



Ethics – The Heart of the Engineering Profession

JIM JOHNSON, JR., PE (MD AND DE)
2019 MASITE ANNUAL MEETING
LANCASTER, PA
SEPTEMBER 26, 2019

DISCLAIMER

THIS COURSE MAY NOT SATISFY
THE CPC REQUIREMENTS FOR
THE PROFESSIONAL ENGINEER
LICENSE RENEWAL IN OTHER
STATES

LICENSEE'S ARE ADVISED TO
VERIFY THE CPC REQUIREMENTS
ENACTED BY THEIR RESPECTIVE
STATE BOARD FOR
PROFESSIONAL ENGINEERS



AGENDA

- Ethics – The Heart of the Engineering Profession
- Ethics in Your Professional Career
- The Code of Ethics Overlay
- Case Studies
- Simple Tools to Use



WHAT DOES ETHICS MEAN?

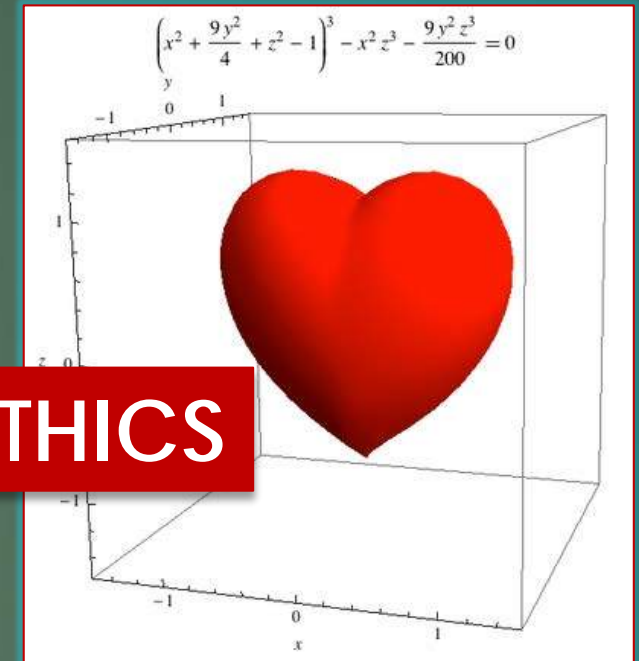
QUIZ

- A. High Standards of Behavior and Integrity
- B. The Discipline Dealing with What is Good and Bad and With Moral Duty and Obligation
- C. The Principles of Conduct Governing an Individual or a Group
- D. All of the Above

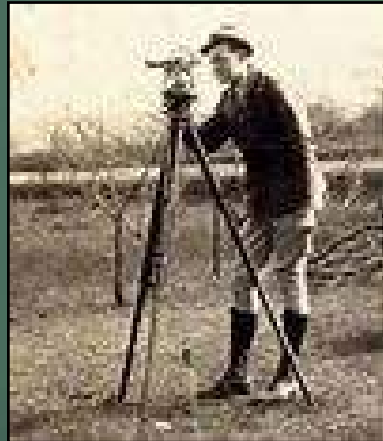


WHY ARE ETHICS IMPORTANT?

- Direct and Vital Impact on the Quality of Life for All People
- Dedicated to the Protection of the Public Health, Safety and Welfare
- We Must Provide our Services Under a Standard of Professional Behavior that is Beyond Reproach



TECHNOLOGY WILL CHANGE



DO PEOPLE CHANGE?



Richard Nixon – 37th President



Spiro Agnew– Vice President



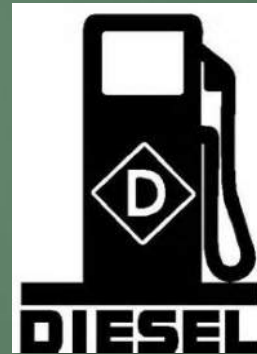
ENGINEERING CONTRACT KICKBACK SCHEME



A HEARTBEAT AWAY – THE INVESTIGATION & RESIGNATION OF VICE PRESIDENT SPIRO AGNEW
RICHARD M. COHEN AND JULES WITCOVER, 1974



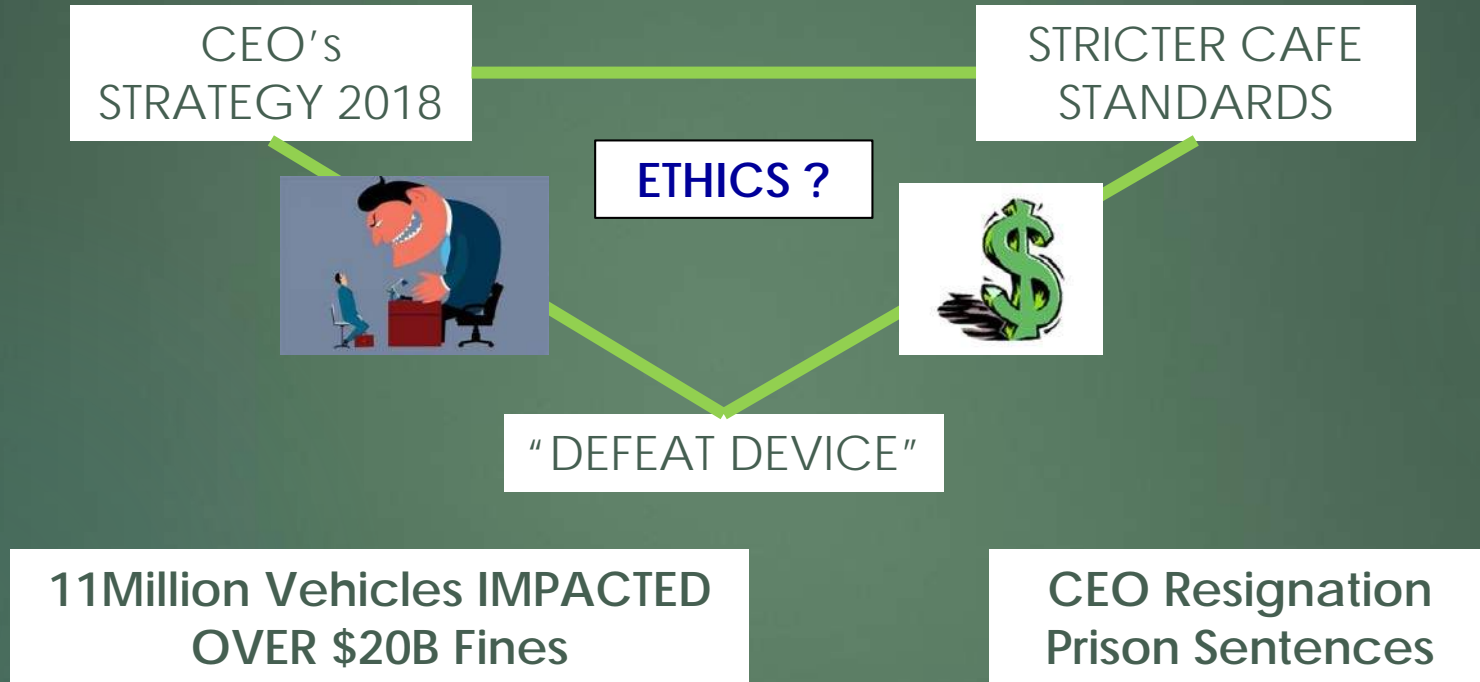
DO PEOPLE CHANGE?



2015



VOLKSWAGON DIESELGATE



DO PEOPLE CHANGE?

SJTA EXIT ACY



LOBBY FIRM



NEWARK HANGER

CHAIRMAN'S FLIGHT



DO PEOPLE CHANGE?

US Department of Transportation Office of Inspector General

- Former State DOT Employee Indicted for Federal Program Theft (Oct 2018)
- FHWA Suspends Former PENNDOT Assistant District Executive (Aug 2018)
- Former PENNDOT Consultant Inspector Pleads Guilty and Is Sentenced to Fraud Charges (April 2016)
- VDOT Contractor Sentenced for Fraud Scheme (March 2018)
- Pennsylvania Engineering Firm Agrees to Pay \$1.3 Million in Corruption Fraud Scheme (Jan 2015)
- Federal Highway Contractor and Its President Sentenced for Bribery (Feb 2002)

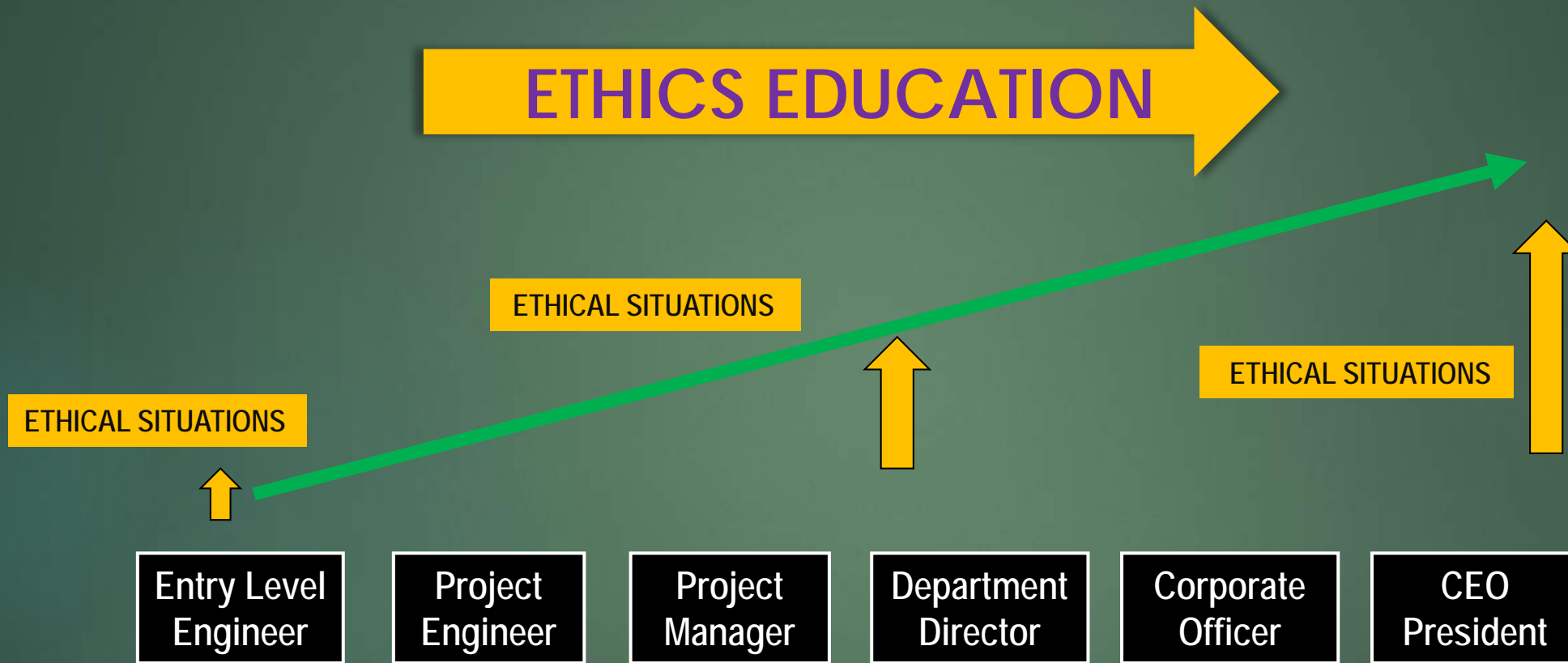
<https://www.oig.dot.gov/investigations>



ETHICS & LEADERSHIP



ETHICS IN YOUR PROFESSIONAL CAREER



THE CODE OF ETHICS OVERLAY

- Professional Societies & Organizations - ASCE (1914)
- State Boards for Professional Engineers – MD, DE, PA & NJ
- Public Sector – Federal / State / Local
- Private Sector



ASCE CODE OF ETHICS

16

1. Engineers Shall **Hold Paramount the Safety, Health and Welfare of the Public** and Shall Strive to Comply with the Principles of Sustainable Development in the Performance of their Professional Duties



NOTE: For clarity, the third-floor skywalk is not shown.

South end of skywalks anchored to steel plates.

Spot of initial failure

South wall

West windows

ASCE Case Study (Canon #1)

HYATT REGENCY SKYWALK COLLAPSE

Escalators

Stairs

Lobby bar

Lounge area

Alcove area

To main hotel



ASCE Case Study (Canon #1)

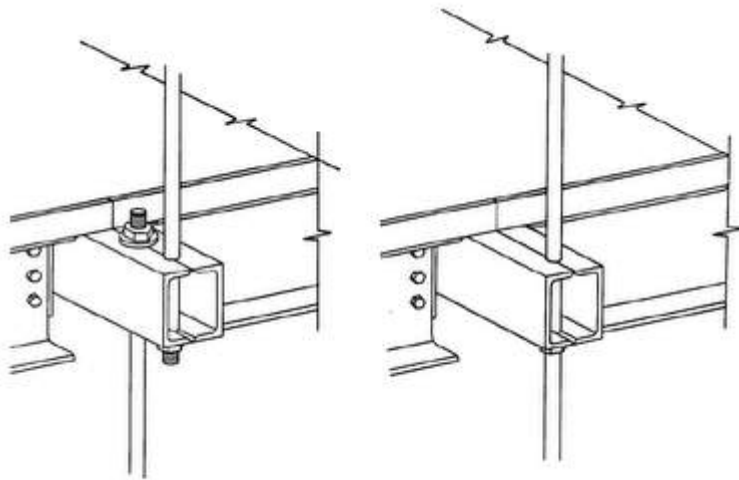
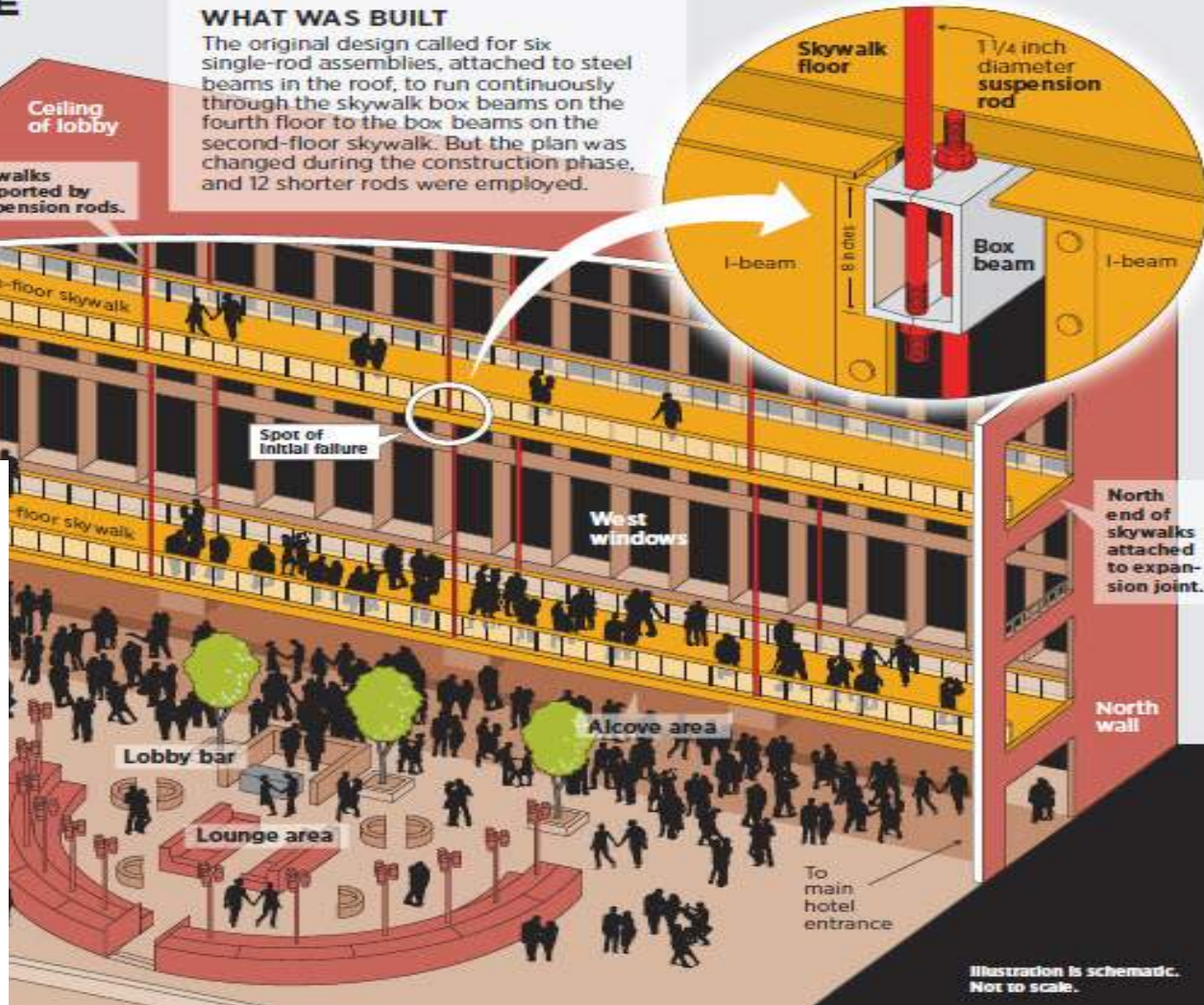
BEFORE THE COLLAPSE

The lobby of the Hyatt Regency hotel, with its open atrium, suspended walkways and interior landscaping, was a sight to behold, and the weekly tea dances were very popular parties. Thousands of people flocked to the hotel every Friday evening for the 1940s-style dance contests and big-band music. The party on July 17, 1981, began in typical fashion.

NOTE: For clarity, the third-floor skywalk is not shown.

WHAT WAS BUILT

The original design called for six single-rod assemblies, attached to steel beams in the roof, to run continuously through the skywalk box beams on the fourth floor to the box beams on the second-floor skywalk. But the plan was changed during the construction phase, and 12 shorter rods were employed.



As Built

Original Detail

ASCE Case Study (Canon #1)

19

- Primary **cause of the Failure was a Change** from the Original Design to a Double-Rod System – the Original Structural Drawings intended to be Conceptual. Steel to Steel Connections **design left to the Fabricator**.
- Fabricators **found the Design Impracticable**, Requested approval for the Change (Double-Rod System) via Telephone, **EOR ok with the understanding** that a formal Change Order would follow – CO never submitted. Phone call disputed by the Parties.
- **Fabricator** busy and **Outsourced work to Detailer**. Detailer Thought Double-Rod system already designed and Performed NO Calculations.



ASCE Case Study (Canon #1)

20

- EOR assigned **Review of Shop Drawings to Technician** – Connections not Shown and NO Calculations performed – Some **Spot check of Shop Drawings** accomplished and EOR returned Documents to Fabricator with **Engineering Review Stamp approval**.
- One year after opening, collapse of suspended walkways killed 114 People.
- Jack Gillum, PE; Daniel Duncan, PE; and C.G.E. International, Inc. Lost Licenses and COA In Missouri and Subsequently, Texas.



ASCE CODE OF ETHICS

21

2. Engineers Shall **Perform Services** Only in Areas of Their **Competence**



ASCE Case Study (Canon #2)

22

STRUCTURAL ENGINEER SEALS PLANS FOR HVAC WORK

- A Structural Engineer Leases a Commercial Building that He Was Renovating for a Gourmet Catering Business Owned and Operated by His Wife
- The Structural Engineer Prepares Plans for a Commercial Kitchen Hood, Exhaust and Duct System – First Submission Not Signed and Sealed – Three Subsequent Submissions Were All Signed by Structural Engineer



ASCE Case Study (Canon #2)

23

STRUCTURAL ENGINEER SEALS PLANS FOR HVAC WORK

- Violation of the Promulgated by His State Licensing Board – License Suspended for 1 Year, Fined \$1,000 and Attend a Course on Professionalism
- The Engineer Resigned from ASCE after a CPC Hearing – Recommend 5 Year Suspension



ASCE CODE OF ETHICS

24

3. Engineers Shall Issue Public Statements Only in an Objective and Truthful Manner



ASCE Canon #3

25

ENGINEER ISSUES STATEMENTS VIA SOCIAL MEDIA

- JIM is a PE working for a public agency. He has been working with a Consultant on a project for 4 years that is behind schedule and subject to numerous extras.
- **JIM is on a selection panel** for a new contract and the firm he has been working with for 4 years just completed the Oral interview process.
- **JIM decides to take to social media** shortly after the interviews are completed



ASCE Canon #3

26

ENGINEER ISSUES STATEMENTS VIA SOCIAL MEDIA

- **Jim Posts** “XYZ Engineers are the most UNPROFESSIONAL FIRM I have ever had the pleasure OF BABY SITTING. Over the last 4 years they have demonstrated THEIR INCOMPETENCE over and over again!!!! If you want to hire a firm THAT CHARGES TOO MUCH FOR TOO LITTLE, I Recommend MY FRIENDS AT XYZ ENGINEERS. I just listened to their presentation today and didn't believe it was the SAME FIRM. THESE GUYS CAN'T COMPLETE A SIMPLE STREETScape PROJECT .”



ASCE CODE OF ETHICS

27

4. Engineers Shall Act in Professional Matter for Each Employer or Client as **Faithful Agents or Trustees**, and **Shall Avoid Conflicts of Interest**



ASCE Case Study (Canon #4)

29

MUNICIPAL ENGINEER REVIEWS PLANS PERFORMED BY HIS OWN FIRM

- The Plans are then submitted to the ASCE Member in his Role as Municipal Engineer who reviews them and forwards to the Local Planning Board.
- State indicts the ASCE Member on Violation of Official Misconduct, Fined \$25,000 and Banned from future Services in Public Office.



ASCE CODE OF ETHICS

30

5. Engineers Shall Build Their Professional Reputation on the **Merit of their Services and Shall Not Compete Unfairly** with Others
6. Engineers Shall Act in Such a Manner as to **Uphold and Enhance the Honor, Integrity, and Dignity of the Engineering Profession** and Shall Act With **Zero-Tolerance** for Bribery, Fraud, and Corruption



ASCE Case Study (Canon #6)

31

STUDENT TAKES ASCE FUNDS FOR PERSONAL USE

- University Senior and Student Member of ASCE Elected President, has Check Writing Authority and Debit Card for Student Chapters Bank Account
- When Preparing the Annual Report for the Section, it is Found a Number of Charges on the Bank Account Statement Have No Receipts or Documentation – Over a 4-Week Period Amounts to \$2,000



ASCE Case Study (Canon #6)

32

STUDENT TAKES ASCE FUNDS FOR PERSONAL USE

- Chapter VP Brings the Bank Statements to the President's Attention – President Acknowledges Expenses were Unrelated to Duties But Made the Charges at a Time of Financial Hardship and Intended to Reimburse
- Student Resigns from His Position as President and Signs an Agreement to Make Restitution



ASCE CODE OF ETHICS

33

7. Engineers **Shall Continue Their Professional Development** Throughout Their Careers, and Shall Provide Opportunities for the Professional Development of Those Engineers Under Their Supervision
8. Engineers Shall, in All Matters Related to their Profession, **Treat All Personals Fairly and Encourage Equitable Participation** Without Regard to Gender or Gender Identify, Race, Natural Origin, Ethnicity, Religion, Age, Sexual Orientation, Disability, Political Affiliation, or Family, Marital, or Economic Status



THE CODE OF ETHICS OVERLAY

34

- Professional Societies & Organizations - ASCE (1914)
- State Boards for Professional Engineers – MD, DE, PA & NJ



MD BOARD OF PROFESSIONAL ENGINEERS

35

- The Board **Regulates the Practice of Engineering** Under the Provisions of Business Occupations and Professions Article, Annotated Code of Maryland, Title 14 & the Code of Maryland Regulations, Title 9, Subtitle 23
- The Board **Qualifies and Licenses** Persons Seeking Licensure to Practice as a Professional Engineer
- The Board **Investigates Complaints Against Licensees**, as Well as **Complaints Related to Unlicensed Practice**. The Board may Issue a Reprimand, Suspend or Revoke a License and/or Impose a Fine



MD BOARD OF PROFESSIONAL ENGINEERS

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COMAR, Title 9, Subtitle 23, Chapter 3 | CODE OF ETHICS

- **RESPONSIBILITY TO THE PUBLIC.** The Engineer Shall Make Every Reasonable Effort to Protect the Safety, Health, Property, and Welfare of the Public (Similar to ASCE Canon #1)
- **PUBLIC STATEMENTS, REPORTS AND TESTIMONY.** (Similar to ASCE Canon #3)
- **COMPETENCY FOR ASSIGNMENTS UNDERTAKEN OR APPROVED.** Qualified to do so by Education or Experience, or Both, in the Specific Field of Engineering Involved (Similar to ASCE Canon #2)



MD BOARD OF PROFESSIONAL ENGINEERS

37

COMAR, Title 9, Subtitle 23, Chapter 3 | CODE OF ETHICS

- CONFLICTS OF INTEREST. (Similar to ASCE Canon #4)
- FULL DISCLOSURE. (Similar to ASCE Canon #5)
- COMPLIANCE WITH LAWS.
- PROFESSIONAL CONDUCT. A Licensee Possessing Knowledge of a Violation of This Chapter by Another Licensee Shall Report this Knowledge to the Board (Similar to ASCE Canon #6)



MD BOARD OF PROFESSIONAL ENGINEERS

38

COMAR, Title 9, Subtitle 23, Chapter 3 | CODE OF ETHICS

- NAMES OF ENTITIES.
- SEALING REQUIREMENTS. A Licensee May Sign and Seal...Only if the Following are Met – Competency and Either Personally Prepared the Documents, or Approved the Documents
- TITLEBLOCK RULES.
- FAILURE TO RESPOND. A Licensee Shall Respond to the Board in Writing Within 20 Days Receipt of a Written Communication Directed to the Licensee by the Board



DE ASSOCIATION of PROFESSIONAL ENGINEERS

- The Board **Regulates the Practice of Engineering** under the Provisions of Title 24 of the DE Code Chapter 28 – Professional Engineers, Commonly referred to as the “Delaware Professional Engineers’ Act.”
- The “Delaware Professional Engineers’ Act” was Authorized on July 7, 1972.
- The Act **establishes DAPE as an Instrumentality of the State** and Given the Powers, Duties and Responsibilities of **Self-Regulation**.



DE ASSOCIATION of PROFESSIONAL ENGINEERS

40

§ 2816. DAPE CODE OF ETHICS

- The Engineer shall Hold Paramount Safeguarding Life, Health and Property and Promoting the Public Welfare in the Performance of His Professional Duties.
- The Engineer shall Perform Services only in Areas of his Competence.
- The Engineer Shall issue Professional Statements only in an Objective and Truthful Manner.



DE ASSOCIATION of PROFESSIONAL ENGINEERS

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§ 2816. DAPE CODE OF ETHICS

- The Engineer Shall Act in Professional Matters for each Employer or Client as Faithful Agent or Trustee, Avoiding Conflicts of Interest.
- The Engineer Shall Avoid improper Solicitation of Professional Employment.
- The Engineer Shall Support and Faithfully Comply with the Laws of any Jurisdiction within which He Practices.



STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS and GEOLOGISTS (PA)

42

THE ENGINEER, LAND SURVEYOR, AND GEOLOGIST REGISTRATION LAW (ACT 357) - Section 4(g) "Code of Ethics"

- To act for his client or employer in professional matters otherwise than as a faithful agent or trustee, or to accept any remuneration other than his stated recompense for services rendered. (similar to ASCE Canon #4)
- To attempt to injure falsely or maliciously, directly or indirectly, the professional reputation, prospects or business of anyone. (similar to ASCE Canon #5)
- To attempt to supplant another engineer, land surveyor or geologist definitive steps have been taken toward his employment.



STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS and GEOLOGISTS (PA)

THE ENGINEER, LAND SURVEYOR, AND GEOLOGIST REGISTRATION LAW (ACT 357) - Section 4(g) "Code of Ethics"

- To compete with another engineer, land surveyor or geologist for employment by the use of unethical practices. (similar to ASCE Canon #5 & 6)
- To review the work of another engineer, land surveyor or geologist for the same client, except with the knowledge of such engineer, land surveyor or geologist, or unless the connection of such engineer, land surveyor or geologist with the work has terminated.



STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS and GEOLOGISTS (PA)

44

THE ENGINEER, LAND SURVEYOR, AND GEOLOGIST REGISTRATION LAW (ACT 357) - Section 4(g) "Code of Ethics"

- To attempt to obtain or render technical services or assistance without fair and just compensation commensurate with the services rendered: Provided, however, the donation of such services to a civic, charitable, religious or eleemosynary organization shall not be deemed a violation. (similar to ASCE Canon #5)
- To advertise in self-laudatory language, or in any other manner, derogatory to the dignity of the profession. (similar to ASCE Canon #3 & 5)



STATE BOARD OF PROFESSIONAL ENGINEERS and LAND SURVEYORS (NJ)

45

TITLE 13. Law and Public Safety Chapter 40. State Board of Professional Engineers and Land Surveyors Subchapter 3.5 Enumeration of Prohibited Acts

- a) Misconduct in the practice of professional engineering or professional land surveying shall include, without limitation:
 - 1) Acting for his or her client or employer in professional matters otherwise than as a **faithful agent or trustee**; accepting any remuneration other than his or her stated recompense for services rendered.
 - 2) Disregarding the **safety, health and welfare** of the public in the performance of his or her professional duties: preparing or signing and sealing plans, surveys or specifications which **are not of a safe design and/or not in conformity with accepted standards**. If the client or employer insists on such conduct, the licensee shall notify the proper authorities and withdraw from further service on the project.



STATE BOARD OF PROFESSIONAL ENGINEERS and LAND SURVEYORS (NJ)

46

TITLE 13. Law and Public Safety Chapter 40. State Board of Professional Engineers and Land Surveyors Subchapter 3.5 Enumeration of Prohibited Acts

- a) Misconduct in the practice of professional engineering or professional land surveying shall include, without limitation:
- 3) Advertising in violation of N.J.A.C. 13:40-3.3.
 - 4) Engaging in any activity which involves him in a **conflict of interest**, including without limitation: (6 activities detailed)
 - 5) **Affixing his or her signature and seal** to any plans, specifications, plats or reports or surveys which were **not prepared by him or her or under his or her supervision** by his or her employees or subordinates.



STATE BOARD OF PROFESSIONAL ENGINEERS and LAND SURVEYORS (NJ)

47

TITLE 13. Law and Public Safety Chapter 40. State Board of Professional Engineers and Land Surveyors Subchapter 3.5 Enumeration of Prohibited Acts

- a) Misconduct in the practice of professional engineering or professional land surveying shall include, without limitation:
 - 6) Failure to **comply with Federal, state or local laws, rules or regulations relating to the practice of the profession.**
 - 7) Permitting or allowing any person not appropriately licensed pursuant to N.J.S.A. 45:8-27 et seq. or this chapter to act for or on behalf of the licensee as his representative, surrogate or agent while appearing before any public or private body for the purpose of rendering professional engineering or professional land surveying services.



STATE BOARD OF PROFESSIONAL ENGINEERS and LAND SURVEYORS (NJ)

48

TITLE 13. Law and Public Safety Chapter 40. State Board of Professional Engineers and Land Surveyors Subchapter 3.5 Enumeration of Prohibited Acts

a) Misconduct in the practice of professional engineering or professional land surveying shall include, without limitation:

8) Failure to determine and document the identity of the client prior to commencing any work. All correspondence, contracts, bills shall be addressed to that client, unless expressly directed otherwise, in writing, by the client.

9) **Failure to keep a client reasonably informed** about the status of a matter and promptly comply with reasonable requests for information.

10) **Failure to explain a matter to the extent reasonably** necessary to permit the client to make informed decisions.



STATE BOARD OF PROFESSIONAL ENGINEERS and LAND SURVEYORS (NJ)

49

TITLE 13. Law and Public Safety Chapter 40. State Board of Professional Engineers and Land Surveyors Subchapter 3.5 Enumeration of Prohibited Acts

a) Misconduct in the practice of professional engineering or professional land surveying shall include, without limitation:

11) Failure of a licensee to respond in writing within 30 days to a written communication from the State Board of Professional Engineers and Land Surveyors with respect to any investigative inquiry relating to the possible violation of any statute or regulation administered by the Board, and to make available any relevant records with respect to such an inquiry. The 30-day period shall begin on the day when such communication was sent from the Board by certified mail with return receipt requested to the address appearing on the last registration.



STATE BOARD OF PROFESSIONAL ENGINEERS and LAND SURVEYORS (NJ)

50

TITLE 13. Law and Public Safety Chapter 40. State Board of Professional Engineers and Land Surveyors Subchapter 3.5 Enumeration of Prohibited Acts

a) Misconduct in the practice of professional engineering or professional land surveying shall include, without limitation:

12) **Rendering engineering or land surveying services** and/or professional opinions **when not qualified** by training, education and experience in the specific discipline of professional engineering and/or professional land surveying that is involved.

13) Engaging in any activity which results in **suspension, revocation or surrender of a professional license or certification in another jurisdiction.**



STATE BOARD OF PROFESSIONAL ENGINEERS and LAND SURVEYORS (NJ)

51

TITLE 13. Law and Public Safety Chapter 40. State Board of Professional Engineers and Land Surveyors Subchapter 3.5 Enumeration of Prohibited Acts

a) Misconduct in the practice of professional engineering or professional land surveying shall include, without limitation:

14) Failure to comply with the requirements set forth in N.J.A.C. 13:40-5.1(d) and 5.2 concerning the waiver of the setting of corner markers.



THE CODE OF ETHICS OVERLAY

- Professional Societies & Organizations - ASCE (1914)
- State Boards for Professional Engineers – MD, DE, PA & NJ
- **Public Sector – Federal / State / Local**



PUBLIC SECTOR – FEDERAL / STATE / LOCAL

53

FEDERAL EMPLOYEES

- Standards of Ethical Conduct for Employees of the Executive Branch (EO 12731, Oct. 17, 1990) And Supplemental Standards of Ethical Conduct (5 CFR PART 6001)
- Conflict of Interest Laws (Sections 201 – 219 Of Title 8 United States Code)
- Procurement Integrity Law (Sections 201 – 219 Of Title 18 United States Code)
- Hatch Act Reform Amendments of 1993



PUBLIC SECTOR – FEDERAL / STATE / LOCAL

FEDERAL EMPLOYEES – OTHER LAWS RELATING TO EMPLOYEE CONDUCT

- Gifts to Government Employees
- Gifts to Superiors
- Gifts from Foreign Governments
- Acceptance of Travel From Non-Federal Sources
- Acceptance of Awards and Other Payments
- Nepotism



PUBLIC SECTOR – FEDERAL / STATE / LOCAL

55

STATE OF MARYLAND | TITLE 5, PUBLIC ETHICS LAW *

- Assure Citizens of the Impartiality and Independent Judgement of Officials and Employees
- Avoid Improper Influence or Even the Appearance of Improper Influence
- Requires Officials and Employees to Disclose Financial Affairs and to Meet Minimum Standards of Ethical Conduct

<https://ethics.maryland.gov/>

* STATE ETHICS COMMISSION ADMINISTERS MD'S ETHICS LAW



PUBLIC SECTOR – FEDERAL / STATE / LOCAL

56

STATE OF DELAWARE | TITLE 29, CHAPTER 58 DE CODE*

- Code of Conduct
- Financial Disclosure
- Compensation Policy
- Lobbyists' Registration



DEPARTMENT POLICY IMPLEMENTS

- DeIDOT P-17 Ban On Gifts By Lobbyists Or Vendors

*PUBLIC INTEGRITY COMMISSION (WWW.DEPIC.DELAWARE.GOV)



THE CODE OF ETHICS OVERLAY

57

- Professional Societies & Organizations - ASCE (1914)
- State Boards for Professional Engineers – MD, DE, PA & NJ
- Public Sector – Federal / State / Local
- Private Sector



PRIVATE SECTOR

- **Code of Business Conduct and Ethics**
 - Conflict of Interest
 - Compliance with Laws and Regulations
 - Gifts
 - Non-Disclosure Provisions
 - Reporting Mechanisms
- **Formal Standalone Policies, Employee Handbook**
- **Initial On-Boarding and Annual Training**



CASE STUDY - 1

59

“I HAVE THE QUESTIONS!”



I HAVE THE QUESTIONS!

JIM is a Program Manager for a Local Consultant and is Very Good Friends with **SARAH**

SARAH is a Program Manager for a State Agency. She is able to Retire Within the Year and is Thinking About Future Opportunities



I HAVE THE QUESTIONS!

The State Agency has Advertised an RFP and **SARAH** is on the Selection Panel. **JIM'S** Firm is Shortlisted and an Oral Interview Process is Next

SARAH and **JIM'S** Children Play on the Same Soccer Team. At one of their Weekend Games, they Begin Talking About Work. During the Conversation, **SARAH** Offers **JIM** the Questions Which Will be Asked During the Oral Interviews



I HAVE THE QUESTIONS!

What Would You Do, If You Were JIM?

- A. Let **SARAH** Tell you the Questions and Ask Who Else is on the Panel
- B. Stop **SARAH** and Tell Her You Don't Want the Questions and Forget This Ever Happened
- c. Stop **SARAH**, Tell Her You Don't Want the Questions and Talk with Your Supervisor About the Situation



I HAVE THE QUESTIONS!

What Are the Ethical Issues?

- A. None That I Can See
- B. Unfair Competition with Others
- C. Conflict of Interest and Professional Conduct
- D. Procurement Issues (State and/or Federal)
- E. B, C, and D



CASE STUDY - 2

64

**“CAN YOU WORK ON
MY HOUSE?”**



CAN YOU WORK ON MY HOUSE?

65

THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS, A Licensed Engineer is Responsible for the Engineering and Maintenance Departments

He is Also Responsible for Collective Bargaining Negotiations Which Begin in the Next 6 Months

THE DIRECTOR Has a Historic Home in Need of Renovations to Include Flooring, Concrete Work, Painting and a New HVAC System



CAN YOU WORK ON MY HOUSE?

66

THE DIRECTOR Asks for Some Help From His Employees and They are Glad to Help Him Out and Pick Up Some Extra Cash

Using DPW Vendors, THE DIRECTOR Gets the Supplies Below Costs and His Employees Work for Much Less. The Renovations Cost \$20,000

The Going Rate for the Work (Labor and Materials) is \$50,000



CAN YOU WORK ON MY HOUSE?

67

What Would you Do if you were THE DIRECTOR?

- A. Thank the Employees and Vendors for their Help
- B. Tell the Employees and Vendors Not to Say a Word About the Work at My House
- C. Consult with your Supervisor and HR before doing anything
- D. Don't Use Employees and Vendors to do the Work at Your House



CAN YOU WORK ON MY HOUSE?

68

What are the Ethical Issues?

- A. None that I Can See
- B. Conflict of Interest
- C. Professional Conduct
- D. Financial Disclosure
- E. B, C and D



CASE STUDY - 3

69

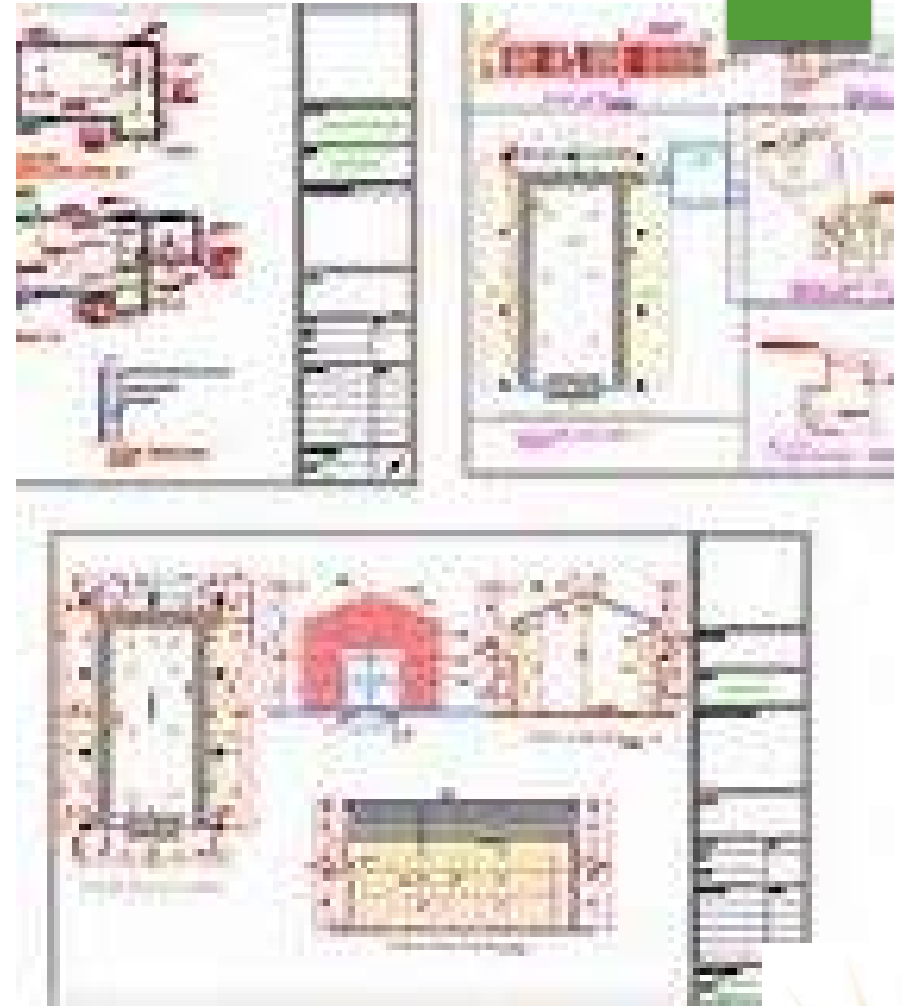
**“FRIEND, CAN YOU
HELP ME?”**



FRIEND, CAN YOU HELP ME?

- SAM Recently retired and a Friend Requested Some Help Obtaining a Building Permit for a Project. SAM is Experienced in General Civil, but Has No Training or Experience in Structural Engineering
- SAM Said "Yes, I'd be Happy to Help." SAM Signed & Sealed Drawings Which Included Structural Components for a Building

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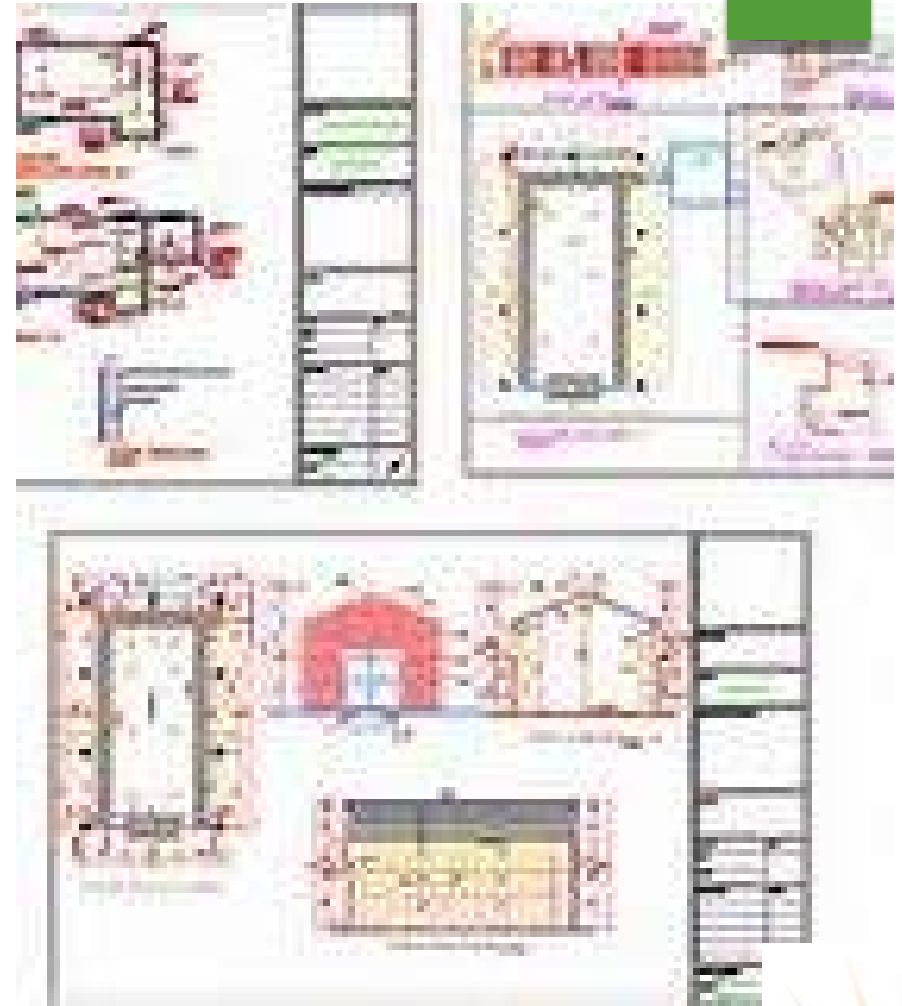


FRIEND, CAN YOU HELP ME?

What are the Ethical Issues?

- A. None That I Can See
- B. Competency for Assignments
- C. Sealing Requirements
- D. B and C

71

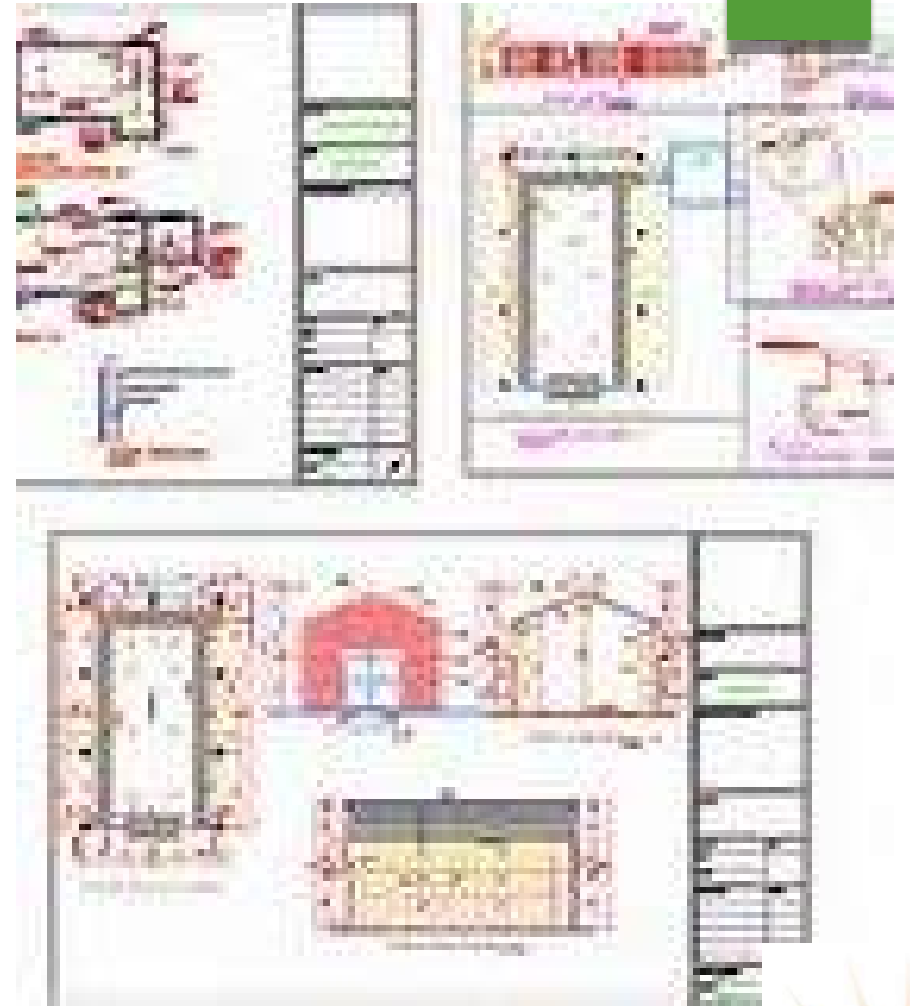


FRIEND, CAN YOU HELP ME?

What Happened to SAM?

- A. Nothing
- B. Cease and Desist, and Reprimand Issued
- C. 2-yrs of Probation
- D. Administrative Penalty of \$5K
- E. Take an Ethics Course
- F. B, C, D, and E

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CASE STUDY - 4

73

FRIEND, CAN YOU HELP
ME AGAIN?"

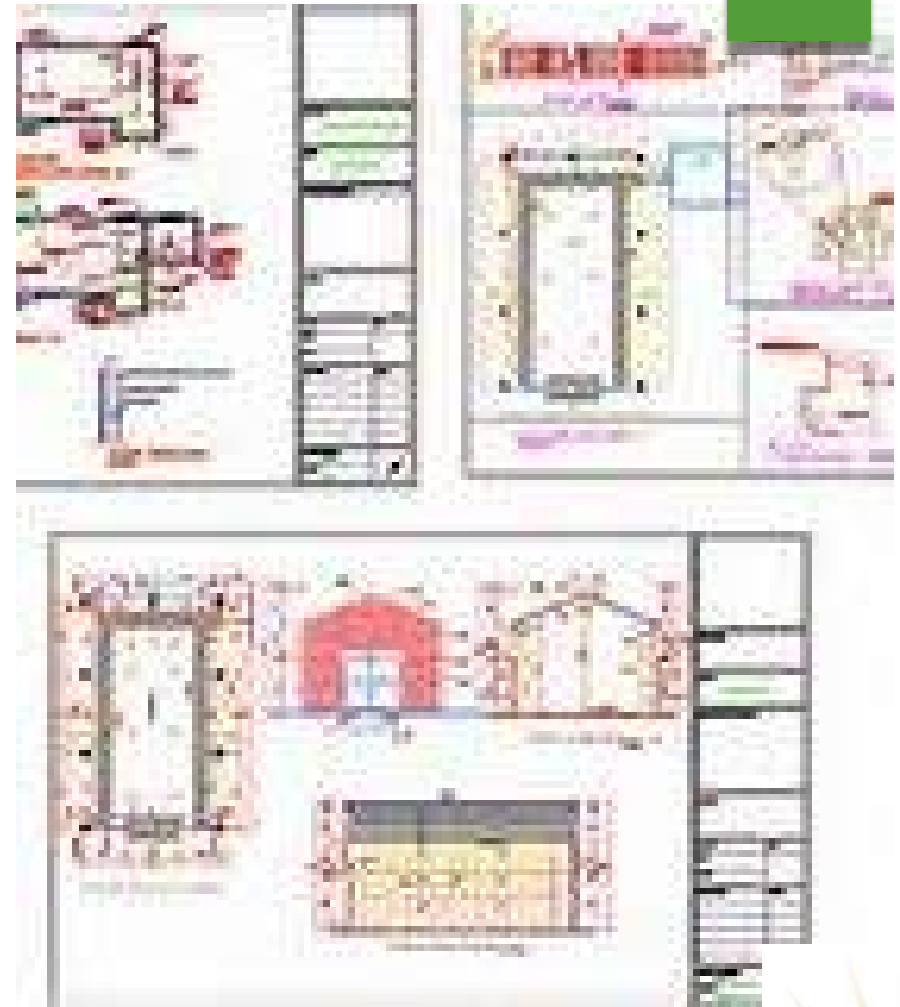


FRIEND, CAN YOU HELP ME AGAIN?

A Year After Receiving Discipline From the State Licensing Board Which Limited SAM'S Scope of Services, He Engaged in Another Project

SAM Obtained Plans from a Manufacturer for the Project and then Sealed and Signed the Drawings which Included Structural Components for a Building

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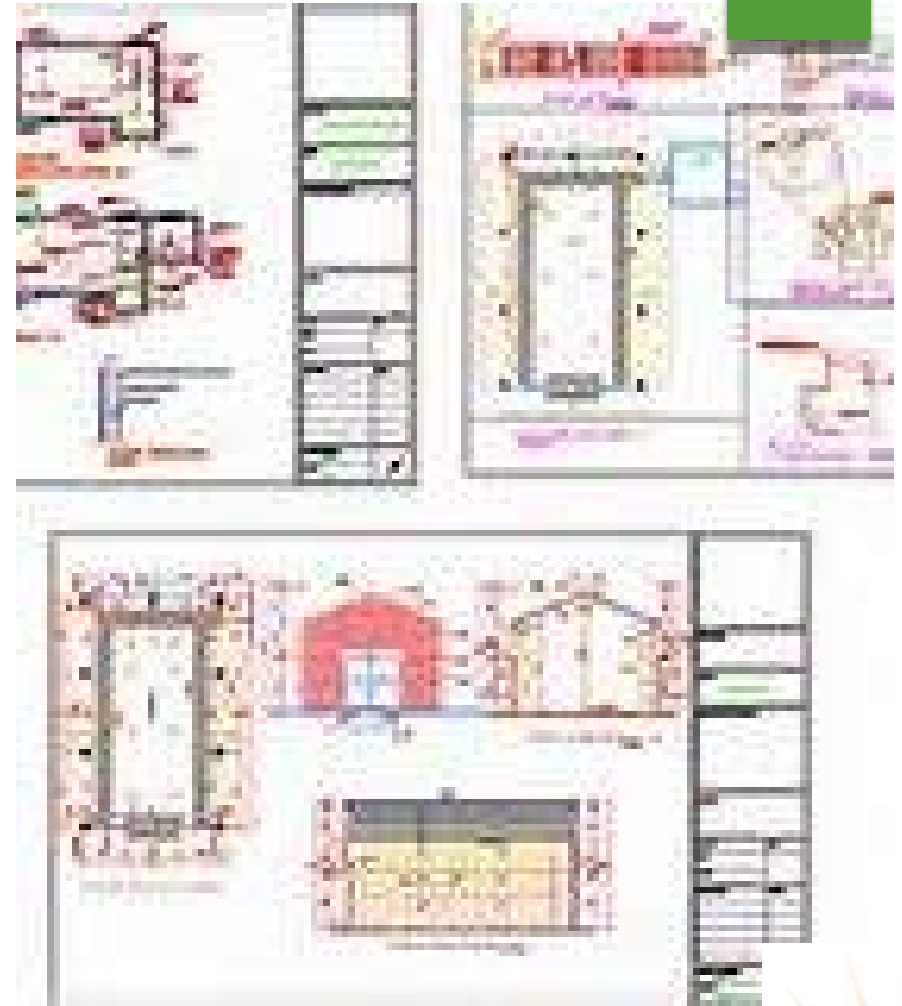


FRIEND, CAN YOU HELP ME AGAIN?

What Are the Ethical Issues?

- A. None that I Can See
- B. Committing an Offense While on Probation
- C. Competency for Assignments
- D. Sealing Requirements
- E. B, C and D

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FRIEND, CAN YOU HELP ME AGAIN?

What Happened to SAM?

- A. Nothing
- B. License Revoked and Enforcement Sent to NCEES Enforcement Database

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CASE STUDY - 5



“CAN I MOONLIGHT?”



CAN I MOONLIGHT?

78

JACK a Licensed Engineer and Land Surveyor at a State Agency has a Small Survey Business on the Side and Provides a Service to the Local Community

On One Small Project, **JACK** is in a Bind as His Personal Survey Equipment is in for Repairs

To Complete the Job for His Best Client, **JACK** Uses State-Owned Equipment over the Weekend



CAN I MOONLIGHT?

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What Would You Do If You Were JACK?

- A. Don't Change a Thing, Maintain the Status Quo
- B. Continue the Side Business, But Don't Use Agency Assets
- C. Seek Counsel from the State Agency and State Ethics Commission Prior to Starting a Side Business



CAN I MOONLIGHT?

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What Are the Ethical Issues?

- A. Compliance with Laws, State Agency Policies – Time Charges, Conduct of Work Outside and Use of Government Assets
- B. Financial Disclosure
- C. Conflict of Interest
- D. None that I Can See
- E. A, B and C



SIMPLE TOOLS TO USE

81

- Know Yourself – Be Aware
- Read – Use Resources
- Assemble a Professional Network
- How Would You Feel if You Read or Heard About Your Situation in the News?



“DON'T END UP
WEARING STRIPES”



QUESTIONS

ANSWERS