Reviving the importance of professional ethics

By Arthur Schwartz

The 2006 Malcolm Baldridge National Quality Program Criteria for Performance Excellence, which was developed by the U.S. Department of Commerce's National Institute of Standards and Technology, has just been released. This public-private sector program, named for the former Reagan administration commerce secretary, is designed to improve national competitiveness through the pursuit of performance excellence. The program helps organizations of all sizes respond to current challenges and address all of the complexities of delivering results while preparing effectively for the future.

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What struck me about the 2006 criteria was that in addition to the usual requirements — leadership, strategic planning, customer and market focus, and process management — there were repeated references to social responsibility, integrity, and ethical behavior.

Is this just happenstance? I don't think so. Repeated media reports of public and private sector scandals have called into question institutional and individual conduct in a manner never before seen — and structural engineers are certainly not immune. In addition to the media, groups such as legislative, regulatory, and judicial bodies are heightening their scrutiny and are expecting accountability. Professionals and corporate leaders who promote ethical values in an unambiguous and forthright manner are less likely to find their employees and companies running afoul of the law. The 2006 Baldridge program criteria are clear recognition that ethical conduct truly matters — and matters in a big way — when it comes to individual and corporate quality and performance.

Should this be of special interest to structural engineers and engineering companies? Absolutely! As licensed design professionals, structural engineers have a legal and an ethical obligation to protect the public health and safety, consistent with the state licensure laws and rules of professional conduct. In the current heightened enforcement environment, expect state licensure boards to be increasingly under scrutiny from legislators, government officials, and the public, who expect those boards to fulfill their obligation under the law to "police the profession." You can expect that complaints filed against licensees will be investigated more vigorously and that the penalties assessed against licensees will be more stringently applied. While this is certainly welcome news for competent and ethical practitioners who have little to fear, this is not a time for anyone to let down their guard. Instead, it is a time for all structural engineers — even the most competent and ethical ones — to renew their individual and organizational commitment to engineering ethics.

Because the issues confronting structural engineers often are far more complex and require balancing a variety of considerations and factors, it is not simply enough to memorize a code of ethics or state board rules of professional conduct. Engineers must exercise ethical judgment.

For almost 50 years, the National Society of Professional Engineers (NSPE) Board of Ethical Review has provided ethical guidance to structural engineers and others, interpreting the NSPE Code of Ethics in the context of factual situations, and determining whether an engineer's actions were appropriate. Some examples include the following:

- Engineer A is requested to review, sign, and seal a set of drawings prepared by another design professional employee under Engineer A's control, but not under the engineer's direct personal supervision. Should he sign and seal the drawings?
- Engineer B is requested to serve as an expert witness during litigation involving a project on which Engineer B's firm performed services for another party involved in the same litigation. Is this acceptable conduct?
- Engineer C is pursuing her doctorate degree and deliberately omits certain information from her thesis because it might raise doubts concerning some conclusions, which are related, but are not central to her thesis. Can she ethically do this?

These are just the tip of the iceberg of the ethical issues confronting structural engineers on a daily basis. Maybe you have confronted similar dilemmas in your practice.

Ethical dilemmas are an everyday part of structural engineering practice. Protection of the public health and safety, conflicts of interest, professional competency, relations with peers, and duty to client or employer raise difficult ethical challenges for which there often is no easy answer. Future columns will explore dilemmas faced by some of your structural engineering peers.

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