

Pressure To Bend the Rules: Is It Worth It?

A recent Global Ethics Survey revealed that 1 in 5 employees in the United States say they feel pressure in their jobs to compromise organizational standards. Studies have shown as internal pressure to compromise ethical standards increases, the likelihood of actual employee misconduct increases. More troubling, is the lack of repercussions that follow employee misconduct. According to the survey, employees who felt pressured were twice as likely to see their organization *reward* unethical behavior (38% vs. 17%). What message does this send? How does this impact the organization as a whole? Should unethical conduct be rewarded? A recent issue involving employee misconduct within a Major League Baseball (“MLB”) team might offer some perspective.

Last week, the MLB Commissioner faced tough questions from the media about the legitimacy of the outcome of the 2017 World Series. The Houston Astros won the World Series that year. It was the first time the team had reached this pinnacle in its 55-year history. The championship win was the culmination of an epic regular season. The Astros finished the regular season with 101 wins - - the best record in its division and commanding 21 game lead over its next closest divisional rival. It had been nearly 30 years since the Astros won 100 games in a regular season. Overall, Astros players played better in 2017. They led the league in offensive runs, hits and doubles. The team had the 2nd most homeruns of all 30 teams in the league. Astros players had the fewest strikeouts in the league - - only two teams had achieved such success since 1911. During the World Series, the Astros scored 13 home runs - - the 2nd most homeruns ever hit by a team in the World Series. After winning the championship, an Astros player was voted league MVP - - by a landslide. The Astros’ newly hired bench coach (i.e., assistant coach), was so lauded for the team’s success that the Boston Red Sox hired him to be their head coach. There was only one glitch to all of these accomplishments - - the Astros cheated. How?

In 2014, the MLB implemented a rule allowing teams the ability to “challenge” an umpire call during a game if the team felt the call was wrong. If the challenge was successful, the call would be overturned and the team retained the challenge; however, if unsuccessful, the challenge would be lost. Teams were allowed to set up video replay rooms to watch live game action in order to wisely determine when or whether to make a challenge. At the start of the 2017 season, the Astros bench coach had another idea. He convinced employees in the video replay room to focus the

centerfield camera on the hand signal communications between the catcher and pitcher of the opposing team. This is illegal under MLB rules. An Astros employee was told to decode the signals to determine the type of ball the pitcher was going to throw (e.g., fastball, curveball, etc.). A different Astros player would run to the dugout to convey the decoded information. Other players would ensure this information got to the Astros player at bat. After a few months, the scheme was perfected. They eliminated the runner. The bench coach installed a monitor inside the dugout with a direct feed to the video replay room. The signals could now be seen and decoded in real time. They developed a “morse code” in order to transmit the signals to the batter without delay. Players would bang on a trash can hard enough for the sound to be heard by their teammate at bat. For example: 2 bangs = a fastball; 3 bangs = a curveball. Upon hearing the bangs, the Astros batter was forewarned of the pitch coming his way. This advance warning is highly valuable information because the batter is able to adjust his timing and swing to make contact with the ball. As one MLB player recently said *“I’d hit 80 homeruns if I knew the pitch.”*

In 2019, a former Astros team member exposed the scheme. MLB conducted an investigation the results of which were revealed last month. It was confirmed. The Astros cheated during the 2017 season. And while cheating is not a new phenomenon in the MLB (the league suffered through a steroid scandal decades ago), what is different here is the manner in which it was planned and executed. It was a multi-layered ethical breach. It was the brainchild of the bench coach. He induced multiple players and employees to participate. Did they feel pressured? Did no one feel compelled to speak up and object? The head coach now admits that he knew about the scheme, yet never told the bench coach to “STOP”. Instead, he watched his team break records. He watched one of his players receive the MVP award. He watched his team cheat all the way to World Series victory. Was it worth it?

The MLB Commissioner announced last week that the Astros would be permitted to retain the 2017 World Series title. The head coach was fired, but no players were punished. Other MLB players feel the Astros are being *rewarded* for engaging in unethical conduct. Season ticketholders have filed a lawsuit citing fraud. No doubt, the Astros and the MLB have been tainted. And as for the bench coach who devised the scheme and was later hired by the Boston Red Sox? Well, he led the Red Sox to win the 2018 World Series. An MLB investigation into that championship win is ongoing.

