# The Dark Side of Life Insurance in Achieving Sales Target

*by* Gancar Candra Premananto

# The Dark Side of Life Insurance in Achieving Sales Target

A. Nirmala & G.C. Premananto
*Master of Management, Airlangga University, Indonesia*

ABSTRACT: In this study, the researcher wanted to know more about what unethical things the marketer did, and also what consideration factors make marketers unethical, and how far the supervisor knows the unethical actions performed by insurance marketers. The research method used is qualitative approach with snowball sampling technique. Thematic analysis is used as the basis for qualitative research analysis with depth-interview. The findings based informants there are unethical actions conducted by marketers which is Misrepresentation, Premium Payment, Churning, Pooling, Discrediting competitors, Discount / Indocument, Premium Deposit Delivery, Account Opening and Policy Insurance without Customers Knowledge, Falsifying Customers Data Information, Misappropriation of Customers Fund, "Suicide", Faking Signature in Form that Forgot, and Forging Customers Signature. The unethical actions performed by these marketers can be categorized into several indicators, namely the applicable special regulatory indicators, legal indicators, cultural indicators and ethical indicators. In addition, the factors affecting marketers to perform such unethical actions are due to factors of need for money, obligations to meet sales targets and work environment culture.

## 1 INTRODUCTION

Carrigan et al. (2005) recognizes that the need and value for firms to develop strategy is based on long-term relationship orientation with stakeholders and with ethical principles as the main foundation (McDevitt et al., 2007). Such recognition has led some marketing experts to devote particular interest to factors that can influence ethical behavior, especially to salespeople (Chonko et al., 1996). Where as salespeople are generally responsible for generating profits, and always facing short-term pressures, they may also experience ethical dilemmas (Dubinsky et al., 1980). In the face of such ethical dilemmas, the seller may engage in many unethical practices such as lying or exaggerating the merits of a product, unfairly criticizing competitors, bribing, and falsifying information (Ferrell and Gresham, 1985; Dubinsky et al., 1991; Lagace et al., 1991; Román and Ruiz, 2005). Obviously it tends to seek and exploit the various weaknesses that exist in the procedures as well as the weakness of supervision by the company.

In the pharmaceutical industry for example, medical representatives (MR) provide misleading and incomplete information, provide incentives, make disparaging remarks about competitors and their competitors' products, falsify daily reports and misuse samples (Skhandrani and Sghaier, 2016). With the increasing number of ethics-related issues faced by companies, researchers want to examine ethical issues or unethical actions in one of the emerging financial services industries that also require salespeople in marketing their products ie the life insurance services industry. Currently the insurance is increasingly recognized by the community both local and international insurance companies. In contrast to the 1990s, insurance is still underestimated. Now insurance has become the needs of the community with the various services offered (Kuntadi, 2013).

Haron et al (2011) in his research explains a number of cases have been highlighted in Malaysian local newspapers about unethical agency behavior such as company directors who are also part-time insurance agents reported to have collected and escaped with an insurance premium of RM540,000 (The Star , September 16, 2004). And also a client writes in The Star accusing an agent of misrepresenting facts in the form of a proposal and retaining a medical document under the pretext of making sure the proposal is approved and after correcting the mistake, the client policy is hung. Then when the client had an accident, his medical claim was rejected (The Star, 24 July, 2004).

Based on the results of early in-depth interviews with marketers that working in a life insurance company is not as easy as imagined which ultimately resulted in them doing various ways to get consumers, such as manipulating customer data information and falsified signatures. This is certainly very detrimental to consumers. Not only in Indonesia, at the 2000 Malaysian Institute of Insurance Lecture at that time, Assistant Governor of Bank Negara Malaysia Datuk Awang Adek Husin reaffirmed that Bank Negara Malaysia has received complaints from the public against insurance companies and health-related entities that have worked with him, improper sales practices and claims settlement (Haron 2011). Which means, even in Malaysia unethical sales practices still occur.

If doing all these things benefits the salesman and harms the company and the consumer this can be fatal. Because in marketing or selling its products, a salesman must meet ethics in business. If an insurance salesman is doing unethical things then it becomes an ethical issue that needs to be noticed because it has violated the rules set by the company and the Indonesian Life Insurance Association (AAJI) on Practice Standards and Code of Ethics of Life Insurance Marketers. 03 / AAJI / RAT / 2012.

Based on the above background, then the problems that can be formulated are: What unethical things did the salesman do in achieving the sales target set by the company? To what extent do SPV or company managers know the ways in which salespeople do to achieve sales targets? How is the unethical link in achieving sales targets conducted by salesmen with business ethics? What are the factors affecting salesmen in doing unethical in achieving sales targets?

## 2. BUSINESS ETHICS

Business ethics is a way to conduct business activities, covering all aspects related to individuals, companies and society. Velasquez (2005) says that business ethics is a study devoted to true and false morals. Here, business ethics is an area of application of general moral principles to the area of human action in the economic field, especially business. So, in essence the target of business ethics is the moral behavior of businessmen with economic activity. According to Ernawan (2011) In general, the principles used in business will never be separated from our daily lives. But the principles that apply in business is actually the implementation of ethical principles in general (Ernawan, 2011), namely:

1. Autonomy Principles
   Knowing and knowing that it is good, because everything is well thought out and considered. Another element in the principle of autonomy is the responsibility, because in addition to being aware of its obligations and free in making decisions and actions based on what is considered good, autonomous also must be able to account for decisions and actions.
2. The Principle of Honesty
   Business will not last long if there is no honesty, because honesty is the main capital to gain the trust of its business partners, whether in the form of commercial, material or moral belief. Honesty demands openness and truth.
3. Principle of Justice
   This principle requires that everyone be treated equally in accordance with just rules and criteria that are objectively rational and accountable. Justice means no party is harmed right and interests.
4. The principle of mutual benefit
   This principle requires that all parties seek to mutually benefit each other. In the business world, this principle requires business competition should be able to give birth to a win-win solution.
5. Moral Integrity Principle
   This principle suggests that in doing business should be run while maintaining its good name and good name.

## 3. RESEARCH METHODS

The research method that will be used is qualitative approach research method. In this study, researchers used the term informants who will be interviewed in depth with regard to issues to be researched and discussed in this study. Informants in this study were selected and determined by certain considerations that have been determined by the researchers or commonly called purposive sampling. Criteria of informants used by researchers are:

- Marketers who work in life insurance companies (life insurance). Life insurance is still often overlooked by some ordinary people. On the other hand, the life insurance industry is growing, and the level of competition is getting bigger with many companies in the same field.
- Marketers who have worked at least 2 years. Marketers who have worked in the insurance industry for at least 2 years have known and recognized the intricacies of corporate culture in where marketers work.
- Marketers who market their products directly to individual customers. Because marketers are marketing their products to corporate customers, the level of fraud is almost nonexistent.
- Marketers who have made unethical sales. In accordance with the topic under study, it deals with unethical sales.

The use of this technique will cease if the data obtained is considered saturation

4. DISCUSSION OF RESEARCH RESULTS

To obtain more in-depth information, this study examined 8 marketer informants and 1 informant supervisor in accordance with the criteria of research informants. The key informant interview is as follows:

Table 1. Informant Profile

| No | Information | Sex | Age | Experience |
|---|---|---|---|---|
| 1 | Informant 1 | M | 33 | 2,5 years |
| 2 | Informant 2 | M | 27 | 3 years |
| 3 | Informant 3 | M | 26 | 3 years |
| 4 | Informant 4 | M | 27 | 4 years |
| 5 | Informant 5 | M | 36 | 2 years |
| 6 | Informant 6 | F | 42 | 7 years |
| 7 | Informant 7 | M | 28 | 3 years |
| 8 | Informant 8 | M | 29 | 4 years |
| 9 | Informant ASM | M | 35 | 1,5 years |

The results of data analysis obtained through interviews show some unethical actions performed by salesmen in achieving targets set by the company.

The unethical actions undertaken by the salesman not only fall into one indicator, but an unethical act can fall into two indicators. Like the table below:

Table 2 Unethical Actions What *Salesman* Do

| | Indicator | Unethical Actions |
|---|---|---|
| 1 | Indicators in the Applicable Special Rules | *Misrepresentation* |
| | | Premium Payments |
| | | *Churning* |
| | | *Pooling* |
| | | Disparaging competitors |
| | | Discount / Rebate / Indocument |
| | | Suspension Premium Deposit |
| | | Falsifying Customer Data Information |
| | | Misuse of customer funds |
| | | Signed Form blank |
| 2 | Legal Indicators | Account Opening and Insurance Policy without Customer's Knowledge |
| | | Falsifying Customer Data Information |
| | | Misuse of customer funds |
| | | Signed Form blank |
| 3 | Cultural Indicators | Immoral |
| 4 | Indicators of ethics of each businessperson | “Suicide” |

Source: Data processed

It can be seen in the table 2, first in the applicable special regulatory indicators there are six category unethical actions by the salesman. The specific regulations that apply are the regulations of the life insurance industry, the Indonesian Life Insurance Association (AAJI) on Practice Standards and the Code of Ethics of Life Insurance Marketers. 03 / AAJI / 2012. Where in the regulation there are administrative sanctions violating the code of ethics that should be able to minimize unethical acts committed by the salesman.
Secondly, there is also a legal indicator that becomes an indicator of unethical action, where the salesman opened the savings account and insurance policy without the knowledge of the customer. This is very detrimental to customers and contrary to the regulations made by the government. Referring to Law no. 7 of 1992 concerning Banking as amended by Act no. 10 of 1998 Article 49 and Law no. 40 Year 2014 About Insurance Article 78. On the other hand if the customer signs the blank form and the salesman fills the SPAJ form themselves, there are often writing mistakes or customer signature deficiencies, so the salesman falsified the customer's signature. This has become a habit that has been rooted in the salesman, so that salesmen always take it easy by falsifying the signature of customers both with the knowledge of customers and without the knowledge of customers. Signature forgery is prohibited by the Government which refers to the Criminal Code Article 263 on Counterfeiting of Documents and Law No. 2 of 1992 on Insurance Business Article 21 paragraph (5). When the salesman fills out his own SPAJ form, frequent changes to customer data information deviate from the actual conditions for SPAJ submission are accepted by the company. These changes can later be categorized in the form of data information forgery. Falsifying customer data information violates the provisions of Government Administration and Population Act no. 23 of 2006; KUHD Article 251; Criminal Code Article 372 and Law no. 02 Year 1992 About Insurance Business. In addition to unethical things violating the law mentioned earlier, there are also illegal acts of embezzlement of funds that violate the

Criminal Code (Criminal Code) Article 372 on embezzlement that sets a maximum imprisonment of 4 years, more specifically the Act No. 2 of 1992 concerning Insurance Business has also regulated related premium embezzlement in Article 21 paragraph 2 which mentions the threat of imprisonment for a maximum of 15 (fifteen) years and a maximum fine of Rp. 2.500.000.000, - (two billion five hundred million rupiah).

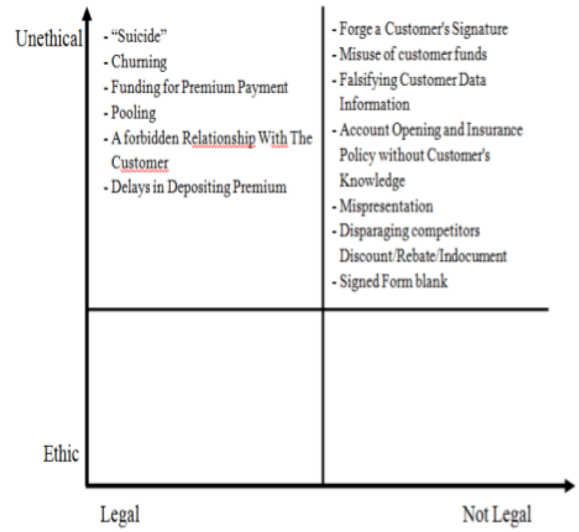
Third, to provide maximum services to customers, sometimes salesmen provide deviant services to customers such as establishing a special relationship with customers, this is very violate the cultural norms of Indonesia, in addition there will certainly be some parties who harmed by this deviant act.

The last unethical act can be categorized into the ethical indicator of each businessperson that the salesman's habit of "suicide" to close the sales target, in this case even the salesman ask for help relatives to apply for the policy where the funds originated from the salesman funds for payment a one-time premium. So the insurance policy does not continue for the next month. This has become a habit of salesmen who can harm the company.

Ethics in the true sense is considered as a reference that states whether individual actions, activities or behavior can be considered good or not. Hence business ethics is certainly referring and will talk about the problem whether or not a business activity (Ernawan, 2011). Salesman who are only tempted short-term profit less understand how business ethics should be done. Salesman make the target of the company as a reason to do things that are not ethical so as to justify all kinds of ways to pursue profit. In addition, unethical acts done by the salesman due to weak supervision of the leader or supervisor, where the leader or supervisor turn a blind eye to what the salesman as long as it can meet the target company.

As a result they often ignore the values of business ethics. As found in this study, salesman perform various unethical and even unlawful ways to gain personal gain and fulfill their obligations to the company. This finding is also in accordance with the findings of research conducted by Haron and Ismail (2011) in examining the extent to which unethical intentions of insurance agents in Malaysia. The study found that the influence of supervision contributed to agency intentions in achieving sales targets, due to lack of firmness from supervisors in performing unethical actions. To achieve a higher level of performance, there is a tendency to do unethical intentions. Supervisor performance correlates with agency performance. When an agent can achieve the sales target desired by the company, supervisors also benefit greatly from this.

From these explanations can be described what ethical actions are included in legal or illegal actions as below.




Source: Data processed

Figure 1. Category of Unethical Behavior

It can be seen from Figure 5.2 that there are actions that violate the code of ethics, but legally it is still said to be legitimate, suicide, churning, funding for premium payment, pooling, customer relationships and delays in depositing premiums. Because there is no written regulation such as the State Legislation that regulates it. While other unethical acts violate the law because it has been written in the legislation of the State.

This research can be associated with the concept of Deontology. Deontology comes from the word Deon which means duty or obligation. According to Fahmi (2014), Ethics deontology emphasizes the human obligation to act well. Such an action is neither judged nor justified on the basis of the good effect or purpose of the action, but on the basis of the action itself as good in itself. In the business world if the obligations imposed on a person then concerned is worth to do, especially if he does not want to disappoint the consumer. Because consumers always want satisfaction when he deals with a product.

According to Ernawan (2011) If something is done by obligation, then he completely abandon the morality of the consequences of his actions. So, the decision becomes good because it is in accordance with "obligations", and is considered bad because it is "prohibited". The basic principle of this concept is the duty (individual duty) for the welfare of others and humanity (Ernawan, 2011).

In this study found unethical actions conducted by salesmen to achieve the target company, which in the

long term can harm customers and companies. These unethical acts are carried out because of the needs and obligations and pressures of the company. So according to the deontology theory, the things that are done by this salesman can be seen from two points of view. Based on the point of view of the need and the obligation of unethical things done by the salesman to meet the company's target is the obligation that must be fulfilled. So, it is considered correct to do but if seen from the standpoint of customers and companies unethical things done by the salesman is something bad. Because it is contrary to the code of ethics and laws and regulations applicable in this country.
When viewed from the principles that apply in business is actually an implementation of the principle of ethics in general:

1. Autonomy Principles
   Elements of the principle of autonomy is to know and realize that what is done is good, everything is well thought out and considered. In this study, in fulfilling the obligation as an employee to achieve the target company, the salesman consciously and has considered the decisions and actions that he considered good in order to meet the sales targets of the company even though it violates the code of ethics.

2. The Principle of Honesty
   Business will not last long if there is no honesty, because honesty is the main capital to gain the trust of its business partners, whether in the form of commercial, material and moral belief. In this study, salesmen commit dishonest acts in marketing insurance products, so when the denial of life insurance claims, causing damage to customer confidence in the salesman and life insurance companies. This is contrary to the principle of honesty.

3. Principle of Justice
   This principle requires that everyone be treated equally in accordance with fair rules and objective rational criteria and can be accounted for. Justice means no party is harmed right and interests. In this study, in the long run, there is a high probability that customers and companies will be harmed by unethical actions by the salesman. This is contrary to the principle of fairness in business ethics.

4. The Principle of Mutual Benefit
   This principle requires that all parties try to mutually benefit each other. In this study, some cases of unethical acts committed by salesmen in the short term will benefit the salesman and the company due to the submission of a new insurance policy. On the other hand, in the short term the actions of salesmen such as manipulating customer data also benefit customers, because the submission of insurance policies accepted by the company. But in the long run, such unethical actions will cause harm to the customer if there is a refusal of insurance claims and losses for the company because the good name of the company becomes ugly if the customer complains to the media.

5. Moral Integrity Principle
   This principle suggests that in doing business should be run while maintaining the good name and good reputation of the company. But the unethical actions performed by the salesman contradict the principle of moral integrity, because the salesman does not keep his good name nor the company's good name in conducting sales transactions to customers.

So it can be concluded that unethical acts committed by salesmen contrary to business principles that are not in accordance with ethical principles in general. One example of the contradiction between unethical actions and business principles is the principle of mutual benefit, unethical acts committed by salesmen tend to harm one party (customer or company), where the profit is only obtained by the salesman in the form of fulfillment of sales target eventually the salesman will get the benefit of a commission. While the other party (the company and customers) get losses either short-term or long-term.
The unethical actions carried out by the salesman were also found in Cooper and Frank's (1991) study conducting a survey on the life insurance industry. The survey consisted of 32 ethical issues sent to 1173 professional agents in the United States namely CHU (Chartered Life Underwriter) and ChFC (Chartered Life Consultant) where 437 from CHU and ChFC responded. The findings of Cooper and Frank (1991) mentioned that there are 6 (six) unethical actions that are (1) misrepresentation or misleading products or services in marketing, advertising or sales, (2) failure to identify customer needs and recommend products and services (3) lack of competent knowledge and skills in performing tasks, (4) conflicts between financial opportunities and personal gain, (5) misrepresentation or hide limitations in service, (6) disparaging competitors, products or competing agents. In the study, there are similarities with this research that are misleading or misleading presentation of the product,

misrepresentation or hide limitations in service and also underestimate competitors.

Further studies by Howe, et al (1994); and Cooper and Frank (2002) reinforce Cooper and Frank's findings (1991). Howe, et al (1994) identifies the nine ethical issues used in their research: misrepresent, down selling, letter, twisting, rebating, non license agent, equivalent, lowball and false information. There are similar findings of research conducted by Howe, et al (1994) in accordance with this research that is misrepresentation, down selling (twisting competitors), twisting / churning, and rebating. In this study, researchers classified letters and lowball included into the category of misrepresentation.

While in this study, researchers found 9 (nine) new findings about unethical actions made by salesmen in achieving the target company, namely premium payments, pooling, delayed deposit premium, account opening and insurance policies without the knowledge of customers, misuse of customer funds, "Suicide", blank form signatures, falsifying customer's signatures, and immoral deeds in relationships with customers.

## 5. CONCLUSION & IMPLICATION

### 5.1. *Conclusions*

After passing a series of analysis process and discussion it can be drawn conclusion as follows:

In performing the obligations as an employee, the salesman justifies any means to achieve the company's target. Unethical actions are carried out by the salesman without thinking of long term losses for customers and companies. The unethical actions performed by the salesman can be categorized into several indicators: the applicable special regulatory indicators, legal indicators, and cultural indicators. Of the three indicators are explained that the things done by the salesman contrary to business ethics. The unethical actions carried out by the salesman also conflict with business principles that are inconsistent with ethical principles in general.

The factor of consideration of the salesman to perform unethical actions is in addition to the obligation as an employee in achieving the target company also the desire to gain profit from the sale of insurance policies that is the commission. In addition, unethical acts done by the salesman due to weak supervision of the leader or supervisor, where the leader or supervisor turn a blind eye to what the salesman as long as it can meet the target company.

### 5.2. *Suggestions*

Based on the results of research conducted by researchers in the field, there are still many violations or unethical actions, it is advisable for practitioners, especially managerial in the field of insurance to improve the system of supervision of salesmen, one way that may be done is to cooperate or take third party as a monitoring team or a customer feasibility study before the underwriting team approves the SPAJ application form. In addition to evaluate and supervise the performance of salesmen, supervisors and in particular the underwriting team on a regular basis. Where the underwriting team served as the team that approved the SPAJ application of the customer, so should be supervised, evaluated and given regular training to the underwriting team. Another possible way to reduce unethical acts by the salesman is to create a Standard Operating Procedure (SOP) of the company in accordance with applicable laws and relevant to be applied in the field.

Suggestions for further research on the same theme or development of this study are expected to address the variables of unethical action found in this study into quantitative research to find the causal relationship between unethical actions and the causes of unethical conduct.

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