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In Communications

## **CRISIS COMMUNICATION MANAGEMENT:**

# **The BurgerMax Case**

**A Study in Failing to Protect and  
Enhance Corporate Trust and in  
Prolonging The Agony of Victims**



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## INTRODUCTION

The purpose of this BurgerMax exercise is to draw together the kinds of behaviors and approaches that staff advisors and the afflicted leadership of organizations generally use, but which cause a great deal of trouble, consternation, and contention, and contrast them against the kinds of behaviors, decisions, and attitudes that the public, and especially the victims, expect.

By walking management through this case, the idea is to inoculate them against the kinds of behaviors the executives at the hypothetical BurgerMax company undertook to protect their paychecks; to protect what they thought was the company's reputation; to protect what they thought shareholders expected; and, weirdly, the executives tendency to blame the victims for their own afflictions or, even worse, that once afflicted, the victims should have considered themselves on their own to remedy the situation and to leave the corporation alone.

These ideas, behaviors, decisions, and thought processes are all too common in corporate America today. They are largely the product of an increasing number of managers (trained by the thousands) at business schools to worry only about the dollar performance of an organization, the expectations of shareholders and, almost equally important, the opinion of their peers in dealing with substantial problems.

In the case study, notice the absence of concern for the public's safety, victims' circumstances, and even the attitudes of BurgerMax employees. All too often in corporate American today, the person who whines, complains, reports, or points out problems and inefficiencies is considered to be "disgruntled" and, therefore, put on a kind of enemies list. Even in the face of laws as potentially potent as Sarbanes-Oxley, only the occasional corporate executive (who intentionally behaves this way) is arrested, indicted, prosecuted, and imprisoned. The odds are that these executives will go to prison rich, blame the system for their transgressions, and never comprehend what they did wrong.

While BurgerMax is a fictitious company, some of the material in this case study was culled from real cases, real problems, and real circumstances where people suffered injury and death, and from the behaviors of the executives involved. However, any resemblance to real companies in similar businesses is intended only to the degree that the problems discussed in this case study are likely to happen or have already happened to companies in this or related industries.

If you are using this case study in an organization or corporation, congratulations. It is a wake-up call for management, and a real chance at prevention and preemption of potentially devastating circumstances, and the continuous production of victims.

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## COMMUNICATIONS STRATEGIES GUARANTEED TO PERPETUATE TROUBLE

All too often when large companies and organizations fix mistakes and cope with disaster, embarrassment, and difficulty, a familiar pattern of initial behaviors occurs that actually generates more adverse results.

Early on, there are few acts of corporate courage, especially at the highest levels. It is more often confusion, contradiction, and avoidance: denial, victim confusion, testosterosis, arrogance, search for the guilty, fear of the media, and management by whining around.

Organizations do have vulnerabilities and show-stopping problems—the landfill to be sited or closed; the labor agreement that's getting tougher to negotiate; the sudden appearance of a new tax provision in an otherwise benign piece of legislation; a product recall; a kick-back scandal; saying too much; buying too much; selling too much; blowing something up; burning something down; allowing something to leak, seep, smoke, or stink—and critics who grow stronger with every newly revealed mistake. The bigger the enterprise, the greater the potential for large-scale problems or collections of scattered negative events being gathered into a pattern of negative behavior.

There are seven early management behaviors crisis management strategies must plan against. If these behaviors are allowed to occur unaddressed, management will quickly multitask itself into long-term difficulty.

1. **Denial:** Refusal to accept that something bad has happened; that there may be victims or other direct effects that require prompt public acknowledgement. There is denial that it is really serious; denial that the media or public have any real stake or interest in whatever the problem happens to be; denial that it should take anyone's time in the organization except those in top management specifically tasked to deal with it; denial that the problem is of any particular consequence to the organization provided no one talks about it except those directly involved. "Let's not over-react." "Let's keep it to ourselves." "We don't need to tell the people in public affairs and public relations just yet. They'll just blab it all over." "If we don't talk, no one will know."
2. **Victim Confusion:** Irritable reaction to reporters, employees, angry neighbors, and victims' families when they ask for help, information, explanation, or apology.

"Hey! We're victims too," says management.

Symptoms include time-wasting explanations of what a good corporate citizen we have been, how we have contributed to the opera, the community, and the schools. "We don't deserve to be treated this badly." "Mistakes can happen, even to the best of companies." "We're only human." "People make mistakes."

When these behaviors don't pass the community, media, or victim straight face test, or are criticized or laughed at, a stream of defensive threats follows:

- “There is risk in everything humans do.”
  - “We've only known about this problem for the last two years.” “There aren't even any government standards to cover it. Until there are standards, how can we be expected to comply?”
  - “If the government enforces this regulation, it will destroy our competitiveness.”
  - “If we have to close this plant, it's their fault.” “It's the only decision we can make.”
  - “If we are forced to address this problem to this level, many more will suffer needlessly.”
3. **Testosterosis:** Look for ways to hit back rather than to deal with the problem. Refuse to give in; refuse to respect those who may have a difference of opinion or a legitimate issue. Show disrespect for critics, victims, families, angry employees, and neighbors.

Because there is so much at stake, there is extraordinary negative energy inside the executive circle. That is what testosterosis really is, an attack of negative adrenaline. Another definitive testosterosis indicator, the use of military terminology—“enemy,” “beachhead,” “attack,” “counterattack,” “retreat,” “truce”—builds a macho atmosphere. This emotional mentality sets the stage for predictable errors, omissions, and mistakes.

4. **Arrogance:** Reluctance to apologize, express concern or empathy, or to take appropriate responsibility because, “If we do that, we'll be liable,” or, “We'll look like sissies,” or, “We'll set bad precedents,” or, “There'll be copycats,” or, “We'll legitimize the bad actions of people who don't like us anyway.”

It is contempt for adversaries, sometimes even for victims, and almost always for the news media. It is corrosive. It shows. It causes even more powerful negative responses.

5. **Search for the Guilty:** Shift blame away while digging into the organization to look for traitors, turncoats, troublemakers, those who push back or make mistakes, and the unconvinceables.

The news media and employees probably would be shocked to learn how much energy is diverted to the search for “guilty” individuals and to finding others to blame.

6. **Fear of the Media:** As it becomes clear that the problem is at least partly real, the media and victims begin asking, “What did you know, and when did you know it?” “What have you done, and when did you do it?” along with other humiliating, embarrassing, and damaging questions such as, “What have you done and why?” “What do you refuse to do

and why?” and “How many victims will it take to get action?” There are no good comfortable answers because the organization’s leaders have stalled for so long.

Those in public affairs and media relations know this phase has begun when they hear comments like, “There they go again, just attacking business like always,” or when the Communications Department manager or director is asked why his/her “friends” in the media have once again intentionally misunderstood their business. Orders are issued to “stop the story,” “ban reporters,” “keep employees from talking to the press,” “call the publisher,” and to “reconsider the advertising policy” (yes, some executives still think this way).

7. **Management by Whining Around:** Shuffling around, head down, whining and complaining about bad luck, people we don’t respect who have power, being misunderstood by the media, and why we “aren’t getting credit” for what we have already contributed to society.

Self-talk prevails. When the decision is made to finally move ahead, the corporation talks only about its own pain. This makes victims, employees, neighbors, government, and the media even angrier. Here are some of my favorite whiney management phrases:

- “Who appointed the media to deal with this?”
- “We can’t be competitive if the media gives away our secrets.”
- “This is our business and no one else’s.”
- “How can reporters do a story without all the facts?”
- “It’s just harassment and personal media attacks.”
- “Aren’t reporters interested in the truth?”
- “The media are a bunch of liberal zealots . . .”
- “It’s the only way these creeps can raise money for their cause.”

### **Community vs Corporate Priorities: A Powerful Paradox**

The key to understanding why corporate reputation is so easily threatened is understanding the different priorities communities and individuals set versus the corporation. On a day-to-day basis, companies and organizations tend to operate around what is in their economic and operational best interest. So long as the community and/or individuals are unaffected, there is little difficulty. However, when a crisis situation occurs, it is the community’s value system that predominates. The corporation or organization that refuses to acknowledge, abide by, accept, and operate in response to the community’s value system is the corporation or organization whose reputation, ability to operate, and, perhaps, future is threatened.

Remember the community’s definition of a value.

***A community value is a personal protective belief. It is about something that cannot be changed without the participation and permission of the community or the individuals directly involved.***

Figure 1 simply but dramatically illustrates the community's priorities versus corporate priorities. When a crisis occurs, to successfully resolve the issues and preserve, even enhance reputation, the corporation or organization must immediately adopt the community's value priorities until such time as the community gives its permission to allow the company or organization to resume its normal method of operations.

Companies wishing to maintain good relationships with constituents will recognize the power of these community values and expectations, and build corporate operational values and behaviors around community and constituent expectations.

**Figure 1**

**Community Priorities**



**BURGERMAX AND THE DIMENSIONS OF CRISIS RESPONSE STRATEGY**

**The BurgerMax Problem**

One rather tragic Wednesday afternoon at about 1:30 p.m., the first seven-year old patient was admitted to St. Mary's Emergency Room suffering from a very unusual but unmistakable set of symptoms. This child was the victim of a very vicious form of E. coli, a bacteria commonly found in meat products and undercooked food. That same afternoon, a number of patients of various ages were admitted at St. Mary's with symptoms of food poisoning or food-borne illness. Other emergency rooms across the city were experiencing similar circumstances. It was determined by early evening that what these patients had in common was they had eaten a meal that day, or the previous evening, at a BurgerMax fast food restaurant. On an anonymous tip from a hospital emergency room worker to the local ABC affiliate, the story broke on the 10:00 p.m. news that very evening.

**The Timeline**

**Day One:** Customers and the media call to ask about those who are getting sick. BurgerMax denies any responsibility and refuses to talk with the families except through an attorney. Intense media speculation forces the company to make public statements and to issue a news release. Company officials did call in the department of health.

**Day Two:** Continued media speculation forces BurgerMax to acknowledge that something might have happened and that it might have been the cause. “If it was our burgers,” more than likely, the company said, “it was the fault of the supplier who provided contaminated meat.” The company cautioned the media to be responsible and not to start a panic. The U.S. Department of Agriculture (USDA) was already examining the supplier’s facilities. Other countries have made similar announcements.

**Day Three:** The first deaths are reported. Many departments of health suggest shut down of all BurgerMax restaurants for inspection and decontamination. The company agrees to shut down the three restaurants where victims had eaten. Families of the victims hold news conferences demanding that BurgerMax take responsibility. BurgerMax runs ads saying, “It’s just an isolated incident,” “We follow the law,” “Come on down and enjoy a MammothMax.” BurgerMax releases a statement condemning meat inspection programs. “This might not have happened had there been more qualified inspectors.” “It’s an industry-wide problem.”

**Day Four:** Two more children die. The department of health reports that cooking temperatures were probably too low to kill the bacteria. BurgerMax says, “We followed all approved procedures,” “Food safety is our number one concern,” “If the meat had not been contaminated by our suppliers, there would not have been problems in our restaurants.”

**Day Five:** Another death. BurgerMax announces it will sponsor an international study of food safety. It contributes \$100,000, declaring that meat inspection is a “government problem that needs to be promptly addressed.” Two former employees, speaking anonymously, suggest that they may have, “cut a corner or two,” especially during busy times. “Managers just looked the other way.”

**Day Six:** Two more deaths. The families of the first victims announce litigation against BurgerMax and demand criminal investigations. The company announces a plan to help victim families obtain assistance more easily and suggests that they come to the company rather than to government agencies or the news media.

### **Applying the Dimensions of Crisis Communication Management Response**

Using the BurgerMax scenario and all its implications, let’s analyze this problem for the significance of five critical dimensions. Each requires affirmative management decision making as a part of the process of surviving the situation. There is some duplication in recommendations and observations, mostly because bad news is repeated in different ways and in different places unless it is dealt with conclusively, promptly.

#### **I. *The Operations Dimension***

Regaining public confidence following a damaging situation first requires operating decisions that alleviate the community’s anguish; restores confidence in the brand, organization, individual, or activity; and rebuilds relationships—especially with the victims—while at the same time reducing media coverage of the story because the organization, which created the situation, is actually *doing* what the community expects.

Over the years I have developed a series of standard operating behaviors that seem to meet the criteria for re-establishing community support. The reality is that for truly serious situations, the perpetrators will need to take action in each of the seven areas as a condition of re-establishing public confidence. The optimum order in which these actions need to be taken is shown here. It is not possible to skip a step. In fact, the faster these actions are taken, in the correct order, the more quickly victim anger will be lessened. Employees will have fewer bad feelings, and there will be less media coverage and litigation. Companies that behave appropriately and solve problems promptly are neither newsworthy nor easily sued. ha

Urgent Crisis Management Operating Responses	BurgerMax Damaging Behaviors	Correct Approaches
<p><b>1. Candor:</b></p> <ul style="list-style-type: none"> <li>• Outward recognition through promptly verbalized public acknowledgement that a problem exists; that people or groups of people, the environment, or the public trust is affected; and that something will be done to remediate the situation.</li> </ul>	<ul style="list-style-type: none"> <li>• Released self-serving messages and communication.</li> <li>• Made assumptions about the truth without really knowing what the truth was.</li> <li>• Failed to accept responsibility.</li> <li>• Shifted the blame to others in an attempt to deflect criticism.</li> <li>• Disparaged the media and government agencies.</li> <li>• Viewed the outbreak as a “PR” problem.</li> <li>• Issued news releases that were self-serving.</li> <li>• Hid behind weak arguments, e.g., “We used recommended average temperatures” and “complied with government standards,” and gave the appearance of minimizing its role in the harm that was done.</li> </ul>	<ul style="list-style-type: none"> <li>• “It’s our fault.”</li> <li>• “It shouldn’t have happened.”</li> <li>• “We are helping the families through these terrible times.”</li> <li>• “We will relentlessly examine every aspect of our business to find out what happened, to fix it, talk about it, and see that it won’t happen again.”</li> <li>• Use appropriate spokespeople with statements. Avoid news releases.</li> <li>• Stand up and answer the questions.</li> <li>• Act to find the cause.</li> </ul>

<p><b>2. Explanation (no matter how silly, stupid, or embarrassing the problem causing error was):</b></p> <ul style="list-style-type: none"> <li>• Promptly and briefly explain why the problem occurred and the known underlying reasons or behaviors that led to the situation (even if there is only partial early information).</li> <li>• Talk about what was learned from the situation and how it will influence the organization’s future behavior.</li> <li>• Unconditionally commit to regularly report additional information until it is all out, or until no public interest remains.</li> </ul>	<ul style="list-style-type: none"> <li>• Created conflict (“We don’t know what the cause is, but eat here anyway.”) around the source of the problem, which lead to public confusion.</li> <li>• The company perceived itself as a victim, its suppliers as the perpetrators, the government and media as persecutors.</li> <li>• Shifted blame and responsibility to a failed government inspection system.</li> <li>• Refused to admit that it wasn’t prepared for what could easily be recognized as a critical vulnerability to the public health.</li> <li>• “We can’t act until we have all the facts.”</li> <li>• “You can’t prepare for everything.”</li> </ul>	<ul style="list-style-type: none"> <li>• Find the truth.</li> <li>• Take conclusive action: Close the stores.</li> <li>• Talk to and about the victims and their family’s suffering.</li> <li>• Act like a neighbor.</li> <li>• Commit to the obvious, e.g., we weren’t ready for this.</li> <li>• Keep focused on solving the local problem.</li> <li>• Release information incrementally, constantly.</li> <li>• Immediately correct erroneous information with more current, more accurate information.</li> </ul>
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**3. Declaration:**

- A public commitment and discussion of specific, positive steps to be taken conclusively address the issues and resolve the situation.
- Stonewalled with a scripted, insensitive, overly technical, and irrelevant operational response.
- Failed to bring in truly independent resources or independent expertise to the situation.
- Waffled about helping others, saying, “We’ll do the right thing,” while not doing anything.
- Conducted no serious, credible, independent external investigation.
- Inadequate implementation of very late recall (lost hundreds of cases of potentially contaminated hamburgers).
- No commitment to fix recall plan deficiencies.
- Talk from the victims’ point of view.
- Minimize the technical “stuff.”
- Be explicit about doing what ever it takes for the victims.
- Avoid disingenuous phrases:
  - “... if we could turn the clock back ...”
  - “... if we had only known ...”
  - “... these things happen, unfortunately ...”
  - “... we’ll set new standards, for everyone ...”
  - “... we didn’t want to cause panic. ...”
  - “... the media sensationalize everything ...”

**4. Contrition:**

- The continuing verbalization of regret, empathy, sympathy, even embarrassment. Take appropriate responsibility for having allowed the situation to occur in the first place, whether by omission, commission, accident, or negligence.
- Took only conditional responsibility.
- Selfish focus on shareholder concerns and customer retention.
- Used a news release to announce its sympathy.
- Expressed only conditional regret:
  - “We’re sorry, *but* ... it was the supplier.”
  - “We’re sorry, *but* ... we didn’t want to create a panic.”
  - “We’re sorry, *but* ... we didn’t know about the new regulations because the government didn’t do a good job of telling us.”
  - “We’re sorry, *but* ... the government didn’t diligently inform us.”
  - “Nothing was wrong *but* ... we will change our quality testing procedures anyway.”
- Talk and act like someone that you care about has been hurt.
- Meet with families.
- Take the families of victims to church.
- Let employees speak for the company.
- Involve employees with each victim family.
- Use empathetic language.
- Express unconditional sympathy.

**5. Consultation:**

- Promptly ask for help and counsel from victims, government, and the community of origin—even from opponents.
- Never asked for input from the victims.
- Initially blamed the government.
- Used a “voluntary” internal investigation as a cover to avoid scrutiny.
- Announce an unassailable panel of independent experts to study, recommend, and report publicly.
- Let government agencies do the talking, while the company

- Directly involve and request the participation of those most directly affected to help develop more permanent solutions, more acceptable behaviors, and to design principles and approaches that will preclude similar problems from occurring.
- Never asked suppliers to participate or contribute to the resolution of the problem.  
Kept its distance from government inspectors; viewed regulators as an enemy.
- concentrates on solving the problem.
- Establish a vendor advisory group.
- Help victims speak out and make suggestions.

- 6. Commitment:**
- Publicly set organizational goals at zero.
    - Zero errors.
    - Zero defects.
    - Zero dumb decisions.
    - Zero problems.
  - Publicly promise that to the best of the organization's ability similar situations will never occur or reoccur.
  - Made absolutely no attempt to commit to zero.
  - Completely ignored the concept of zero:  
"Zero isn't possible".  
"We can't promise no future mistakes."  
"There is risk in everything people do."
  - Establish a permanent, broadly representative advisory group to assure the public of the company's intentions on an ongoing basis.

- 7. Restitution:**
- Find a way to quickly pay the price.
  - Make or require restitution.
  - Go beyond community and victim expectations and what would be required under normal circumstances to remediate the problem.
  - Adverse situations remediated quickly cost far less and are controversial for much shorter periods of time.
  - Stalled and delayed victim compensation, yet gave \$100,000 to a trade association for research.
  - Only did the absolute minimum required.
  - Limited contact with victim families.
  - Required receipts and a validation process for all reimbursements.
  - Exceed community expectations:
    - Close all restaurants the night they learned of the possible problem.
    - Take direct, immediate, quiet action to address and alleviate victims' concerns and fears.
    - Immediately establish an independently administered fund to cover short- and long-term medical, related, and follow-up costs for victims and their families.
- Note: The check written today will be the smallest check written.  
Checks will be written.

## **II. The Victim Dimension**

When organizational action creates involuntary adverse circumstances for people or institutions, victims are created. Victims have a special mentality and their perception and

behavior is altered in fundamentally predictable ways. Victims designate themselves. They also determine when they are no longer victims.

The perpetrator needs to recognize victim expectations and respond affirmatively. Otherwise there may be very negative consequences. For example, victims may resist reasonable solutions, use the media to communicate heart-wrenching stories, or begin high-profile litigation. Closure becomes very difficult. Disgruntled former employees and well-meaning current employees often come forward to verify victim allegations. Victims don't usually hear much beyond their own pain.

Victims move through recognizable cycles as they work to resolve the situation in which they have involuntarily become a part.

### *The Victim Dimension*

#### Victims Are:

- People
- Animals
- Living systems

#### Victimization Is:

- Self-designating
- Self-maintaining
- Self-terminating

#### Causes of Victimization:

- Abuse
- Arrogance
- Assault
- Bullying
- Callousness
- Carelessness
- Commission
- Confrontation
- Contention
- Deception
- Discrediting
- Dismissiveness
- Disparagement
- Embarrassment
- Fear
- Lies
- Negligence
- Omission
- Sarcasm
- Shame
- Surprise

#### Victims Feel:

- Anger
  - Betrayal, disbelief, dread, excitability, and anxiety
- Frustration
  - Powerlessness, helplessness, fearfulness
- Inadequacy
  - Walking but wounded, agonized, lonely, poor judgment
- Betrayal
  - Trust no one, no one to trust, irritable, anxious

Victim Reaction:

- Friendly gestures: Interpreted as threats
- Personal interest: Perceived as intrusions and betrayal
- Well meant advice: Perceived as insulting or controlling

Victims Suffer:

- Intellectual deafness
- 24/7 internal and external monologue
- Everything is a question

Victims Need:

- Validation
  - Preferably by the perpetrator
- Visibility
  - To describe their pain and warn others
- Vindication
  - Resolution that prevents the victimization of others
- Apology
  - Verbal or written admission of responsibility, the promise of amends

Victim Management Imperatives:

- Control your own sense of outrage and betrayal
- Keep the real victim's circumstances in perspective
- Recognize the utter loneliness of victims, much of which they end up having to resolve themselves, by themselves, in their own time

### **III. *The Trust and Credibility Dimension***

Credibility is conferred by others based on an organization's past behavior. When bad things happen, past behavior is used to predict future actions. When past behaviors have been good and helpful, and current and future behaviors don't match those expectations, there is a loss of credibility.

Trust is the absence of fear. Fear results from unexpected injury caused by circumstances or by someone or something that was previously trusted. Fear is the most powerful human emotion to remediate. When there is physical injury or death, it may be impossible to do more than attempt to reduce the fear. Left unattended, fear turns to frustration, anger, then to retribution. There are seven trust-building, fear-reducing, credibility-fixing behaviors:

- Provide advance information.
- Ask for input.
- Listen carefully.

- Demonstrate that you have heard, i.e., change your plans.
- Stay in touch.
- Speak in plain language.
- Bring victims/involuntary participants into the decision-making process.

*BurgerMax behaviors:*

1. Stalled and delayed in getting information to the victims and to the public.
2. Never had a good grasp on exactly what information would be useful to the victims:
  - What to do if you are experiencing symptoms.
  - How to get more information about E.coli.
  - Exactly what BurgerMax was going to do to make the situation right.
3. Only looked internally for expertise. Didn't seek help from external resources.
4. Rejected recommendations for an advisory board.
5. Blamed consultants, government, and suppliers for what was ultimately its own responsibility.
6. Listened with a corporate ear; heard only the financial markets.
7. Responded financially first, "This will cost a lot of money." Promised to help but then delayed payments.
8. Had little or no follow up with victims. Concentrated follow-up efforts with the government, but only because the company was required to do so.
9. Relied on technical language to support its position that suppliers contaminated the meat and also to explain why it wasn't adequately prepared to manage this crisis. Seemed to have no understanding of the risks associated with this bacterial strain; maintained that the problem was not its fault. Appeared to be testing its legal defense strategy through the news media.
10. Never considered the victims as BurgerMax victims, but rather as victims of faulty government inspection systems and non-compliant suppliers. Ignored the fact that its employees felt like victims as well.
11. Probably lied about what it knew and when it had crucial information. At the very least, it hid behind legal definitions rather than to be forthcoming early in the scenario.

*Behaviors that illustrate credibility:*

1. Talk openly.

2. Reveal what the public should know, even if they don't ask.
3. Explain problems, delays, and changes quickly.
4. Answer all questions, even those that victims would not think to ask.
5. Cooperate with the media.
6. Demonstrate that victims and employees have a higher priority.
7. Respect and seek to work with victims and opponents.

*BurgerMax behaviors:*

1. Hid from the truth from the beginning. "Million and millions of burgers safely served."
2. Never acknowledged its role and responsibility for the outbreak, even though it subsequently raised cooking temperatures. Only provided information when forced to do so, then only a minimal amount.
3. Avoided discussing problems. Never admitted there was a question about its food handling processes. Even though it made changes to its cooking procedures, the company maintained that it had a commitment to quality all along.
4. Ducked and stalled. Never answered any questions not directly asked.
5. Priorities were reversed. It was concerned mainly about business, operations, finances, and keeping customers coming through the door.
6. Ignored victims, at first.
7. Disparaged those who criticized its actions.

**IV. *The Behavior Dimension***

Post-crisis analysis involving hundreds of companies, industries, and negative circumstances reveals a pattern of unhelpful behaviors that work against rebuilding or preserving reputation, trust, and credibility. The greater the negative nature of the incident and the greater the number of victims, the more opportunities there are for trust-busting behaviors to occur. Good crisis plans are structured to work directly against, anticipate, and eliminate negative behavior patterns.

*Negative behaviors to plan against:*

1. Arrogance, no concern.
2. Minimize victim needs.
3. Blame shifting.
4. Broaden situation unnecessarily (or for PR reasons).
5. Inappropriate language.
6. Inconsistency.
7. Inflammatory statements.
8. Little or no preparation.
9. Minimize the impact.
10. Missed opportunities to communicate with government, the public, and victims.
11. No admission of responsibility.
12. Victim confusion.

*BurgerMax behaviors:*

1. Was concerned mostly about the financial impact.
2. Actively made situation difficult for victims. Failed to acknowledge victims.
3. Aggressively blamed suppliers, government departments of health, and government inspection systems. Maintained an “anybody but us” mentality.
4. Encouraged industry initiatives to intercede, “We are the victims of the government’s lax approach to regulating the meat industry.” Gave \$100,000 for “research” rather than to compensate victims. Note: The most common truly damaging PR tactic is to create or drag in third parties.
5. Was self-serving, careless, and inhumane. Was consistently stupid and self-serving.
6. Attacked suppliers, the government, and the media.
7. Had no recall plan in place to deal with O157:H7 despite many stories in the news and in trade publications.
8. Had no crisis plan. Failed to anticipate crisis.

9. Did not communicate until overwhelmed by negative events. Then it used a completely defensive approach, “It’s isolated to just three of our 31 stores.”
10. Waited to communicate until forced to do so. Should have proactively communicated with the victims and others directly affected by the problem.
11. No admission to this day.
12. Senior management was embarrassed and felt it was the real victim.

**V. *The Ethical Dimension***

There is always a moral and ethical dimension to crisis management. Management’s greatest difficulty in crisis response is how to handle the moral and ethical aspects of crisis management.

- What do we say, and when to we say it?
- Who do we tell, and how much do we disclose?
- Who do we have to tell, and can we avoid disclosing some things forever?
- If we do anything, are we admitting there is a problem and that we are responsible?

Business organizations and institutions are expected to have consciences and to act in ways that reinforce this public expectation. That is why someone will be held accountable whenever there are victims.

When there are victims, moral and ethical assessments are essential. This assessment process consists of answers to a series of questions, or at least preparation to answer these questions publicly and promptly.

When an issue involves integrity and moral or ethical dilemmas, get to the moral reasoning and questioning quickly. When the public’s deepest values are offended, extraordinarily fast action is required. Ethical issues demand the moral courage to ask difficult, tough, direct questions immediately, and a commitment—the strength of heart—powerful enough to take the most appropriate action promptly. Acting on matters of principle will counter the negative impact of a situation the public, employees, and other audiences find morally troublesome. Moral issues require individuals to illustrate their personal belief systems through their behavior.

<b>Moral and Ethical Questions:</b>	<b>BurgerMax Assumptions:</b>	<b>Community Expectation Realities:</b>
1. What did they know and when did they know it?	1. Quality was fine.	1. When did Quality Assurance know about the regulatory change? Why was it not acted upon?

2. What are the relevant facts of the situation? • What decisions were made? • Who was involved/affected? • What was sacrificed to benefit the victims?	2. Victims were caused by someone else's negligence. Shareholders became the victims along with company management.	2. The decision to only partially recall product was totally unacceptable.
3. Was there a firsthand attempt to find the truth?	3. We always deal in the truth.	3. Concealed by company for "fear of releasing proprietary information."
4. What alternative actions are available?	4. We'll do whatever we're forced to do to get this situation under control.	4. Take immediate action. Make public acknowledgment and take responsibility. Raise cooking temperatures. Move to the aid of victims. Explain what to do if ill.
5. Who would be affected?	5. Predominantly our shareholders, employees, and customers.	5. The need to clear all stores of possible contamination potential.
6. What ethical principles or standards of conduct are involved or at issue?	6. Our standards are fine. Our ethics are okay. Leave us alone so that we can fix the problem.	6. Behaved badly and in doing so, prolonged/expanded the problem. Slandered suppliers. No protection of the public interest.
7. How would these principles be advanced or violated by each alternative action?	7. It's not necessary that these be considered.	7. We expect the company to do what's right, promptly.
8. Is it really the company's problem?	8. It's a problem only because someone else screwed up.	8. It's the company's problem until it proves to us that there is no further reason to worry.
9. What is the duty to update and inform?	9. Answer only the questions that we are asked directly.	9. Tell us as much as you can, when you can, and keep telling us until we tell you we tell you we no longer need information.
10. Who should be advised or consulted?	10. Let's stay focused on those we know are directly affected.	10. First, the victims, then those who feel they may be affected—employees and those of us who may have purchased food at BurgerMax.
11. What was the fundamental cause—omission, commission, negligence, neglect, accident, arrogance, other?	11. It's someone else's problem, which we're obliged to fix and take the blame for.	11. All of the above.
12. How could this have been avoided?	12. Need better inspectors; select a higher quality supplier.	12. Failed to take immediate dramatic action.

13. Are all the crucial ethical questions being asked and answered?	13. This really isn't an ethical situation; it's a business problem that we've resolved by changing suppliers.	13. Temporary but significant loss of credibility and public trust until it can be re-established by the company.
14. Are the actions open, honest, and truthful?	14. We'll tell as much of the truth as our attorneys will allow.	14. Actions were closed, conditional, and beneficial only to the company.
15. What affirmative action is being taken now to remedy or remediate the situation?	15. We'll do whatever we're told to do.	15. Do whatever it takes to make us feel comfortable to dine at your stores again.
16. Is there an institutional "code of silence" when morally questionable decisions or actions come to light?	16. Probably not. We only spend as much time on this as is necessary. Besides, the public only has a limited right to know anyway.	16. As more and more disgruntled employees speak out about BurgerMax's food handling practices, clearly the company isn't telling us everything we need to know.
17. How will future unethical behavior be disclosed? To whom? How fast?	17. We may tighten some things up, but it's not really our problem.	17. We want a process in place that company management doesn't control.
18. What lessons can the organization learn as this dilemma is resolved?	18. Mainly operational information and procedural changes.	18. Ethical behavior is a leadership responsibility. Failing to act ethically is a failure to lead honorably.
19. As an organization, are we prepared to combat the behaviors that lead to ethical compromises?	19. We could be criminally prosecuted.	19. Should BurgerMax be criminally prosecuted, which is possible, it will most likely be forced to establish very rigid compliance and integrity processes. This will eradicate ethical compromises.
20. How many "typical behaviors" do we know go on that can potentially cause trouble: <ul style="list-style-type: none"> <li>• Lax control</li> <li>• No tough, appropriate, centralized compliance</li> <li>• Underreporting of infractions</li> <li>• Leadership that allows supervisors to overlook bad behavior;</li> <li>• Allowing employees to experiment with "unapproved methods"</li> <li>• Encouraging a "do whatever it takes" mentality</li> <li>• Minimizing oversight and compliance processes</li> <li>• Structuring incentives in such</li> </ul>	20. These can't happen here.	20. If one thing turns out to be wrong, there are most likely a lot of other things that are also wrong and need to be looked into thoroughly.

a way that they compromise safety, public health, or product integrity

- Overlooking shortcuts
- Avoiding confrontation with managers;
- Operating “on the edge”
- Ignoring signs of rogue behavior;
- Tolerating inappropriate behavior or management by individuals who are “critical to the organization’s mission”
- Belittling or humiliating those suggest or seek ethical standards
- Dismissing employees who report bad or outright wrong behavior and/or
- Demeaning the internal credibility of internal whistleblowers.

## **JAMES E. LUKASZEWSKI, ABC, APR, Fellow PRSA**

James E. Lukaszewski (loo-ka-SHEV-skee) advises, coaches, and counsels the men and women who run very large corporations and organizations through extraordinary problems and critical high-profile circumstances. The bulk of his practice is in the Western Hemisphere, although he has clients from many parts of the world.

He is an expert in managing and reducing contention, counteracting tough, touchy, sensitive corporate communications issues. He counsels companies facing serious internal and external problems involving: activist counteraction; community conflict and grassroots campaigns; corporate relations failures; reputational threats; employee relationship building; ethics/integrity/compliance; litigation visibility; Web-based attacks; and threats to corporate survival. His broad-based experience ranges from media-initiated investigations to product recalls and plant closings, from criminal litigation to takeovers. He is frequently retained by senior management to directly intervene and manage the resolution of corporate problems and bad news. The situations he helps resolve often involve conflict, controversy, community action or activist opposition. Almost half of his practice involves civil and criminal litigation.

He is a teacher, thinker, coach, and trusted advisor with the unique ability to help executives look at problems from a variety of sensible, constructive, principled perspectives. He teaches clients how to take appropriate, highly focused, ethically appropriate action. He has personally counseled, coached, and guided thousands of executives in organizations large and small from many cultures representing government; the military and defense industry; the agriculture, banking, computer, financial, food processing, health care, insurance, paper, real estate development and telecommunications industries; cooperatives; trade and professional associations; and non-profit agencies. He is a coach to many CEOs.

Jim helps prepare spokespersons for crucial public appearances, local and network news interviews including *20-20*, *60 Minutes*, *Dateline NBC*, and *Nightline*, and for financial analyst meetings and legislative and congressional testimony. He also provides personal coaching for executives in trouble, or facing career-defining problems and succession issues.

He is a prolific author (six books, hundreds of articles), lecturer (corporate, college and university), trainer, counselor, and public speaker. He is a member of *Public Relations Review's* Board of Professionals, a contributing editor for *Public Relations Quarterly*, member of InfoCom's *Media Relations Insider* editorial advisory board, frequent columnist and member of *PR News's* editorial board, columnist for *O'Dwyer's PR Services Report*, columnist for PRSA's magazine, *The Strategist*. His 1992 book, *Influencing Public Attitudes: Strategies that Reduce the Media's Power*, remains a classic work in the field of direct communication. The Public Relations Society of America published the final volume of his four-volume *Executive Action® Crisis Communication Management System* in 2005: *War Stories and Crisis Communication Strategies, An Anthology*; *Crisis Communication Planning Strategies, A Workbook*; *Crisis Communication Plan Components and Models: Crisis Communication Management Readiness*; and *Media Relations During Emergencies, A Guide*. His newest book, *Why Should the Boss Listen to You?*, was published by Jossey-Bass in February 2008. He has published 25 monographs on critical communication subjects since 1994 and hundreds of articles throughout his career.

He is an internationally recognized speaker on crisis management, ethics, media relations, public affairs, and reputation preservation and restoration. His recent addresses include the 2007 conferences of the U.S. Air Force Public Affairs Officers, U.S. Department of Veterans Affairs, National Information Officers Association, Puerto Rico PR Association, ABERJE in São Paulo, Brazil, Health PR & Marketing Society, Media Relations Summit, the College & University PR Association, Choice Hotels Annual Convention, CCEP World Conference on Disaster Management, National Air & Waste Management Association, National School Public Relations Association, and Syracuse University; and the 2006, 2007, and 2008 International Conferences of IABC, the Public Relations Society of America, and ASIS International. He has addressed several Canadian trade and government conferences including the National Agriculture Awareness, the Government of Canada Communicators, and most recently Natural Resources Canada, Service Canada, Transport Canada, Purchasing Management Association of Canada, and the Canadian Investor Relations Institute. Visiting his Web site, [www.e911.com](http://www.e911.com), is like attending the University of Crisis Management.

An accredited member of the International Association of Business Communicators (ABC) and the Public Relations Society of America (APR), Mr. Lukaszewski is a member of the PRSA's College of Fellows (Fellow PRSA); Board of Ethics & Professional Standards; the Corporate and Public Affairs/Government Sections; and the New York City and Westchester/Fairfield Chapters. He is a member of the International Churchill Society, ASIS International, and the Society for Human Resource Management (SHRM). He lectures annually at the U.S. Marine Corp's East Coast Commander's Media Training Symposium and was the second recipient of its Drew Middleton Award. He is the recipient of Ball State University's National Public Relations Achievement Award, Patrick Jackson Award for Distinguished Service to PRSA, *PR News* Lifetime Achievement Award, Lloyd B. Dennis Distinguished Leadership Award, and named 2007 Minnesota Metropolitan State University Alumnus of the Year and the 2007 Practitioner of the Year by the Southern New England chapter of the PRSA.

Lukaszewski received his BA in 1974 from Metropolitan State University in Minnesota. He is a former deputy commissioner of the Minnesota Department of Economic Development and assistant press secretary to former Minnesota Governor Wendell Anderson. He founded Minnesota-based Media Information Systems Corporation in 1978. Prior to founding The Lukaszewski Group Inc. in 1989 he was senior vice president and director of Executive Communication Programs for Georgeson & Company and a partner with Chester Burger Company, both in New York City. His biography is listed in several editions of Marquis *Who's Who in America*. His name was listed in *Corporate Legal Times* as one of "28 Experts to Call When All Hell Breaks Loose," and in *PR Week* as one of 22 "crunch-time counselors who should be on the speed dial in a crisis."

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