information would not be a prudent course of action. For example, calling an industry contact at the job applicant's former employer and making some inquiries would be inappropriate and would cross the ethical line.

Also, it's not the employees' role to do the company's due diligence. It's up to the firm's senior management/HR department to conduct the appropriate reference checks and to ensure that the necessary due diligence is done in the hiring process, in keeping with corporate policy and good human resource management

practices. The employees should trust their management and the process.

### **Keep it to yourself**

For that reason, the most prudent response may be to say nothing. (Also, those that do act on rumours risk their own reputation.)

In this case, the ethical professional in you needs to weigh the perceptions being spread by unsubstantiated rumours against the fairness to the job applicant; and weigh the responsi-

bility you feel to your firm against the myriad of consequences on all sides, and against your personal and professional integrity.

Making an ethical decision is not merely a decision between doing what seems right or wrong. When faced with more than one possible "right" it is about determining which is the most principled choice to make. Often these grey areas involve more complex issues of obligations, duties, responsibilities, fairness, consequences, perceptions, and understanding. ☐

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