

Example of case study on law questions

[Business](#), [Company](#)



Foundation Course-

- Article: Creating Shared Value

The shared value concept encompasses policies and practices to enhance a firm's competition as well as social and economical decision in the area of operations. The government pressurizes firms and makes shared value hard to achieve. Porter and Kramer (2011, p. 63) asserts that the government has to collaborate with the businesses to achieve success in the society. The shared value concept focuses to connect the society and economic progress. A society must regulate the market to influence the government policy decisions. Shared value concept recognizes societal needs created by the firms' internal costs. This concept redistributes the total pool of economic and social value. For instance, the fair trade focuses to improve growing techniques and strengthen the local supplies to boost the yield of farmers. The government can set regulation to enhance shared value and stimulate originality. The government can focus more on improving environmental performance to promote originality and stir competition in the business sector. The most fertile opportunities for creating shared value are economical to sustain the well-being of the company.

The request to finance a new primary school as part of Jextra stores Corporate Social Responsibility (CSR) does not fit in the practice of Creating Social Value (CSV). CSV supersedes CSR in guiding the investments of a company in the community (Porter and Kramer, 2011, p. 66). The CSR program has limited connection since its focus is to maintain the company's reputation. CSV has to leverage a company's economic value by creating social value that is economic. The idea to build the school rests the external

parties and personal preference. The CSV concept is integral and the company has to realign the budget to increase quality and maximize the profit. The idea to finance a new primary school does not endeavor to raise Jextra stores profit.

The idea to finance a new school is a prerequisite of the law towards the company in their social responsibilities. In most cases, companies involve themselves in acts of charity in the society to claim tax relief from the government. This demonstrates the spread of capitalism than companies use to justify their own self-interest. Financing a new school does not seek to provide any profits to the company as in the case of creating shared value. The shared value has the focus of profits that create societal benefits to enable innovation and productivity.

- Article: Theories of Moral

Every culture is subject to moral beliefs that guide the moral reasoning of people in the society. It is challenging to incorporate the ethical standards together with the business ethics. An ethical judgment evaluates good decisions, actions, motives and behaviors in the society. Philosophical ethics highlights the analysis of nature and the moral principles. Business ethics establishes moral principles in the economic world. Many legal systems fail to address all ethical consideration and frequently appeal to the moral principles to judge the law. The law mirrors actual practice in a community, while the practice of the community outwits the law.

The ethical theory of Utilitarianism argue that most humanity value happiness and pleasure to alleviate suffering. Cohn et al (2010, p. 297) suggests that motive and intention are the determinants to judge human

action. This kind of person evaluates positive or negative utility in terms of one that has the capacity to maximize desires and minimize harm. For a utilitarian to make a decision, one takes into account the effect of the decision towards other people. A utilitarian makes considerations on the decision made to reduce harm and benefit people. This theory works on the assumption that all human beings act rational and have the capacity to determine good choices to maximize benefits and pleasure.

The deontology or the rule-based theory seeks to elaborate that humans have the ability to make rational decisions from a number of choices. This theory argues that humans can control their moral decisions that are similar in the society. The moral laws are universally applicable law that treats all people equally (Cohn et al, 2010, p. 302). The standards for ordinary morality are rational for all people. All rational people can defend these standards without making exceptions. Psychologists' critic this theory on the grounds that one can kill when life is under threat and this shows disrespect to the moral standard.

- Article: What is not for sale?

In the present world, everything has the attachment of money value. For instance, to ease traffic congestion in some cities in America somebody has to pay to access the carpool lanes. Patients can have the doctors' phone number for a fee to allow them secure the same day appointment in case of emergencies. Prisoners can pay some money to enable them have comfortable facilities as they serve their terms (Michael Sandel 87). The immigrants visiting America in search of greener pastures can pay some money to enable them access jobs as well as permanent residency. Citizens

in America can offer their forehead for tattoos used in commercial advertising.

The post Cold War period has market mechanism to ensure affluence and prosperity. Markets detach themselves from morals occasioned by greed in the school, hospital, and the prison sectors. Schools campaign their products using intensive advertisement in the media. The pharmaceutical companies market drug prescriptions on television. This kind of society where everything is on sale has a lot of inequality. Money creates a wedge between the haves and the have not's in the society. The markets have also necessitated corruption in the society by putting a price tag on everything. The idea to hire foreigners to serve in the military at a fee can affect citizenship in a country (Michael Sandel 87).

- Article: LRN Impact

The current trends in the business sector require firms to adhere to strict codes of conduct in the internal and external sources. Stakeholders in the business world do business with organization that follows codes of ethics in their corporate culture. The New York Stock Exchange and the Nasdaq require listed companies to disclose business conduct of the employees and the directors. The Federal Sentencing Guidelines stipulate that organizations must promote an organizational culture to display commitment and compliance with the law. Withers et al, (2011, p. 207) further elaborate that ethics and compliance programs are strong motivations to expose criminal liability and offer many performance benefits. The corporate codes of conduct translate in added motivation and job satisfaction to the workers. Codes of conduct, code education help the employee in understanding the

values of the organization, and improve workers attitude towards the management. Ethical culture emerges as the driving factor towards organization development. For an organization to have positive impact on the culture, it must align the overall strategy with the ethics and the compliance program. The success of the ethics compliance program in a company depends on the objectives of a company.

An organization must tailor the code of conduct to align with the firm's business strategy, in addition to the ethics and compliance program (Withers et al, 2011, p. 211). Organizations that have a written code of ethics believe that the company has good intentions. Many compliance officers cite the importance of communication to enable employee awareness and disseminate organizational values. Organizations can use multiple channels to gather the impact of the ethics and compliance programs. Some organization engages in third parties audit to measure the success of the compliance programs. Job dissatisfaction can trigger unethical conduct in organizations.

- Article: Methods to protect your interest / Joint venture

A joint venture entails the framework of two or more entities for commercial intention. The entities must stipulate the aim they desire to meet, period, financial commitment, and location of operation. A joint venture can take the form of a limited liability, partnership or a contractual co-operation agreement (Sunny Li and Lee, 2013, p. 6). A joint venture has well documentation to ensure the business runs on the participant's objectives. A deadlock situation can occur in the instance a minority shareholder exercise the right to veto. A company has to incorporate the right of veto on

the matters that are vulnerable in the company's intellectual property. A company must remain in agreement with the shareholders for the success of the reserved matters (Sunny Li and Lee, 2013, p. 12). The board must make effort to have a permanent representative to negotiate for the workers in the board meetings. The permanent representative can bargain for the right of protection and compensation to ensure safety in case of danger. A joint venture through the permanent representative can request of the quorum to avoid a deadlock situation. The representative can request to access the joint venture information to ensure accuracy and transparency. The joint venture can inquire for the issuance of redeemable shares. To avert a deadlock situation the chairperson can cast the vote or an independent director can vote on behalf of the chairperson. Where the vote of the chairperson or the director does not solve the situation, the joint venture can refer the case to the arbitrator for mediation. The chief executives of the parent companies can act as arbitrators since they do not harbor any personal feelings. The measures that joint ventures can apply include voluntarily joint venture after the lapse of the deadlock. The joint venture can include a call option in the agreement to ensure the existence of the joint venture failure to subvert the deadlock. The other alternative includes the shoot out where there will be an offer and a counter offer in the event of a deadlock. In this case, there will be a guaranteed exit of one party in the joint venture. (Sunny Li and Lee, 2013, p. 17)

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