

## THE PATH TO COMPLIANCE

### WHICH DIRECTION DOES YOUR MORAL COMPASS POINT?



It has taken generations for professional engineers and professional land surveyors to create the level of public trust that they have been afforded. Unfortunately, years of competent and ethical conduct can be destroyed very quickly by one unethical decision.

***Bruce A. Pitts***

One such serious breach of the public trust happened in Oklahoma just a few years ago. A city's Public Works department was racked with a bribery scandal involving one of its own professional engineers and other professional engineers in the private sector. After pleading guilty to the charges, the professional engineers were sentenced to jail time and assessed large fines. Following disciplinary investigations and hearings, the Board revoked each of their PE licenses. As a way of explanation for this unethical and illegal behavior, the attorney for one of the engineers told the court that his client had "lost his moral compass".

We all bring our own sense of right and wrong, our "moral compasses", to the workplace where we are daily confronted with difficult ethical decisions. Often those decisions are complex and involve conflicting ethical mores – sometimes they are simple, but costly ethical decisions. In the ideal workplace, the leader understands the importance and benefits of ethical behavior and both encourages and models that behavior for employees. It is imperative that this behavior is clearly communicated to young engineers and surveyors who may not be familiar with professional ethical conduct. That effective leader is familiar with the codes of ethics produced by national engineering and surveying societies, and knows the Rules of Professional Conduct promulgated by this Board.

The Board's Rules of Professional Conduct can be found on our website at the following link: [http://www.ok.gov/pels/Regulations/Administrative\\_Rules/Chapter\\_15\\_By\\_Laws,\\_15-9.html](http://www.ok.gov/pels/Regulations/Administrative_Rules/Chapter_15_By_Laws,_15-9.html) The feedback we receive from licensees strongly suggests that these Rules offer helpful guidance to the myriad of ethical decisions that arise in the workplace, and give support to those licensees who want to make good ethical decisions. Conversely, these Rules are effective tools in the disciplining of unethical professional practice. It stands to reason that these Rules do not cover every unethical situation that arises. At times we receive calls from a concerned citizen or licensee about a potentially unethical situation, and we must explain that while the situation may be unethical, it is not necessarily within the Board's jurisdiction to prosecute such an act if it isn't specifically outlined in our Rules.

The Rules of Professional Conduct cover many topics, but the ones that are most often violated are those where a licensee has affixed their signature and seal to surveying or engineering documents dealing with subject matter in which they lack competence, or to documents not prepared under their direct control or personal supervision. Professional engineers are required to list their area(s) of competence with the Board and practice only within that area(s). Professional surveyors also may not practice within areas of surveying in which they lack competence. In other words, if you have expertise in construction staking and you are asked to perform an ALTA/ACSM survey or someone asks you to divide a subdivision for them which is not within your area of competence, you must make the proper ethical decision and decline the project.

Signing and sealing work not done under the licensee's direct control and personal supervision often occurs when the client must submit a signed and sealed document to a governmental agency for approval. This Board has had many disciplinary actions where the client or the contractor may have used engineering software to perform the

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calculations and design. The engineer then steps in after the design process is complete and reviews, signs and seals the work that is not within his/her area of competence, depending entirely on the software to ensure the design is correct. This is a violation of Board laws and rules.

Other ethical violations involving dishonesty occur during the licensing or license renewal process. Licensees and applicants are asked if they have been found guilty of a crime or been disciplined by another licensing board. It is surprising how often the answer “No” has been selected when in fact the honest answer was “Yes”. PE and PLS state licensing boards DO communicate with each other

and DO perform background checks. From the Board’s perspective, it is much better to answer honestly than to face a charge of fraud and deceit in the licensing or application process.

Honesty and ethical behavior are essential for licensees to be worthy of the public trust and are recognized as being fundamental virtues of professional standing. Professional engineers and professional land surveyors are trusted by the public and must hold paramount the safeguarding of the life, health, property and welfare of the public.

### **NCEES Engineering Award – 2015 Call for Submissions**

In 2009, NCEES introduced this award to recognize college engineering programs for engaging their students in collaborative projects with licensed professional engineers.

The NCEES Engineering Award for Connecting Professional Practice and Education was established to promote understanding of the value of licensure and to encourage partnerships between the engineering profession and education.

EAC/ABET-accredited programs from all engineering disciplines are invited to submit projects that integrate professional practice and education. Projects must be in progress or completed by March 16, 2015.

The NCEES Engineering Award includes six cash awards: the Grand prize is \$25,000 and Five Awards for \$7,500 each. Use of the funds awarded is at the discretion of the winning engineering departments/colleges. NCEES encourages their use for the advancement of projects connecting professional practice and education.

The grand prize winner will be recognized at the NCEES annual meeting in August 2015. All award-winning submissions will be exhibited at the event and featured on the NCEES website, in NCEES publications, and in other related professional publications.

**ADDITIONAL INFO AVAILABLE AT**  
<http://ncees.org/licensure/ncees-engineering-award/>