

“Ethics”

1. Profession versus Occupation.
2. Characteristics of a Profession.
 - Based on a large knowledge base requiring extensive training.
 - Important to the well-being of society.
 - Self-regulating (Control training and evaluation process that admits new persons into the field.)
 - Autonomy in the workplace (Utilize their independent judgement.)
 - Ethical standards.

3. Required for Professionalism:
 - *Ethics
 - *Technical Expertise

4. Codes of ethics-the standards form a contract between professionals and the public.

Applying the Codes

Applying the codes in many situations is not controversial, but there can be problems in applications. These problems occur in three basic area.

1. Factual Issues.

- Facts versus factual issues
- Facts can be just as controversial as moral issues.
- Different factual assumptions can yield different moral conclusions.

2. Conceptual Issues

- “Valuable consideration”
- “Adequate” knowledge
- “Welfare”
- “Truthful”
- “Relevant and pertinent” information.
- “Conflict of Interest”
- When does something “appear” to influence professional judgement?
- When does something “directly or indirectly” influence professional judgement?

3. Conflict issues (Tradeoffs)

- Risk versus Benefit.
- Employers/Clients versus the public.
- Health/Safety versus Cost.
- Speed versus Quality.

Principal Ideas in Model Rules

Obligations to Society

1. First responsibility is to public welfare.
2. Registrants have a responsibility only to “notify their employer or client and such other authority as may be appropriate” when they believe their professional judgment is overruled in circumstances that may endanger the “life, health, property or welfare” of the public.
3. Registrants **MUST** include all “relevant and pertinent” information in reports, statements and testimony. This includes expert witnessing. You **MAY NOT** leave out or fail to mention such information.

4. Public statements may not be made when engineers do not have adequate knowledge of the facts, and engineers must IDENTIFY interested parties on whose behalf they are speaking.

5. Engineers may not associate with anyone engaged in “fraudulent or dishonest” business or professional practices.

6. If you have knowledge of code violations, you must “provide the state board information and assistance necessary to the final determination of such violation.”

Obligations to Employer and Clients

1. You **MUST NOT** undertake assignments unless you are qualified by education **OR** experience in the **SPECIFIC** technical fields.
2. You **MAY NOT** affix your signature or seal to any plans or documents unless (a) you have competence in the field and (b) the documents were prepared under your “direct control and personal supervision.”
3. You **MAY** accept assignment for coordination of an entire project **PROVIDED** that each design segment is signed and sealed by the registrant [he/she must also be registered] responsible for that design segment.

4. The exceptions to the prohibition of revealing information “obtained in a professional capacity” or when the revelation is authorized or required by law or when the client consents. Evidently, breaking confidentiality to protect the public is not authorized, unless it is specifically required by law.

5. Soliciting OR ACCEPTING “financial or other valuable considerations” from contractors--directly or indirectly-- is prohibited. How does this apply to vendors?

6. FULL DISCLOSURE of actual, potential or apparent conflicts of interest is required. A DISCLOSED conflict of interest IS permissible.

7. Registrants may not accept compensation from more than one party for services pertaining to the SAME PROJECT unless the circumstances are FULLY DISCLOSED and AGREED TO BY ALL INTERESTED PARTIES.

8. Registrants shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member. Conversely, registrants serving as members, advisors, or employees of a governmental body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services offered or provided by said concern to the governmental body which they serve.

Obligations to Other Registrants

1. You must not misrepresent or exaggerate the degree of your responsibility in prior assignments OR the complexity of those assignments. You must not misrepresent past accomplishments or associations.
2. You must not give or receive a valuable consideration in order to secure work. You must not make a political contribution “with the intent” of influencing the award of a contract by a public authority.
3. You must not attempt to injure “maliciously or falsely, directly or indirectly” the professional reputation, prospects or practice of other registrants, nor “indiscriminately” criticize the work of other registrants.

1. _ An engineer testifying as an expert witness in a product liability case should
 - (A) answer as briefly as possible only those questions posed by the attorneys.
 - (B) provide a complete and objective analysis within his or her area of competence.
 - (C) provide an evaluation of the character of the defendant.
 - (D) provide information on the professional backgrounds of the defendants.

2. _ A professional engineer, originally licensed 30 years ago, is asked to evaluate a newly developed computerized control system for a public transportation system. The engineer may accept this project if
- (A) he or she is competent in the area of modern control system.
 - (B) his or her professional engineering license has not lapsed.
 - (C) his or her original area of specialization was in transportation systems.
 - (D) he or she has regularly attended annual meeting of their professional engineering society.

3. _ Both you and Smith were hired right out of engineering school by XYZ Company one year ago. You and Smith work in the same engineering section and have become friends through sharing lunch and breaks, as well as working on the same projects once in a while. Recently, Smith let it slip that he never actually graduated due to failing a required last-term senior course. Smith just listed himself as a graduate engineer on his application form. Smith is a nice person. Both of you are registered as engineering interns with the state registration board. You should

- (A) write a brief report on the situation to the state registration board asking them to investigate.
- (B) ignore it since Smith does a good job, thus, the course must not be very important.
- (C) write an anonymous letter to the company president stating that “some” engineering employees are not degreed as required.
- (D) begin avoiding Smith because otherwise your colleagues may think you condone his behavior.

4. _ You and your design group are competing for a multi-disciplinary concept project. Your firm is the lead group in the design professional consortium formed to compete. Your consortium has been selected as the first to enter fee negotiations with the project owner. During the negotiations, the amount you have to cut from your fee to be awarded the contract will require dropping one of the consortium members whose staff has special capabilities not found in the staff of the remaining consortium members. Is your consortium's response in the negotiations ethical?

- (A) Not if the owner is left with the impression that the consortium is still fully qualified to perform all the required tasks.
- (B) Yes, if your remaining consortium members hire a few new, lower- cost employees to do the special work originally intended to be provided by the consortium member dropped.
- (C) No, because an engineer may not accept a contract to coordinate a project with other professional firms providing capabilities and services not under the engineer's direct control.
- (D) Yes, if in accepting an assignment to coordinate a project, a single person will sign and seal all documents in the entire consortium work.