



2023 Fall Conference at Ashore Resort & Beach Club
Ocean City, Maryland

ENGINEERING ETHICS

Scott C. Crumley, PE, PTOE

September 28, 2023

BIOGRAPHY



- Born & raised in Colorado
- BS Civil Engineering at UConn & MS Info & Telecommunications Systems at JHU
- MSHA D3 Traffic → Mont Co DOT → RK&K (9 yrs in public sector, 21 yrs in private sector)
- RK&K Director of Transportation, DC Metro Area leader
- Resident of Ellicott City, Howard County, MD



ABSTRACT

ENGINEERING ETHICS

- Why discuss engineering ethics?
- Review the Code of Ethics for Engineers and Maryland Public Ethics
- Reiterate why positive engineering ethics is crucial to our work every single day
- Share relatable, real-world ethical dilemmas
- Practical takeaways and available resources
- Q&A | What engineering ethical dilemmas have you experienced or seen in your career?

❖ 1.0 PDH credit



WHY DISCUSS ENGINEERING ETHICS?



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Today CEAM provides a forum for new ideas and is an advocate for the infrastructure needs of the entire state. It is the collective voice of those who are responsible for the basic services of government and whose jobs affect the health and safety of every citizen. The Association promotes professional education and an adherence to the highest standards of engineering, construction, management, and public policy. It maintains an active presence in the State capital, placing its public trust above all considerations, whether partisan or monetary.

WHY DISCUSS ENGINEERING ETHICS?



National Registry of
Environmental Professionals™
Est. 1987



ACEC

AMERICAN COUNCIL OF ENGINEERING COMPANIES

100 Years of Excellence



NATIONAL SOCIETY OF
PROFESSIONAL ENGINEERS

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ASCE

AMERICAN SOCIETY OF CIVIL ENGINEERS



Construction Management Association of America

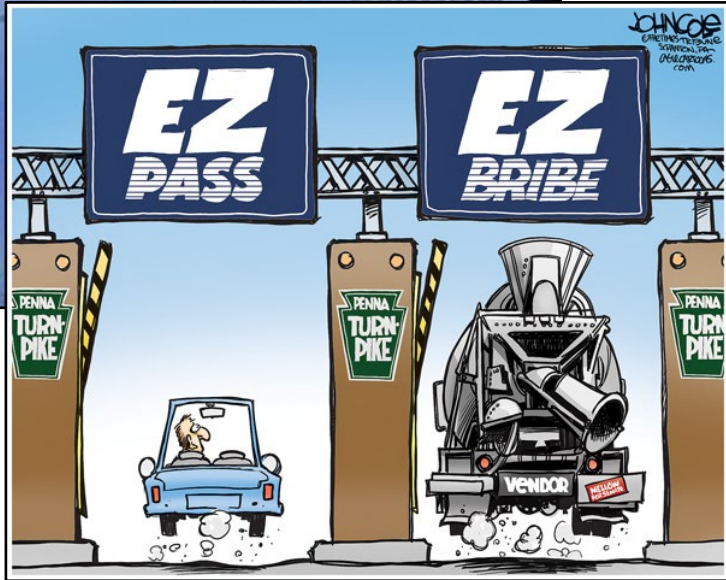
WHY DISCUSS ENGINEERING ETHICS?

Maryland Law: Continuing Professional Competency Requirement for Professional Engineers

1. Successful completion of a minimum of 16 PDH units earned in qualified activities
2. Minimum of 1 PDH unit every two-year licensing cycle shall be earned in qualified activities related to the following:
 - A. The awareness of ethical concerns and conflicts related to the practice of engineering;
 - B. An enhanced familiarity with the code of conduct for professional engineers;
 - C. An understanding of standards of practice of care related to the practice of engineering; or
 - D. Laws and regulations applicable to the practice of engineering in Maryland.



WHY DISCUSS ENGINEERING ETHICS?



United States Department of Justice

THE UNITED STATES ATTORNEY'S OFFICE
EASTERN DISTRICT of PENNSYLVANIA

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U.S. Attorney's Office
Eastern District of Pennsylvania

FOR IMMEDIATE RELEASE Tuesday, May 10, 2016

President Of Engineering Firm Admits To Bribing Elected Officials In Allentown And Reading

PHILADELPHIA – Court documents were unsealed today in relation to the guilty plea entered by Matthew McTish, 57, of Orefield, PA. McTish pleaded guilty on April 28, 2016 to one count of conspiracy to commit bribery offenses, announced United States Attorney Zane David Memeger. McTish faces a maximum possible sentence of five years in prison, a possible fine, three years of supervised release, and a \$100 special assessment. U.S. District Judge Juan R. Sanchez scheduled a sentencing hearing for August 2, 2016.

WHY DISCUSS ENGINEERING ETHICS?

ATTENTION ALL PROPOSERS

HELP PREVENT FRAUD AND ABUSE IN THE
MINORITY BUSINESS ENTERPRISE PROGRAM
REPORT KNOWN OR SUSPECTED VIOLATIONS TO:

**Prince George's County Government
Supplier Development & Diversity Division
Largo, Maryland
301-883-6480**

Examples of MBE Fraud Include:
MBE's Acting as "Fronts" for Prime Consultants
MBE's Re-Contracting to Non-MBE Firms
Prime Consultants Managing MBE's Work Forces
Falsifying Documents
Bribery

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REAL-WORLD ETHICAL DILEMMA

Darl Kolar, PE



CODE OF ETHICS FOR ENGINEERS



Our Vision

A world where the public can be confident that engineering decisions affecting their lives are made by qualified and ethically accountable professionals

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NSPE NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

Code of Ethics for Engineers

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I. Fundamental Canons
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1. Hold paramount the safety, health, and welfare of the public.
2. Perform services only in areas of their competence.
3. Issue public statements only in an objective and truthful manner.
4. Act for each employer or client as faithful agents or trustees.
5. Avoid deceptive acts.
6. Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.

II. Rules of Practice
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c. Engineers are encouraged to extend public knowledge and appreciation of engineering and its achievements.
d. Engineers are encouraged to adhere to the principles of sustainable development¹ in order to protect the environment for future generations.
e. Engineers shall continue their professional development throughout their careers and should keep current in their specialty fields by engaging in professional practice, participating in continuing education courses, reading in the technical literature, and attending professional meetings and seminars.

IV. Additional Provisions
particular specialized knowledge on behalf of a former client or employer.
5. Engineers shall not be influenced in their professional duties by conflicting interests.
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6. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticising other engineers, or by other improper or questionable methods.
a. Engineers shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgment may be compromised.
b. Engineers in salaried positions shall accept part-time engineering work only to the extent consistent with policies of the employer and in accordance with ethical considerations.
c. Engineers shall not, without consent, use equipment, supplies, laboratory or office facilities of an employer to carry on outside private practice.
9. Engineers shall give credit for engineering work to those to whom credit is due, and will recognize the proprietary interests of others.
a. Engineers shall, whenever possible, name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.
b. Engineers using designs supplied by a client recognize that the designs remain the property of the client and may not be duplicated by the engineer for others without express permission.
c. Engineers, before undertaking work for others in connection with which the engineer may make improvements, plans, designs, inventions, or other records that may justify copyrights or patents, should enter into a positive agreement regarding ownership.
d. Engineers' designs, data, records, and notes referring exclusively to an employer's work are the employer's property. The employer should indemnify the engineer for use of the information for any purpose other than the original purpose.
^{Footnote 1} Sustainable development¹ is the challenge of meeting human needs for natural resources, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development.

It is further noted that as made clear in the Supreme Court decision:
1. Engineers and firms may individually refuse to bid for engineering services.
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3. Federal, state, and local laws governing procedures to procure engineering services are not affected, and remain in full force and effect.
4. State societies and local chapters are free to actively and aggressively seek legislation for professional selection and negotiation procedures by public agencies.
5. State registration board rules of professional conduct, including rules prohibiting competitive bidding for engineering services, are not affected and remain in full force and effect. State registration boards with authority to adopt rules of professional conduct may adopt rules governing procedures to obtain engineering services.
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Note: In regard to the question of application of the Code to corporations to which not general business form of type should not negate nor influence conformance of individuals to the Code. The Code deals with professional services, which services must be performed by real persons. Real persons in turn establish and implement policies within business structures. The Code is clearly written to apply to the Engineers and it is incumbent on members of NSPE to endeavor to live up to its provisions. This applies to all pertinent sections of the Code.

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CODE OF ETHICS FOR ENGINEERS

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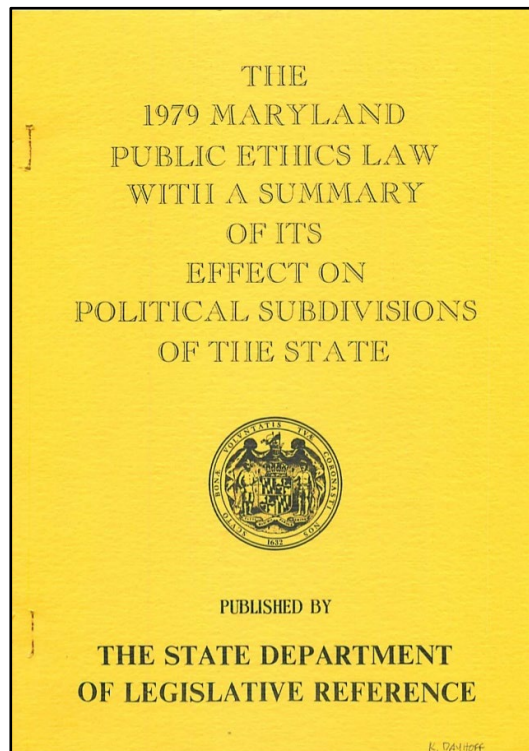
ETHICS IN THE NEWS



MARYLAND PUBLIC ETHICS

MARYLAND PUBLIC ETHICS LAW

1. Established in 1979
2. General Provisions Article, Title 5



STATE ETHICS COMMISSION

MARYLAND
PUBLIC
ETHICS
LAW

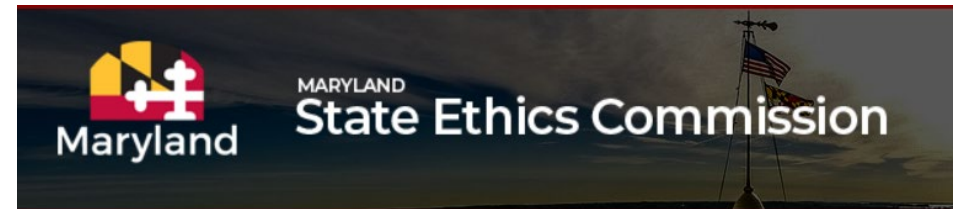
- ✦ CONFLICTS OF INTEREST
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- ✦ PROCEDURES
- ✦ LOCAL GOVERNMENT

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MARYLAND PUBLIC ETHICS

MARYLAND STATE ETHICS COMMISSION

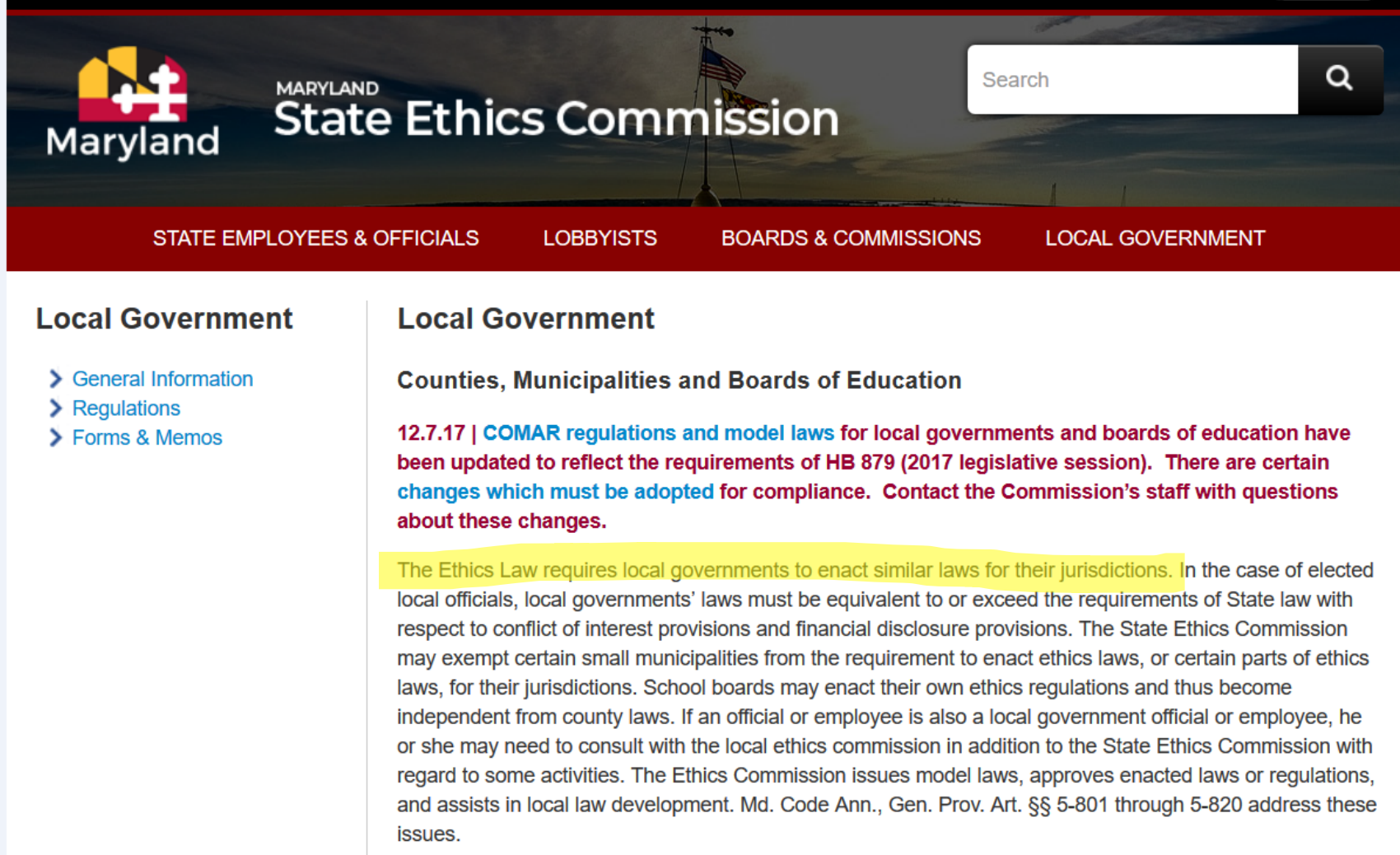
1. Administers the Public Ethics Law
2. Standards of conduct for state and local government officials and employees
3. Guards against improper influence on public officials
4. Avoids the appearance of conflicts of interest
5. Financial disclosure, lobbying disclosure and regulation
6. Approval of local government ethics requirements
7. Ethics law advice and training
8. Ethics law complaint investigation



<https://ethics.maryland.gov/public-ethics-law/>

MARYLAND PUBLIC ETHICS

LOCAL GOVERNMENT: Counties, Municipalities and Boards of Education



The screenshot shows the Maryland State Ethics Commission website. The header features the Maryland State logo and the text "MARYLAND State Ethics Commission". A search bar is located in the top right corner. Below the header is a navigation menu with four categories: "STATE EMPLOYEES & OFFICIALS", "LOBBYISTS", "BOARDS & COMMISSIONS", and "LOCAL GOVERNMENT". The "LOCAL GOVERNMENT" section is expanded, showing a sidebar with links for "General Information", "Regulations", and "Forms & Memos". The main content area is titled "Local Government" and "Counties, Municipalities and Boards of Education". It contains a highlighted section titled "12.7.17 | COMAR regulations and model laws for local governments and boards of education have been updated to reflect the requirements of HB 879 (2017 legislative session). There are certain changes which must be adopted for compliance. Contact the Commission's staff with questions about these changes." Below this is a paragraph explaining that the Ethics Law requires local governments to enact similar laws for their jurisdictions, with a yellow highlight on the first sentence.

Local Government

- > General Information
- > Regulations
- > Forms & Memos

Local Government

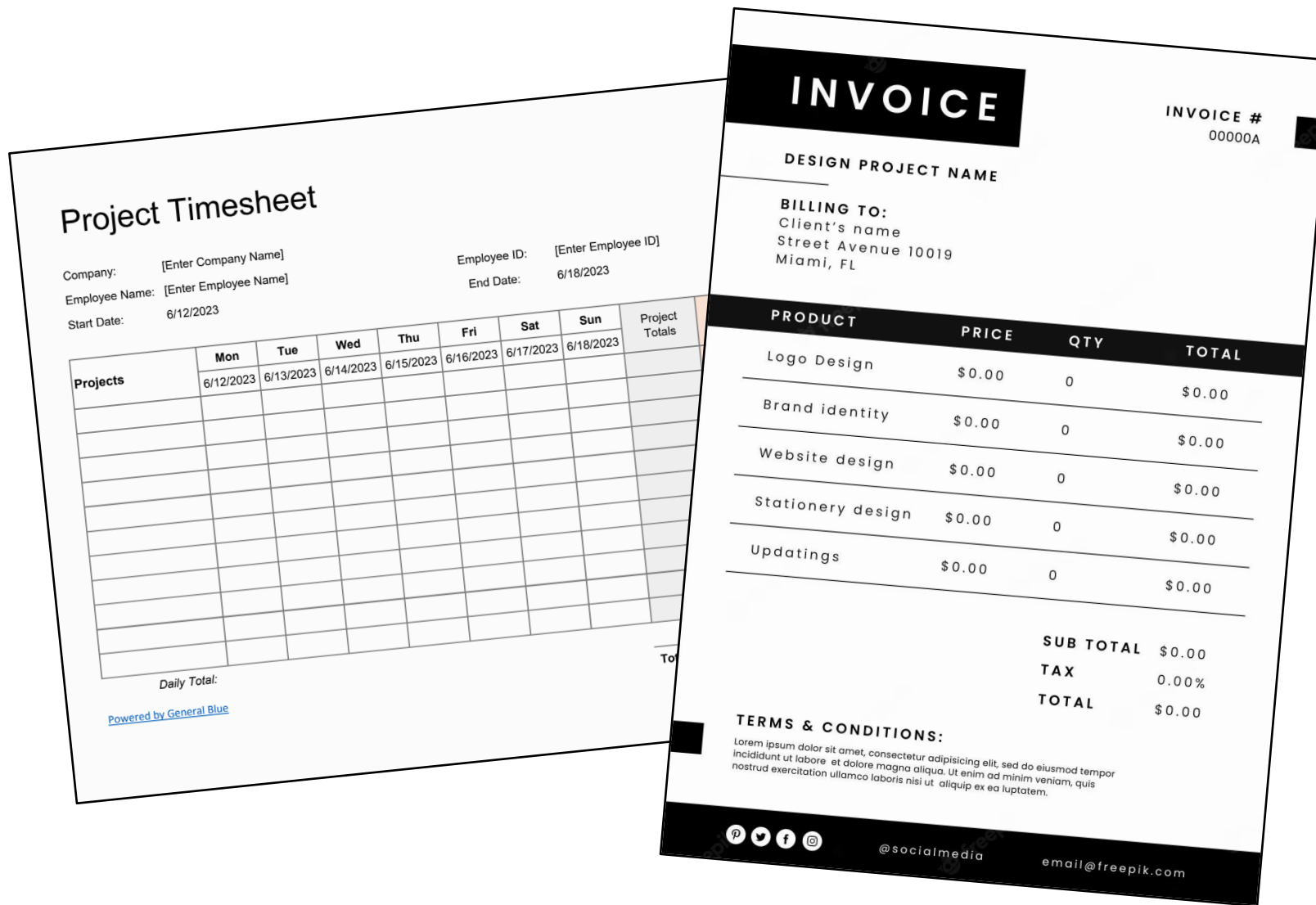
Counties, Municipalities and Boards of Education

12.7.17 | COMAR regulations and model laws for local governments and boards of education have been updated to reflect the requirements of HB 879 (2017 legislative session). There are certain changes which must be adopted for compliance. Contact the Commission's staff with questions about these changes.

The Ethics Law requires local governments to enact similar laws for their jurisdictions. In the case of elected local officials, local governments' laws must be equivalent to or exceed the requirements of State law with respect to conflict of interest provisions and financial disclosure provisions. The State Ethics Commission may exempt certain small municipalities from the requirement to enact ethics laws, or certain parts of ethics laws, for their jurisdictions. School boards may enact their own ethics regulations and thus become independent from county laws. If an official or employee is also a local government official or employee, he or she may need to consult with the local ethics commission in addition to the State Ethics Commission with regard to some activities. The Ethics Commission issues model laws, approves enacted laws or regulations, and assists in local law development. Md. Code Ann., Gen. Prov. Art. §§ 5-801 through 5-820 address these issues.

<https://ethics.maryland.gov/local-government/>

REAL-WORLD ETHICAL DILEMMA



The image displays two overlapping forms. The background form is a 'Project Timesheet' with fields for company, employee name, ID, start/end dates, and a grid for logging time by project and day. The foreground form is an 'INVOICE' for a design project, featuring a table of items with prices and quantities, all currently set to zero. It also includes a billing address, a summary of totals, and terms and conditions.

Project Timesheet

Company: [Enter Company Name] Employee ID: [Enter Employee ID]
Employee Name: [Enter Employee Name] End Date: 6/18/2023
Start Date: 6/12/2023

Projects	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Project Totals
	6/12/2023	6/13/2023	6/14/2023	6/15/2023	6/16/2023	6/17/2023	6/18/2023	

Daily Total: _____
Powered by [General Blue](#)

INVOICE

INVOICE # 00000A

DESIGN PROJECT NAME _____

BILLING TO:
Client's name
Street Avenue 10019
Miami, FL

PRODUCT	PRICE	QTY	TOTAL
Logo Design	\$0.00	0	\$0.00
Brand identity	\$0.00	0	\$0.00
Website design	\$0.00	0	\$0.00
Stationery design	\$0.00	0	\$0.00
Updatings	\$0.00	0	\$0.00

SUB TOTAL \$0.00
TAX 0.00%
TOTAL \$0.00

TERMS & CONDITIONS:
Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip ex ea luptatem.

@socialmedia email@freepik.com

MARYLAND PUBLIC ETHICS



Wicomico County
Maryland

Government

Services

Living Here

Business

I Want



Adult Public
Guardianship Review
Board

Agricultural Land
Preservation Advisory
Board

Agricultural
Reconciliation
Committee

Airport Commission

[Home](#) › [Government](#) › [Boards & Commissions](#) › [Boards & Commissions](#) › [Ethics Commission](#)

Wicomico County Ethics Commission

The Wicomico County Ethics Commission is responsible for administering the County's Ethics Law.

As provided in Chapter 37 of the Wicomico County Code, the Ethics Commission shall:

1. Devise, receive and maintain all forms required by the Ethics Law.
2. Develop procedures and policies for advisory opinion requests and provide advisory opinions to persons subject to the Ethics Law regarding the applicability of the provisions of the Ethics Law to them.
3. Develop procedures and policies for the processing of complaints to make appropriate determinations regarding complaints filed by any person alleging violations of the Ethics Law.
4. Conduct a public information program regarding the purposes and application of the Ethics Law.

MARYLAND PUBLIC ETHICS



Wicomico County
Maryland

Government

Services

Living Here

Business

I Want

Purpose and Application of Ethics Law

The purpose of the Ethics Law is to promote the public's trust and confidence in local government and to assure the honesty and impartiality of County employees, as well as elected officials, in the execution of their duties.

Board

Agricultural
Reconciliation
Committee

Airport Commission

As provided in Chapter 57 of the Wicomico County Code, the Ethics Commission shall:

1. Devise, receive and maintain all forms required by the Ethics Law.
2. Develop procedures and policies for advisory opinion requests and provide advisory opinions to persons subject to the Ethics Law regarding the applicability of the provisions of the Ethics Law to them.
3. Develop procedures and policies for the processing of complaints to make appropriate determinations regarding complaints filed by any person alleging violations of the Ethics Law.
4. Conduct a public information program regarding the purposes and application of the Ethics Law.

MARYLAND PUBLIC ETHICS



§ CG 5-104

ETHICS

§ CG 5-104

for contingent compensation in any matter before or involving Worcester County.

(g) Use of prestige of office.

(1) An official or employee may not intentionally use the prestige of office or public position:

- A. For the private gain of that official or employee or the private gain of another.
- B. To influence, except as part of the official duties of the official or employee or as a usual and customary constituent service without additional compensation, the award of a County contract to a specific person.

(2) An official may not directly or indirectly initiate a solicitation for a person to retain the compensated services of a particular regulated lobbyist or lobbying firm.

(3) A public official or employee may not use public resources or the title of the public official or employee to solicit a political contribution that is regulated in accordance with the State Election Law article.

(4) In this paragraph, "legislative action" does not include testimony or other advocacy in an official capacity as a member of the County Commissioners before a unit of State or local government.

- A. A former member of the County Commissioners may not assist or represent another party for compensation in a matter that is the subject of legislative action for one calendar year from the date the Commissioner leaves office.

(5) This subsection does not prohibit the performance of usual and customary constituent services by an elected local official without additional compensation.

(h) Solicitation and acceptance of gifts.

(1) An official or employee may not solicit any gift.

(2) An official or employee may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist.

(3) An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has the reason to know:

- A. Is doing business with or seeking to do business with the Worcester County office, agency, board, or commission with which the official or employee is affiliated;

CG5:7

§ CG 5-101. Short title.

This Subtitle may be cited as the Worcester County Public Ethics Law.

§ CG 5-102. Applicability.

The provisions of this Subtitle apply to all Worcester County elected officials, employees, and appointees to boards and commissions of Worcester County.

§ CG 5-103. Ethics Board.

(a) Appointment. There is a Worcester County Ethics Board that consists of seven members appointed by the County Commissioners.

(g) Use of prestige of office.

(1) An official or employee may not intentionally use the prestige of office or public position:

A. For the private gain of that official or employee or the private gain of another.

B. To influence, except as part of the official duties of the official or employee or as a usual and customary constituent service without additional compensation, the award of a County contract to a specific person.

MARYLAND PUBLIC ETHICS



Selected highlights from the Ethics Commission Employee Acknowledgement

I further understand that the Howard County Ethics Commission, a five member panel appointed by the Executive with the concurrence of the County Council, is the advisory body responsible for interpreting the Public Ethics Law and advising employees regarding its application. I have a personal responsibility to abide by the Public Ethics Law and I agree to seek guidance from the Commission if necessary.

HOWARD COUNTY ETHICS COMMISSION
3430 Courthouse Drive
Ellicott City, Maryland 21043

EMPLOYEE ACKNOWLEDGEMENT

The Howard County Ethics provisions set forth in Howard County Code 22.200, along with County Charter Section 901, applies to all County Employees, including part-time and contingent employees, and volunteers. You should read and become familiar with the following provisions that govern the behavior of all County employees as a violation of any of these principles may result in disciplinary action that could result in termination from County employment.

1. An employee, in his or her County employment capacity, may not 1) participate in a matter in which he/she has an interest; 2) participate in a matter in which certain relatives (spouse, father, mother, sister, brother, or child) has an interest; or 3) participate in an entity in which he/she has an interest. Interest is defined to mean any legal or equitable economic interest however owned.

2. An employee may not participate in a matter involving a business entity in which he or she or certain relatives (spouse, father, mother, sister, brother, or child) may have employment, prospective employment, contractual or creditor relationships.

3. An employee may not have financial interests in or, be employed by an entity subject to the authority of the agency with which he or she is affiliated, or with an entity having or negotiating a contract with the agency with which the employee is affiliated. Employment includes being a member of a private board of directors having a relationship with the employee's agency, even if there is no compensation paid to the employee for participation on the board of directors.

4. An employee may not engage in any secondary employment that would impair the employee's impartiality and independence of judgment. I understand that it is my responsibility to discuss all secondary employment with my supervisor or department director in accordance with the Howard County Policy and Procedure Manual.

5. An employee may not intentionally use the prestige of the employee's office for his or her own private gain or that of another.

6. I understand that there are post-employment provisions in the Code. If I leave employment with the County, I understand that I may not assist or represent any party other than the County for compensation in a case, contract, or other specific matter involving the County if that matter is one in which I significantly participated as an employee.

7. I understand that except in a judicial or quasi-judicial proceeding, I may not assist or represent a party for contingent compensation in any matter before or involving the County.

8. Persons or entities that assist the County in the preparation of procurement specifications may not be employed by or assist a bidder in that procurement.

9. A County employee may not, directly or indirectly, from any person or entity, receive or seek to receive any financial benefit, or engage in any activity, if the employee, or any person or entity, is doing or seeks to do any of the following:

10. A County employee may not, directly or indirectly, from any person or entity, receive or seek to receive any financial benefit, or engage in any activity, if the employee, or any person or entity, is doing or seeks to do any of the following:

11. I understand that my Disclosure Statement is required to be filed with the Commission each year. I understand that I am required to file a statement if I am required to do so.

I have read and understand the Howard County Public Ethics Law, and I have had the opportunity to review the Howard County Charter provisions on ethics.

I further understand that I have a personal responsibility to abide by the Public Ethics Law and I agree to seek guidance from the Commission if necessary.

Signature of Employee

Printed Employee Name

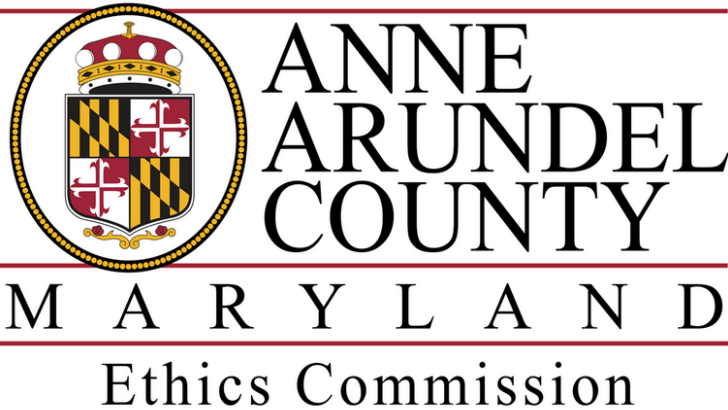
Employee's Department (

cc: Personnel File

(Rev. 2/14/12)

<https://www.howardcountymd.gov/boards-commissions/ethics-commission>

MARYLAND PUBLIC ETHICS



For County Employees and Officials

For Employees/Officials

- Ethics Training
- Conflict of Interest
- Financial Disclosure
- Gifts (Soliciting and Accepting)



Complaint Process

The Ethics Commission reviews complaints from individuals who believe a violation of the ethics law has occurred.

- [Procedures for investigation, filing, and disposition of complaints](#)
- [Hearing Procedures](#)

COMPLAINT FORM



Leaving County Government?

If you are leaving your job with Anne Arundel County, here are some things you need to know.

When you are no longer a County employee or covered volunteer, the Public Ethics Law still applies to you in a few important ways. Because you will still be subject to the ethics law, you have the **right** to consult the Anne Arundel County Ethics Commission for advice on how these laws apply to you in any given situation. You also have the **obligation** to comply with these laws, and if you do not, you may be subject to an enforcement action.

1. [§7-5-105](#) Representation by former employees.

“(a) **Generally.** A former employee **may not assist or represent a party other than the County in a case, contract, or other specific matter for compensation if the matter involves the County and:**
(1) the former employee **participated significantly in the matter as an employee;** or
(2) the former employee **had information not generally available to the public** when the former employee undertook the assistance or representation.”

If you worked on a matter while you were a County employee or volunteer, you are **banned for life*** from working on that same **specific matter** (or case or contract) if that matter involves the County. You should ask for advice from the ethics commission:

- If the work you will be doing involves the same case, contract or other specific matter;
- If the information you will be using is or was confidential when you started the assistance or representation;
- If the case, contract, or other specific matter involves the County.

*The lifetime ban is not as onerous as it sounds. Most cases, contracts, and other specific matters do not last a lifetime.)

“(b) **County Executive, County Council, department or office heads.** Except as provided in paragraph (2) of this subsection, a **former County Executive, member of the County Council, or department or office head** may not assist or represent another party for compensation in any matter that is the subject of County legislative action for one year following the date that the person left office or County employment.”

This provision applies primarily to prohibit former elected and certain appointed officials from lobbying the County for compensation for one year after leaving office. There may be other instances where the prohibition applies. Even if you will not be lobbying, you may not work as a consultant of any kind on any matter that is going to be the subject of legislative action for one year. Ask the advice of the ethics commission if the work you are doing or plan to be doing may fall within this prohibition.

Heritage Office Complex • 2666 Riva Road, Suite 160 • Annapolis, Maryland 21401
410-222-4412 • Fax 410-222-4414 • MS 8160

MARYLAND PUBLIC ETHICS



Selected highlights from “Solicitation or Acceptance of Gifts” (Sec.2-293(d))

Paragraph 3

- An official or employee **may not solicit any gift.**

Paragraph 4

- Unless a gift of any of the following would **tend to impair the impartiality and the independence of judgment of the official or employee receiving it** or, if of significant value, **would give the appearance of doing so**, or, if of significant value, the recipient official or employee believes, or has reason to believe, that it is designed to do so, paragraph (3) does not apply to:
 - A) Meals and beverages consumed in the presence of the donor or sponsoring entity;
 - B) Ceremonial gifts or awards which have insignificant monetary value;
 - C) Unsolicited gifts of nominal value that do not exceed \$20.00 in cost or trivial items of informational value;
 - D) Reasonable expenses for food, travel, lodging, and scheduled entertainment of the official or the employee at a meeting which is given in return for participation in a panel or speaking engagement at the meeting;

ETHICAL BEHAVIOR THEMES



SUMMARY

1. Protection of public health, safety, welfare & environment
2. Highest standards of honesty, honor & integrity
3. Highest moral principles
4. Advance the competence, prestige & dignity of the profession
5. Be impartial, objective & avoid conflicts of interest and deception
6. Accept personal responsibility
7. Hold each other accountable

It takes less time
to do things right
than to explain why
you did it wrong.

~Henry Wadsworth Longfellow

REAL-WORLD ETHICAL DILEMMA

Dave Mason, PE



BENEFITS OF ETHICAL BEHAVIOR

PERSONAL

1. Promotes trust and confidence
2. Mutual respect and greater reliability
3. Positive recognition and a reputation of doing things right

Doing the right thing doesn't automatically bring success. But compromising ethics almost always leads to failure.

”

BENEFITS OF ETHICAL BEHAVIOR



CUSTOMERS / CLIENTS

1. Citizen and customer loyalty for the long-term
2. Transparent communication and stronger professional relationships
3. Ability to weather “storms”
4. Crucial step of being a trusted resource / advisor

BENEFITS OF ETHICAL BEHAVIOR

AGENCIES & MEMBER FIRMS

1. Respected brand and reputation
2. Transparency about lessons learned and promotion of continuous improvement
3. Potential for greater customer satisfaction and higher revenues
4. Fewer legal problems and associated costs
5. Improved recruitment and retention



REAL-WORLD ETHICAL DILEMMA



ethics forum

To Act or Not to Act— What is Your Responsibility?

Facts
An ITE member, while traveling outside of their home state, observes traffic signing that clearly creates an unsafe condition. A specific example is presented below.

Pictured below is a State Highway with a 3.9 mile-long (6.3 kilometers), 5.4 percent downhill grade in mountainous terrain with 22 horizontal curves. Midway down this grade is a horizontal curve to the left. A large arrow sign is positioned near the beginning of the curve with the arrow pointing to the right. The ITE member recognizes that this sign would create driver confusion, particularly under dark, foggy, or other conditions of limited visibility. The view of the large arrow sign, as seen by downhill drivers, is shown.

Questions to Consider

1. Is an installation contrary to normal device practices, does it pose unsafe conditions, and does it pose potential liability for the road agencies?
2. Does the ITE member have a responsibility to report inappropriate sign installations to the agency that owns and operates the roadway?
3. Assume that the circumstances are different. Not only does the ITE member observe these situations, but the member also realizes that the firm for which they work is a consultant to the road agency that owns and operates the roadway. Although the member's firm has had no role in these sign installations, the ITE member is concerned that the agency may not gracefully accept criticism and there might be retribution toward the firm. How does this circumstance affect the ITE member's responsibility?

PHOTOS COURTESY OF GUYTON CORP.

20 August 2023 **ite journal**

Discussion

As shown in the example, the installation was inappropriate and could result in crashes causing injury or death and could result in tort liability lawsuits against the road agency.

Section 13 of the Canons of Ethics state that, "The member will guard against conditions that are dangerous or threatening to life, limb, or property [and]... will promptly call obvious which agency is responsible." Although it is not always appropriate individual to whom these conditions should be reported, the ITE member has a responsibility to seek out that information and inform the proper authorities.

"The member will guard against conditions that are dangerous or threatening to life, limb, or property..."

Section 8 of the Canons of Ethics suggests that an employee will be faithful to their employer and may imply that the member will act in the best interest of their employer. While Sections 13 and 8 together may create a conundrum for the employee, the potential consequences of not acting could be a crash, injury, or death. The responsibility to help prevent a crash, injury, or death outweighs the possibility of retribution by the road agency toward the member or their employer. The employee may wish to engage colleagues or advisors at the firm to find the best way to tactfully inform the roadway agency of the unsafe condition. The responsible road agency may be very positive and the agency may appreciate knowing that the signing needs correction.

Conclusions

Considering the potential harm of an inappropriate installation, immediate action should be taken by the ITE member to promptly identify the responsible agency and inform the agencies.

The ITE member's responsibility to help prevent a possible crash, injury, or death outweighs the responsibility to an employer.

Proactively approaching the responsible agency will increase the agency's willingness to correct the problem and reduce adverse reaction toward an employer.

Outcome: Regarding the above example, the ITE member did contact the responsible agency and the problem and the situation was remedied. **itej**

Preamble
Use professional knowledge and skill for the advancement of human welfare.

Be honest and impartial in dealing with employer, clients, and the public.

SECTION 8: The member will act in professional matters for each client or employer as a faithful agent or trustee.

SECTION 13: The member will guard against conditions that are dangerous or threatening to life, limb, or property on work for which the member is responsible, or, if not responsible, will promptly call such conditions to the attention of those who are responsible.

and opinions are based on the data submitted by ITE Past International President Jonathan Upchurch and do not necessarily represent all of the past or present facts when applied to a particular situation. They are for educational purposes only and should not be construed as expressing ethical opinions of individuals. The discussion and opinions do not represent the opinion of the Institute of Professional Engineers, Inc. or the International Board of Standards.

or be used as legal advice. The advice and/or situations presented in this column are for illustrative purposes only. Always consult your legal counsel before taking any actions that require legal input. No person should act or fail to act on any legal matter based on the contents of this column.

©2023 Herbert West Jr., PE, PhD, Jeremy R. Chapman, Ph.D., P.E., J.D., RSP1 (S), and Richard Ryan, PE, PhD.

www.ite.org August 2023 21

REAL-WORLD ETHICAL DILEMMA

Do you have a responsibility to report inappropriate sign installations to the agency that owns and operates the roadway?



REAL-WORLD ETHICAL DILEMMA



CANON OF ETHICS

Preamble

- Use professional knowledge and skill for the advancement of human welfare.
- Be honest and impartial in dealing with employer, clients and the public.

Section 8

- The member will act in professional matters for each client or employer as a faithful agent or trustee.

Section 13

- The member will guard against conditions that are dangerous or threatening to life, limb, or property on work for which the member is responsible, or, if not responsible, will promptly call such conditions to the attention of those who are responsible.

ETHICAL BEHAVIOR APPROACHES

COMMUNICATION

1. Written – it's documented for eternity!
2. Verbal – are you really communicating "in secret?"

KEY APPROACHES

1. Be transparent, open and above-board conversations
2. Avoid "sketchy" or "grey" situations (meetings, conversations, etc.)
3. Always maintain an ethical mentality, trust your "6th sense"
4. Engage co-workers as needed (emails, meetings, calls, etc.)
5. Have someone double-check your work anywhere close to the "grey area"
6. Document, document, document - especially engineering judgment decisions

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THE BALTIMORE SUN
TUESDAY April 2, 2019
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Price \$2 Our Web page No. 92

SUN INVESTIGATES

Pugh steps aside

MAYOR TO TAKE LEAVE OF ABSENCE AMID ILLNESS, CONTROVERSY

By IAN DUNCAN AND YVONNE WINGER
The Baltimore Sun



Baltimore Mayor Catherine Pugh, facing a call by Gov. Larry Hogan for a criminal investigation into the book deal that paid her hundreds of thousands of dollars, announced Monday that she will take an indefinite leave of absence because of her health.

The Democratic mayor's office issued a statement Monday saying she had been advised by her doctors to take time to recover from a bout of pneumonia that hospitalized her for five days last week.

"With the mayor's health deteriorating, she feels as though she's unable to fulfill her obligations as mayor of Baltimore city," the statement read in part. "To that end, Mayor Pugh will be taking an indefinite leave of absence to recuperate from this serious illness."

The statement did not address the scandal over the books — a series she authored featuring a young girl named Healthy Holly aimed at promoting exercise and good diet — that has quickly overturned the mayor. A no-bid deal with the University of Maryland Medical System was first reported by The Baltimore Sun last month.

City Solicitor Andre Davis confirmed Pugh's leave is to start at midnight and that the mayor will continue to be paid her \$850,000 annual salary.

City Solicitor Andre Davis confirmed Pugh's leave is to start at midnight and that the mayor will continue to be paid her \$850,000 annual salary.

President Bernard C. "Jack" Young, also a Democrat, will take over temporarily as mayor. Young said in an interview he was "heartbroken" by the mayor's deteriorating health and that his first aim was to ensure stability in the city he will now lead.

"People shouldn't notice any difference," Young said. He said he will meet with city agency leaders, work crews and police officers because "it's vital to assure them that the city is going to be in good hands and the mayor recovers."

Baltimore's charter specifies the City Council president takes the mayor's responsibilities if she is temporarily unable to perform or necessary absence of the mayor, the president of the City and County of Baltimore said Monday that she is temporarily stepping down.

It's a succession plan familiar to Young, whose council colleagues elected him council president in 2010 after then-Council President Stephanie Rawlings-Blake ascended to mayor's office — all because Mayor Sheila Dixon resigned as part of a plea deal to resolve a criminal case brought by the Maryland state prosecutor.

The 64-year-old married father of two has served on the

More inside
A California firm will begin work today examining the controversial University of Maryland Medical System deal worth millions of dollars that set three board members to resign. **See CLIMATE, page 7**

Hotter? Wetter? And more bugs?
Report: Maryland's climate morphing into Mississippi
By TIM PRESENTS
The Baltimore Sun

Imagine winters without a hard frost. Cotton fields spread over rural Baltimore. Corn? Will hope muching corn on the Eastern Shore.

Impossible, right?

Maryland just won't be the same in 60 years, and a new study predicts its climate will come to resemble someplace nearly 1,000 miles away, somewhere hotter and wetter and thick with mosquitoes.

Published last month in the journal "Nature Communications," the study, written by Robert Dunn, an ecologist at North Carolina State University, to match cities with their climate counterparts in 2050.

The average U.S. city will come to resemble climates more than 500 miles away, often to the south and west, the researchers found.

Cities in the northeast will tend to feel more like the humid subtropical climates typical to parts of the Midwest or Southeastern U.S., they wrote. "Cities of western cities are expected to become more like those of the desert."

Their study and interactive

MARYLAND
GAIN TRACE TASK FORCE: Baltimore's City Solicitor Andre Davis proposed the city's case to a judge Monday morning that supporters should not aim to force the bill for officers' misconduct. **NEWS PG 2**

SEVED CASE: In the final of an HBO series examining the murder case against Adam Sykes, the prosecutor offered the famous prisoner a plea deal after nearly 20 years behind bars. **NEWS PG 2**

SCHOOL CONSTRUCTION: Baltimore County Executive Johnny Olszewski Jr. called on state lawmakers to approve a school construction funding bill currently pending in the Senate. **NEWS PG 2**

MEXICO: Trump threatens to shut down the southern border. **NEWS PG 5**

TODAY'S WEATHER
MOSTLY SUNNY
55 46
Low
Warmer Wednesdays. **SPORTS PG 12**

INSIDE
bridge sports 7 • lottery news 3 • horoscopes news 7 • obituaries news 8 • opinion news 10
business sports 9 • puzzles sports 7, 8 • tonight on sports 8 • comics sports 10

ETHICAL BEHAVIOR KEY TAKEAWAYS

KEY TAKEAWAYS

1. Maintain a long-term perspective and consider your legacy and that of your agency / firm
2. Details and vigilance matter – be intentional with your conversations, documentation, etc.
3. Promote ethical decision making, documentation and communication
4. Regularly evaluate the real consequences and ramifications of acting or choosing unwisely



ETHICAL BEHAVIOR KEY TAKEAWAYS

KEY TAKEAWAYS

1. Keep it personal, similar to QC
2. Own your actions and accept responsibility
3. Persist to do the right thing no matter the consequences



RESOURCES

Ethics Resources

[Home](#) » [Ethics](#) » Ethics Resources

Although engineers often make decisions using precise scientific principles, answers to ethical questions are often varying shades of gray. NSPE provides members with a wide selection of ethics resources that can help prepare them for dealing with difficult issues.

★ **NEW: NSPE Ethics Study Guide**

This study guide includes information about the ethics test, steps to ethical engineering decisions, key concepts in engineering ethics, and much more. [Download the NSPE Ethics Study Guide \(PDF\)](#)

Board of Ethical Review Cases

These cases are available by year.

Ethics examination

Test your knowledge of the NSPE Code of Ethics

Education, publications & products

NSPE's comprehensive offerings of ethics education resources and tools.

Engineering Ethics Videos

These videos can be used by state societies and local chapters for educational programming at the state and local level.

Licensure and Ethics Hotline for Members Only

Are you an NSPE member with a question about engineering licensure, ethics, or law? If so, call 888-384-4295 or e-mail ethics@nspe.org. Please provide your nine-digit NSPE member number. For all other questions, please call 888-285-6773.



Ethics Hotline
(888.384.4295 or legal@nspe.org)

RESOURCES



Using condescending language never gets you anywhere

Civil engineers must have a professional demeanor in all circumstances.



What happened when a decades- old ethics violation was uncovered?

Handling violations from long ago is a tricky proposition.



A Question of Ethics: ASCE members must not shirk their duties to their peers

Hypothetical situations allow for deep exploration of the ASCE Code of Ethics.



A Question of Ethics: Engineers must take action in the face of corruption

A zero-tolerance stance is crucial.



Ethics Hotline
(800.548.2723 x6151)



ETHICS COMPLAINT FORM

This form is for use by anyone wishing to file an ethics complaint against a member of the American Society of Civil Engineers (ASCE). This form will be received by a staff liaison to ASCE's Committee on Professional Conduct, who will review the charges and confirm that an ASCE member is named and that appropriate provisions of the ASCE Code of Ethics are cited. Once this has been established, the form will be distributed to the Committee on Professional Conduct, which will determine if an investigation is warranted. If so, a member of the committee will be assigned to investigate the claim.

1. Name of Complainant:
Address:
Telephone: E-mail:
City/State/Country:
2. Name(s) of the ASCE member(s) against whom this complaint is being filed:

City/State/Country:
3. Description of conduct involved. (If the space provided here is not sufficient, please continue on a separate sheet of paper. Please attach all relevant documents supporting the alleged unethical conduct.)
4. Identify the specific provision(s) of the ASCE Code of Ethics which you believe the above conduct to have violated:

By my signature here, I certify that the information provided here and in any attachments are true and accurate to the best of my knowledge and belief.

Signature: _____ Date: _____

Please return this form and all attachments to:
Committee on Professional Conduct
American Society of Civil Engineers
1801 Alexander Bell Drive
Reston, VA 20191-4400
Fax: 877-304-1334
E-mail: ethics@asce.org

RESOURCES



Online Ethics Center
FOR ENGINEERING AND SCIENCE

OnlineEthics.org

Communities of Practice

Share



Communities of Practice (CoP) support groups of people who share particular interests in ethics and facilitate collaboration, learning, and growth in their capacity to teach ethics, do research, or to manage organizations and projects, ethically. The OEC provides support that enables these groups of people to become more skillful and aware in asking and answering ethical questions in the contexts of their professional endeavors. For further information about leading or creating a new Community of Practice, please see below. If you are already a member of a CoP, you can access your community's homepage via the My Account link at the top right of the site.

STEM ETHICS PROJECTS (2017-PRESENT)

A collection of pages describing recent and ongoing STEM education projects.

[Thinking Through Complex Ethical Dilemmas in the Engineering Profession](#)

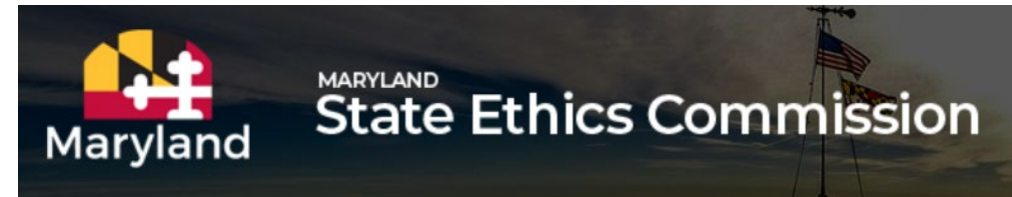
[Building an 'Ethics Spine' into Biomedical Engineering Curriculum at Arizona State University](#)

[Critical Approaches to Community-Engaged Engineering](#)

RESOURCES

AGENCIES & MEMBER FIRMS

1. Maryland State or County ethics commissions
2. Virtual or in-person training
3. Ethical dilemma and resolution exchanges (peer, mentor, supervisor)
 - ❖ What ethical dilemmas have you experienced in your career?
 - ❖ Have you recently seen or heard about any questionable ethics?
4. Do you have an ethics accountability partner?



Topics Covered in Ethics Training

- Introduction and Seeking Commission Advice
- Conflicts Generally
- Participation Restrictions
- Secondary Employment Restrictions
- Financial Interests Restrictions
- Post-Employment Restrictions
- Gift Restrictions
- Prestige of Office
- Confidential Information
- Enforcement of the Public Ethics Law

Q&A

What engineering ethical dilemmas have you experienced or seen in your career?



Contact:

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