Ethics in the workplace: The Dominican Republic perspective

By Laura Serra Nova

Compliance is an untapped concept in the Dominican Republic, mainly due to the confusion this innovative area of expertise supposes. Companies usually interlink the legal functions with the tasks that ought to be the responsibility of a compliance professional, thus resulting in the incorrect allocation of positions and resources, and overlooking those with experience in the field.

The concerns and conflicts within the hiring process are one thing; another is the infrequently discussed area of compliance management and how it affects employment ethics in everyday life. The Labor Code and regulations relating to the rights of employees are used to reflect some sort of corporate environment that eludes the written values and ethics manuals, previously considered almost a norm. Intrinsically linked are the failed national efforts of a few to amend and built a stronger change to ignite a growing society towards adapting to a globalized economic crisis of human values. It is evident in the internal challenges faced both by employees who manage their personal assets and employers in the management of their assets.

The current legislation in the Dominican Republic allows companies to establish internal manuals and procedures or a code of ethics where ethical values are promoted to employees. The manuals can be registered with the Ministry of Labor for its approval (under articles 129 to 134 of the Dominican Code of Labor) before the Institutional Ethics Committee that functions under the supervision of the Dirección General de Ética e Integridad Gubernamental (General Directorate of Ethics and Government Integrity). As respectable as this is, the future of compliance in the Dominican Republic should include a set of rules that make it mandatory to establish a code of compliance and ethics, approved by the Ministry, that furthers real consequences for violations.

So far, procedural justice would step in to establish the ethical standards that guide the practice of everyday tasks, but it is people’s perception of what is to be considered the correct approach for a given situation that tends to prevail. When the questionable activity by an employer or employee involves professional incompetence that affects performance, it directly affects the company and may constitute a serious risk that cannot be left for tribunes to resolve after the business has demised. The most important aspect of conflict resolution, aside from protecting the parties’ rights, is respecting dignity and valuing the individual in the process of aiming for a preventive method, as opposed to a
defense mechanism, that preserves dignity and creates an atmosphere of trust and mutual respect.

The key inference here is respect towards the parties involved and the role that the State plays when establishing the rules that must be followed. I would say that the same values that are presented there should encourage employers in their interaction with their employees. I can proudly say that the President elected has taken matters in his own hands to set an example, making it mandatory for all ministers to sign a Code of Ethics and Conduct.1

Further analysis must be made in order to have a more accurate data in this regard, nonetheless experience states that whether a company acts in an ethical manner or not is not a significant factor at the moment for the average Dominican’s willingness to work for an employer. Jobseekers have other priorities, such as the need to work and provide for their families. Hopefully, this is about to change with the new measures being held at all levels. There is a considerable percentage of people who aspire to gain experience from a leading provider of governance, ethics, and compliance management and have conducted themselves in such a way throughout their professional life.

Regardless of the challenges that we face, great efforts have been made by both public and private entities to move towards a greater ethical “well being.” And despite the culture imbalance of roles and duties, privileges, and responsibilities latent in what is socially approved, (described in Robert Lowie’s book Culture and Ethnology2) it is my opinion that our ethical future is bright. ❏

Endnotes