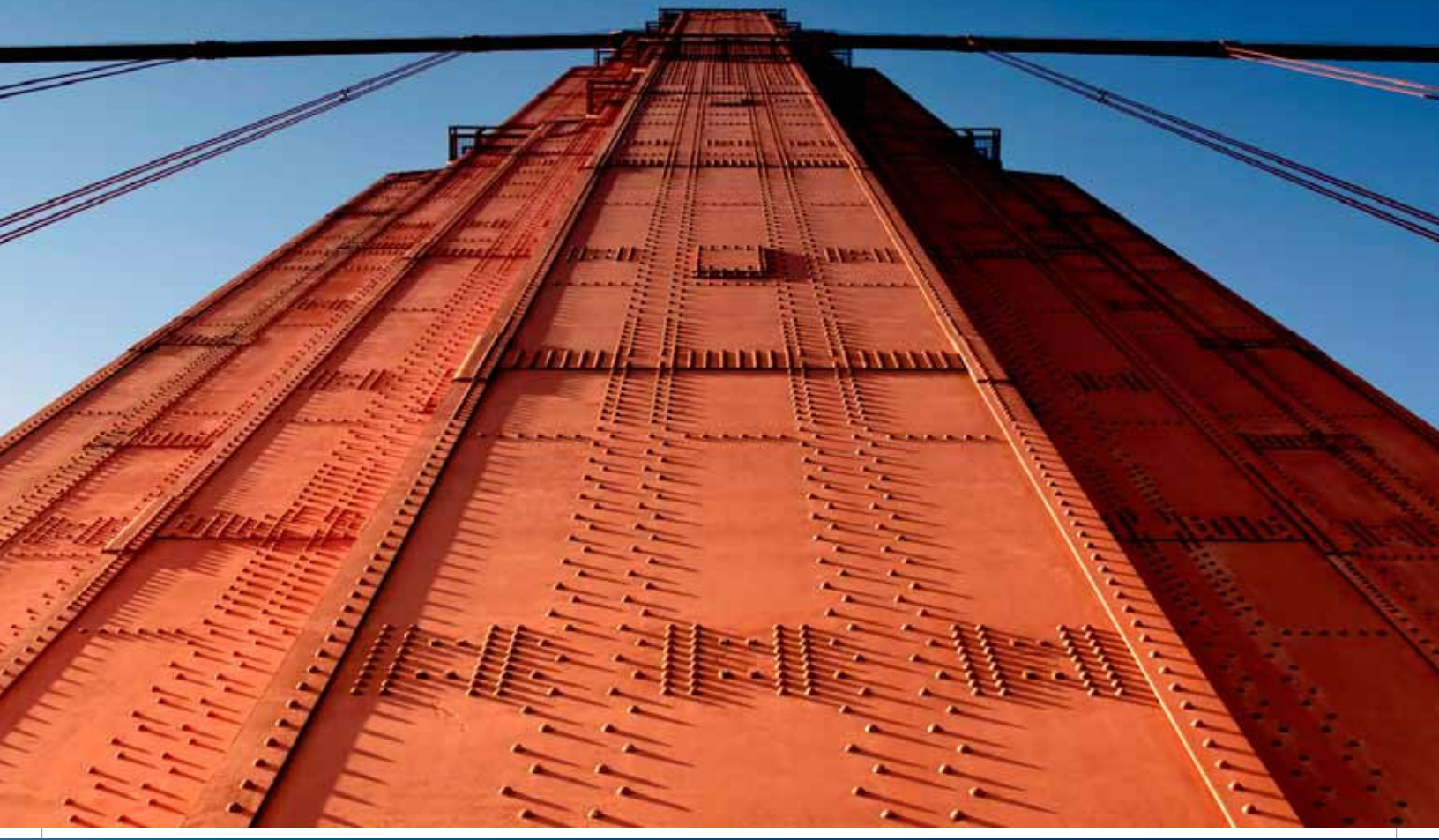
# The ASCE Code of Ethics

## PRINCIPLES, STUDY, AND APPLICATION



ASCE
AMERICAN SOCIETY OF CIVIL ENGINEERS

## Acknowledgments

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**ASCE Committee on Business Practices of the Committee on Professional Practice**

Charles D. Anderson, P.E., M.ASCE, *Chair, 2011*
Michael F. Garrett, P.E., M.ASCE, *Chair 2008-2009*
Eric L. Flavell, P.E., F.ASCE, *Chair 2006-2007*

Gregg E. Brandow, Ph.D., P.E., S.E., M.ASCE
Andrew V. Brozyna, P.E.
Melissa M. Carter, P.E., M.ASCE
Fran Eide, P.E., M.ASCE
Scott M. Rosemann, P.E., M.ASCE

**Blue Ribbon Panel**

Rachelle Hollander, Ph.D.
Paul Munger, Ph.D., P.E., F.ASCE
Bob Nichols, P.E., F.ASCE

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# INTRODUCTION TO
## ASCE's CODE OF ETHICS

Welcome to ASCE's Code of Ethics. The Code of Ethics, as you will come to understand, is the foundation of the application of the civil engineering profession to the client and the public at large. Civil engineering is technical by nature, often involving complex concepts, evaluation, calculation, and design to implement a project. The other side of civil engineering is our interface with people, including the public, clients, reviewing agencies, and all the other people we impact with our work. This interface is where ethics comes into play.

This presentation of ASCE's Code of Ethics discusses what a code of ethics is and how it applies to one's professional and personal life. A series of questions is presented that explores the essence of ethics and how it relates to our lives. The questions are intended to be diverse and to explore many aspects of ethics, but are by no means all-inclusive. In fact, they are really just a starting point for your personal journey to understanding and applying ethics to everyday life.

The format of this document starts with the question and answer portion. It is intended for those new to ethics as well as those who have been learning and applying ethics all their lives. The questions are intended to be thought provoking, with purposely short and concise responses. Each of these questions could be the source of extensive discussion. The intent is to expose the reader to the breadth of ethics, the importance of ethics, and to start the process of a serious and in-depth reflection and evaluation of ethics and how it applies to all aspects of life, both private and professional.

Once the reader has the opportunity to explore and understand some basic concepts of ethics, the second part of the document focuses specifically on ASCE's Code of Ethics. The ASCE Code of Ethics is comprised of fundamental principles and fundamental canons. The third part of the document discusses the application of the fundamental principles and fundamental canons to current engineering practice. This part is made up of the "Guidelines to Practice," which are more like laws derived from the fundamental principles and fundamental canons. They provide specific examples of how each canon is applied to assist members with implementation of the Code of Ethics and how they form the basis of evaluation for disciplinary action for those who violate the Code of Ethics. Bear in mind that the guidelines are clarifications and discussions of specific issues, and are not in any way intended to be all-inclusive. They are merely implementation of the appropriate interpretation of the fundamental principles and fundamental canons to specific issues. A violation is based on a violation of fundamental principles and fundamental canons, and that is how ASCE will evaluate an infraction and discipline the offender if an ASCE member.

While the fundamental principles and fundamental canons will likely change little, the guidelines are the living portion of the Code of Ethics. They will adjust to the changes in the profession and society as a whole and provide clarification of the application of the Code of Ethics.

# PART 1 – DISCUSSION ON ETHICS

## Definitions

**From Webster's Dictionary, the definition of "Ethics" is:**

(1929 Edition) – Science of duty and morality
(1953 Edition) – Science of ideal human character
(2007 Edition) – Principles of conduct governing an individual or a group

**From Webster's Dictionary, the definition of "Character" is:**

(1929 Edition) – Moral force or qualities
(1953 Edition) – Moral vigor or firmness especially acquired through self-discipline
(2007 Edition) – The complex of mental and ethical traits marking and often individualizing a person, group, or nation

## What is a Code of Ethics?

A code of ethics is a basic set of values and behaviors that are intended to be embraced by users so they conduct themselves responsibly, in an irreproachable manner, with honor and integrity. A code of ethics is typically based on simple concepts that are of value to society as a whole, promote good behavior, foster trust, and result in respect of one another. A code of ethics should be easy to understand, and written in general terms so it can be applied to every situation.

## Why do we need a Code of Ethics?

A code of ethics is a document that serves as a reference from moral guidelines. It is used to inspire members to be ethical in their everyday pursuits. It works to define the moral aspects of being a professional and serves as a checklist of good behavior and desired attributes. If it is referenced regularly, it will raise consciousness and awareness of the moral obligations of a professional. It can serve as the basis of discipline for undesirable behavior. It can also be used as a resource when one is faced with a situation that involves moral perplexity or uncertainty. It sets a standard for professional behavior bound by the code that colleagues, the public, clients, and employees can expect.

**The ASCE Code of Ethics is focused toward three constituencies:**

1. The public,
2. The client and employer, and
3. Licensed civil engineers.

It is important to maintain a balance of responsibilities among the three, not only because of the realities of the work environment, but to sustain the "learned professional" status that enables practitioners to function as professional engineers (e.g., make considered judgments and decisions in the absence of complete information) and over the long term provide a benefit to the public.

## How should a Code of Ethics be used?

Because of the complexities of life, the application of a code of ethics can be complicated, and requires that one carefully evaluate all of the issues associated with the problem at hand. The purpose of the Code of Ethics is to provide guiding principles to help the individual decide what actions will be appropriate and therefore supported by the Code of Ethics. A review of the Code of Ethics and the fundamental principles discussed in the code should help you sort through the issues and determine what is ethical and what is unethical. Trusted colleagues may assist with this process, as can the ethical analytical tools presented in this document. When developing solutions to an issue based on applying the Code of Ethics, the goal should be to develop an approach and solution that is above reproach, handled with honor and implemented with integrity.

The Code of Ethics will not make a decision for you. It will provide founding principles for you to apply when you evaluate a problem, reason a conclusion, and take action. The decisions you make and the actions you take are yours alone, and you alone will be responsible for those decisions, regardless of the input given to you by others.

Stated in modern terms, a common test is the "60 Minutes" or publicity test. Simply stated, if your actions and response to a particular issue or situation were discussed and presented on the T.V. show "60 Minutes" or some other investigative reporting program, would you be proud of how you handled it, or would you want to hide and never be seen again?

## Where does ethics come from?

Ethical behavior was codified to provide guidelines for fairness and integrity in one's endeavors within a societal framework. The highest level a society can reach is one in which everyone treats one another with respect and does only what is in the best interest of society as a whole — as an individual decision, without coercion. The societies with the most freedom and the greatest thinkers value treating others with respect and doing the "right thing" in all situations as the highest attainable attribute an individual could achieve. Aristotle's view, expressed in his book, the Nicomachean Ethics, was that ethics is a moral virtue in an individual through training and practice.

The codification of ethics has taken many forms: from the Ten Commandments, to the Doctrine of Socrates, to Nicomachean Ethics, to the Code of Hammurabi, to the American Constitution, to the Golden Rule, to the ASCE Code of Ethics. The ASCE Code of Ethics is tailored to the professional civil engineer.

Between 1877 and 1914, the Society's Board of Direction was very conservative and believed that ethics was a matter of an engineer's personal responsibility and honor and not appropriate for a written code. In 1914, however, a special committee of the Board of Direction was appointed to draft a Code. The original Code contained six principles but has been amended over time to its current form. Proposed amendments must be published to the membership and then approved by a two-thirds vote of the Board of Direction.

## How does the Code of Ethics apply to my professional life?

As a civil engineer you have been trained to design and oversee construction of various improvements to enhance civilization, growth, and society as a whole. In the course of making the decisions that will be required to plan, design, and oversee construction, you will be faced with many moral and ethical dilemmas. Many decisions will be made with regard to safety, public interest, and client interest. Having a code of ethics will help you make those decisions. As a professional your work is restricted by society such that only those having the training and proven credentials may perform it, limiting competition to only those individuals who are licensed. In return, professionals are required to perform their work to high ethical standards and always in consideration of and to the benefit of the public. Professionals are held to a higher standard than the general public, and the Code of Ethics provides the guidelines and standards that the professional engineer must follow to satisfy that commitment.

## How does ethics apply to my personal life, outside of my professional life?

Ethical behavior is a way of conducting one's life, not a measure of adherence to a specified set of arbitrary rules. Because an engineering professional is a professional twenty-four hours each day, seven days each week, all year long, ethical behavior should be a way of life, not just applied to a job. A misguided action or comment from an engineering professional is just as detrimental, whether rendered at work or on vacation. When one accepts the responsibilities associated with special engineering training and a professional career, one also accepts the responsibility to conduct life within a framework of norms and behaviors that won't diminish the trust that society places in the engineering profession.

## Is everyone's ethical focus the same?

Unfortunately the answer to this question is no. Although ethics should be a priority for everyone, and especially for professionals, not everyone is focused on ethics. Those individuals who are looking for personal challenge, responsibility, and self-improvement will find that focusing on ethics and applying ethical behavior to their lives will promote personal growth.

If everyone practiced ethical behavior all the time, there would be no need for laws. You will meet a variety of people throughout your life and you will be faced with decisions, including determining who your friends, leaders, and mentors are. Selecting leaders and mentors with strong understanding and demonstration of ethical behavior will help you develop into a person of character and deserving of respect.

## How do you judge another's implementation of ethics?

One must always be careful when judging others. The intent of ethical behavior is personal growth and betterment as an individual. The evaluation of others to determine who can and who cannot be trusted, who has honor and who does not, or who has integrity and who does not, is acceptable as a method to learn from others' behavior. Evaluating these traits can also serve to protect yourself and others from those who would harm you. It is always better to be a good example and leave the judging to others.

## Why is ethics important?

Ethics is important because it forms the foundation of your belief system. It governs how you treat others; it is the basis of your decision-making process and how you react in various situations. Because of its societal value, ethics is revered by others and held in high esteem.

## How does ethics impact leadership?

Traits of a successful leader include trustworthiness, respect of others, and integrity. The implementation of ethical practices in your lifestyle is one way to develop a foundation to build strong relationships with others. The basic principles of ethics include taking responsibility for your actions, acting honorably, treating people with respect, and doing the right thing even when it is a difficult choice to make. People need to believe in you, trust you, and believe in what you stand for, if they are to be led by you.

## Is ASCE's Code of Ethics the same as everyone else's?

Codes of ethics are generally derived from the same guiding principles of respect, trust, integrity, fairness, and doing what is right, no matter what the circumstance. The differences usually lie in fine-tuning the code to address the specifics of an industry, trade, or organization. ASCE's Code of Ethics is presented in Part 2 of this manual, with the Guidelines to Practice in Part 3.

## What should I do if I observe unethical behavior?

Many states require that professionals report unethical behavior to the State Licensing Board for investigation, evaluation, and if required, discipline. ASCE requires that you report a member who violates the Code of Ethics.

You have a moral obligation to respond to unethical behavior. At a bare minimum, you should not be associated or involved with unethical behavior. A more active step would be to bring it to the individual's attention and point out that what is being done is not ethical, why it is not ethical, and recommend that the activity cease. The next level would be to report the unethical behavior to an appropriate authority.

The reality is that it is your responsibility to report the unethical behavior to the appropriate authority. This is a decision that should weigh heavily on you for several reasons. First, the accusation must be accurate and real, because the repercussions to the accused can be life altering. Second, and it is unfortunate, people who bring unethical behavior to the attention of authorities may face repercussions instead of being commended. In the end, you have to make a decision that you can live with and know that you took the proper course of action.

## What if my ethical position is different than someone else's?

Behavior that is ethically required is not always easy to determine. If it were, it would be a lot easier to apply and there would be nothing to discuss. A large amount of gray area and considerable complexities must be dealt with when making a decision. Because of the spectrum of issues involved in any situation that requires an ethical choice, there will be variance in how different people deal with a situation.

It is good to discuss ethical positions and to listen to the arguments in favor of and in disagreement with a particular position. Because of the nuances associated with any ethical decision, each should be thoroughly evaluated. Through discussion you will be exposed to other points of view and perspectives. All of this will give you a broader understanding to draw upon when making an ethical decision.

After all the discussion and debate, in the end, you must reach your own decision on the appropriate action(s) to take. The final decision always rests with you, and you have to make a decision that you are proud of, one that you are willing to stand behind and defend, and one that you can live with for the rest of your life.

## Is compromise good ethics?

Compromise may be a tool for negotiation, but ethics should not be compromised. It is sometimes promoted that you should always find a middle ground that everyone can agree upon. But if everyone is agreeing about something that is fundamentally wrong, how can that be ethically correct? Compromise is not always a solution, and with ethical issues, one should do what is morally right and honorable, regardless of what the majority is promoting, or which peer pressure is being exerted, or what others think.

That said, there are typically a number of issues and points of view that must be evaluated any time ethical decisions are made. At the end of Part 1, there are several tests and questions that can be asked when evaluating ethical issues that can help you arrive at a good ethical solution.

## Has ethics always been here?

In ancient Egypt, Ma'at was the ethical concept of "truth," "order," and "cosmic balance." The Greeks are credited with elevating ethics to a philosophical science through such noted individuals as Plato, Socrates, and Aristotle. The goal was to promote harmony, happiness, and virtuous living. Aristotle wrote extensively on ethics and produced ten books on the subject. These books included *The Study of Good, Moral Virtue, Courage and Temperance, Other Virtues, Justice, Intellectual Virtue, Evil and Pleasure, Friendship,* and *Pleasure and Politics.*

No one knows exactly where ethics came from, but it is clear that ethical behavior benefits society and advances humanity. The fact that ethics has been a part of societal life throughout history validates the critical role that ethics plays in society and confirms that ethics continues to be worthy of study, understanding, and inclusion in each person's life pursuits.

## Who enforces ethics, and how is it done?

In a perfect world there would be no need to enforce ethics because everyone would strive to be the best person they can be. But we do not live in a perfect world. Since ethics is not the same as laws, there are no specific enforcing authorities. In the case of ASCE, the Society has elected to set ethical standards, becoming of professionals, as a basis of membership. Both ASCE's Constitution (§2.2) and Bylaws (§3.0) require that all ASCE members subscribe to the Code of Ethics. ASCE then becomes the enforcing entity with regard to ethics issues that arise within the membership. In this case, enforcement is applied only to members since that is the only jurisdiction that ASCE has.

The enforcement of ethics isn't that much different from the enforcement of law. Infractions are observed and reported by someone to a proper authority. A requirement of ASCE membership is to report violations of the Code of Ethics to the appropriate authorities in ASCE. ASCE has specific procedures that are used to investigate and provide due process to individuals who have been accused of unethical behavior. Those enforcement procedures are outlined in Article 3 of ASCE's "Rules of Policy and Procedure," published each year in the Official Register. The Committee on Professional Conduct (CPC) investigates complaints and allegations of misconduct and makes recommendations to the Executive Committee, which makes the final determination on any disciplinary actions to be taken. CPC follows certain procedures outlined in their Procedures for Professional Conduct Cases.

Links to the Official Register, a copy of CPC's procedures, the role of sections in professional conduct cases, and an ethics complaint form can be found at http://www.asce.org/Leadership-and-Management/Ethics/Ethics-Complaints/.

It has been historic practice for ASCE to use individual members or committees of ASCE Sections to assist in professional conduct investigations. However, the role of ASCE Sections in such investigations does not extend to determining whether or not a violation of the Code of Ethics has occurred, nor does it extend to taking disciplinary action against a member who has been accused of breach of the Code of Ethics. The Section's role is limited purely to investigatory activities.

## Aren't laws the same as ethics?

Although many laws are based on punishing unethical behavior, there are many acts that are not illegal, but are unethical. To merely act within the law is not sufficient for a professional. A professional should be above reproach, have integrity, and always act honorably.

An example of unethical behavior that is not illegal is donating money to a politician in hopes of getting work. The donation is not illegal, but it is unethical to donate with the intent to receive benefit. Although our laws allow it, it is tantamount to bribery.

## Can I have more than one ethics?

Ethics is not a religion. There are no sects or denominations. Ethics is more fundamental than that, and crosses all religions and cultures. It is based solely on treating all other people with respect, on treating them fairly and not taking advantage of them. It is about being honest, and living your life with honor and integrity.

## How do others see my ethics?

Your ethics are made known to others through your actions. Your actions are who you are, and if your actions are different than what you say, it is your actions that will prevail. Actions are what others will use to assess you: your credibility, your integrity, your honor, and your competence. If what you say is different from what you do, you will be labeled a hypocrite, and you will find it difficult to earn the respect and trust of others.

## What is the impact of ethics on the public's view of the civil engineering profession?

Ethics and trust go hand in hand. Recall that an ethical person has integrity and honor, and is above reproach. This is a person on whom you can rely to do the right thing and respond appropriately to all situations. If all of the people in a profession reflect a high level of ethical behavior, then the public can rely on them. If the profession contains persons of marginal or unethical behavior, then the public cannot rely on or trust that profession's members. The public's view of a profession will reflect their perception based on the observed or reported actions of members of the profession.

For this reason, a professional who exhibits unethical behavior must be removed from the profession. Bad behavior is what is reported in the press and is what receives publicity. One unethical individual will get a lot of exposure, whereas many individuals performing good deeds will get little exposure. This is why it is so important for members of a profession to behave ethically, and to identify and remove those individuals who exhibit unethical behavior. The profession can either police itself, or else subject itself to discipline by those outside the profession. A learned and respected profession does the former.

## How does ethics impact my career?

Good people are sought out because of their attributes of trust, fairness, respect of others, integrity, and honor. These traits will allow you to seek roles of responsibility and leadership. These traits coupled with professional knowledge will provide you mobility and opportunity.

## How can ethics impact my life?

Bringing ethics into your life can result in a better understanding of yourself (strengths and weaknesses) and improve your relationship with others. A code of ethics is intended to provide guidance, but not specific instruction. To utilize a code of ethics effectively, individuals must understand the guidelines of the code, and be aware of their actions and the potential consequences or outcomes, and be willing to candidly consider the impact and effect on others. On a larger scale, one should also ask, "Will the outcome be of benefit to society as a whole?"

Adherence to a code of ethics requires continuous awareness plus critical thinking skills. It is a very intentional way of life and it requires discipline, introspection, and evaluation of the impacts of your decisions. Beyond self-respect, the benefits of an ethical life are that people will know how you will respond to issues, they know you will strive to do what is right, they know you will treat them with respect, and they know you will act with integrity and honor.

Every decision you make, no matter how big or how small, is yours for the rest of your life. Even if the decision is the result of coercion, peer pressure, bribery, or other source of influence, the decision ultimately made is always your decision and yours alone.

Those who choose to live an ethical life will earn the respect of others, will be trusted individuals, and will be able to live with themselves, knowing that the decisions they have made are fair and are made with integrity. These are traits that form the foundation of successful and honorable people — who are often leaders in a society.

## When I tried to apply ethics, it cost me that big project!

Professionals must always be ready and willing to take courses of action that are unpopular or may present economic risk or loss of power or status, if the professional believes such a course of action is in the best interest of the public or client and is the honorable thing to do. Society has provided a special status to engineers and in return, engineers must recognize that the profession relies on their individual ethical standards. In the long run, this standard will be to the benefit of all, including the profession and individual engineers.

You may lose a project or two, you may lose a client or two, but it is paramount that as a professional you always perform your duties with honor, integrity, and attention to public safety. A career spans a long time, and doing what is ethically right over the long-term will pay its own dividends personally and professionally. Trust takes time to build, but once built, it can last a lifetime. Having clients for life and being proud of the decisions you have made is the ultimate goal.

## How do I get the best ethics?

Ethics does not come in brands. Ethics are a set of personal values that one applies to the decisions that are made throughout life. It involves developing personal discipline to do what is right and to treat people right. The goal of applying ethics to your life is to improve yourself and your consideration of others. It is not about comparing yourself to others.

Only you know all the decisions you make; you can see their impact on others. You know what your weaknesses are and what your strengths are. If you are true to yourself, you will build on your strengths to improve your weaknesses and will always seek to improve yourself. You may be able to see the strengths and weaknesses of others, but there is no honor in comparing yourself to others to determine who is better. The value of comparison is to learn from others mistakes and to emulate those whom you respect and hold in high esteem. Your goal should be self-improvement.

The way you "get" ethics is to read the Code of Ethics, understand the Code of Ethics, and apply it to your work and life pursuits.

## Ethics seems so complex; can you make it simpler?

Ethics can be as simple as "Do to others as you would have them do to you," "do what is right," and "live an honorable life." It is the application of these simple concepts that makes ethics seem so complicated. These simple concepts do not take into account all the different scenarios that can occur and all the issues associated with a particular situation. The more complicated your life, the more complicated it will be to apply the basic tenets and fundamental principles. There is value in simplicity.

Being a professional will bring complexity to your life. But being an engineer also means that you are trained in problem solving. The ability to understand complex issues and the ability to problem solve will help you apply ethics to your personal and professional life.

## Can I buy ethics?

You cannot buy ethics. No one can give it to you and you can't take it from someone else. Ethics is learned and applied.

## Is ethics public or personal?

Ethical behavior is both public and personal. It is personal in that you choose how you live and you are responsible for the decisions that you make. It is public in the sense that you will be judged by others on how you live and on the decisions you make. So how you elect to live your life is personal, but how you impact others is public and the impact of your personal decisions will influence how you are received by others.

There has been an emphasis in society in recent years on trying to separate one's personal life from one'spublic life. There are those who state that what you do in private is nobody else's business, and as long as it does not affect your job, it should have no impact on how you are judged. This is one approach to life; however, others will judge you on the whole and not just on the part that you try to present to the public. To act one way when people are watching and another way when you think people are not watching is hypocritical. A split life is not consonant with a person of integrity or with living an ethical life.

## How can I demonstrate ethical commitment?

As with learning, developing your ethical understanding and applying it to your life is a lifelong commitment. Some things just take time.

For instance, how long does it take for you to trust another individual? What is required to earn another's trust? How you conduct your life and treat others is viewed by everyone around you, all the time. The best way to let others know what kind of person you are is to always conduct yourself with the highest standards of behavior, morals, and honor. Relationships are built on knowing what to expect from one another, and on trust.

## Is ethics based on a culture or religious affiliation?

Ethics is not based on any one culture. In fact, some cultures allow behaviors that those in another culture would view as wrong. Cultures surely add complexity to ethics and can result in a difference of opinion concerning what is ethical and what is not. There is scientific evidence that certain life and death scenarios are viewed the same across all religions and cultures. So, what is culture's role in ethics, or what is ethic's role in culture?

As you can see, this simple question sheds light on just how complex the subject of ethics is. As one delves into this particular issue one can start to appreciate how difficult it is to develop international ethical standards. The short answer to this question is that ethics is not based on one culture, but that each culture drives what is considered ethical behavior in that culture. The long answer is still being worked on.

Many religions base their teachings on an ethical approach to life and refer to ethical issues in their writings. This is because of the high societal value of leading an ethical life. Being involved with a religion is not a prerequisite to learning and living an ethical life. By the same token, just because you are involved with a religion does not mean that you live an ethical life. With both, it is up to the individual to learn ethics and to have the discipline to apply what is learned to his or her life.

## Is ethics just for me, or is it for others too?

Ethics is personal, and others may or may not embrace it. Ethics is available for everybody but cannot be forced on others, because it is a personal decision of how and to what level you wish to pursue and commit to an ethical life. You have the ability to influence others by how you live your life. As a professional and a leader in your community, your actions will be evaluated by others. You can, by example, influence others as to the merits of ethics.

## Is there something that can help me analyze and resolve an ethical problem?

There will be times when you will face an ethical issue with complexities that must be weighed and addressed. At times like these it is good to use your ethical mentor(s) to examine the problem and analyze it from various points of view. If no trusted individual is available and you are faced with making a decision, you can ask yourself various questions to perform the analysis yourself. Two resources are presented below with tests and questions you can use to assist with your analysis.

Also, ASCE maintains an Ethics Advisory Line available to all members and staffed by the Society's legal counsel to answer questions and provide guidance on any area of ethical concern. **The telephone number to reach an ethics legal expert is (800) 548-ASCE (2723) x6061 or (703) 295-6061.**



## Ethical Analysis Tools

When faced with questions and ethical decisions, the following tests and questions may help you determine how you should address it.

- **Harm Test:** Does this option do less harm than the alternatives?
- **Publicity Test:** Would I want my choice of this option published in the newspaper? Would I want my Grandma to know?
- **Defensibility Test:** Could I defend this choice of option before a committee of peers, or a Congressional committee, without appearing self-serving?
- **Reversibility Test:** Would I still think this choice of option was good if it were applied to me instead of others, especially if some of the effects are adverse?
- **Colleague Test:** What might my profession's governing board or ethics committee say about this option?
- **Organization Test:** What does my organization's ethics officer or legal counsel say about this?
- **Virtue Test:** Would a virtuous person do this? What kind of person does this? What kind of person would I become if I did this kind of thing all the time?

*– from "A Format for Ethical Decision Making" (2010), Michael Davis, Center for Study of Ethics in the Professions, Illinois Institute of Technology, Chicago*

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- Is it honorable?
- Is there anyone from whom you would like to hide the action?
- Is it honest?
- Does it violate any agreement, actual or implied, or otherwise betray a trust?
- Does it avoid the possibility of a conflict of interest? Are there other considerations that might bias your judgment?
- Is it within your area of competence?
- Is it possible that your best effort will not be adequate?
- Is it fair?
- Is it detrimental to the legitimate interest of others?
- Is it considerate?
- Will it violate confidentiality or privacy, or otherwise harm anyone or anything?
- Is it conservative?
- Does it unnecessarily squander time or other valuable resources?

*– from John McLeod, P.E., in Ethical Conflicts in Information and Computer Science, Technology, and Business, Parker, et al; QED Information Sciences,1990*

## Where can I learn more about ethics?

ASCE is working on several fronts to promote ethics. These include journal articles and workshops. *Civil Engineering* magazine has a regular column that addresses current ethics topics. Ethics case studies are published quarterly in *Leadership and Management in Engineering*. Many of ASCE's conferences have programs and workshops whose purpose is to increase awareness of ethics and promote a forum to explore ethical issues among members. ASCE also promotes the Order of the Engineer (www.asce.org/orderengineer/) and conducts ring ceremonies, in which engineers make a pledge to fulfill their obligation to practice their profession with integrity, fair dealing, tolerance, and respect. Many of ASCE's awards recognize those who have advanced ethics education, promoted application of ethical standards, or demonstrated dedication to ethical professional practice. These include the Daniel W. Mead prizes for younger members and students, the Professional Practice Ethics and Leadership Award for licensed engineers, and the Walter LeFevre Award for civil or related undergraduate engineering programs (www.asce.org/Leadership-and-Management/awards) .

ASCE and other professional organizations also provide many sources of information that evaluate and teach how to apply ethics in your daily personal and professional life. ASCE's website lists many ethics resources at http://www.asce.org/Leadership-and-Management/Ethics/Related-Ethics-Information/. The list includes both suggested reading materials and resources for self-study. Courses offered by ASCE include distance and in-person training opportunities that can broaden your understanding of the application of ethical principles and also help you earn CEUs or PDHs to satisfy licensure requirements. Descriptions of current offerings can be found at www.asce.org/conted.

## How can I broaden my understanding of ethics?

From Wikipedia, Ethics is broken into three categories: "It is divided into three primary areas: meta-ethics (the study of the concept of ethics), normative ethics (the study of how to determine ethical values), and applied ethics (the study of the use of ethical values)."

The following web sites are just a few of the many sites available to help you broaden your understanding of ethics:

**Ethics Guidelines for Professional Conduct for Civil Engineers**

www.asce.org/ethics (under 'Related Ethics Information')

This guide was developed for use in the daily conduct of engineers' professional and business-related activities. The guidelines reinforce ASCE's Code of Ethics.

**Guidance on Licensing and Ethical Responsibilities for Civil Engineers**

www.asce.org/licensure

This brochure discusses what licensure is, the importance of licensure for civil engineers, licensing requirements, and ethical responsibilities. It includes ethical situations drawn from real-life situations.

**Business Ethics**
http://www.web-miner.com/busethics.htm
This site is designed to be an online information center for academics and students interested in business ethics.

**International Journal of Ethics**
http://www.jstor.org/journals/00141704.html
This is a membership site but some of their journals are available online to all users.

**The Internet Encyclopedia of Philosophy**
http://www.iep.utm.edu/e/ethics.htm
This is a good source for an introduction to the various aspects of the field of ethical studies.

**Personal Ethics versus Professional Ethics**
http://www.airpower.maxwell.af.mil/airchronicles/apj/apj96/sum96/white.html
This is an excellent essay that summarizes key aspects of the intertwining of personal and professional ethics. Although the focus is a military setting, it has application to all.

**Business Ethics**
http://www.ethics.org/
This is a good source for evaluating various aspects of business ethics.

**Hunting and Fishing Ethics**
http://www.huntfairchase.com/index.php/fuseaction/ethics.why
This is an example of how ethics applies to all aspects of your life, including your leisure activities.

**Business Ethics**
http://www.asce.org/Leadership-and-management/Ethics/RelatedEthics-Information
"ASCE Ethics: Edict, Enforcement and Education" is a white paper by ASCE Deputy Executive Director/General Counsel Thomas W. Smith III, Esq. CAE, M.ASCE that discusses ethics with respect to ASCE and provides some background on how ethics has evolved within the society and discusses what ethics is.



## In Closing

The only things that an individual truly owns and controls are his/her thoughts, actions, memories, and integrity. Everything else in life is borrowed. Choose your actions thoughtfully and responsibly.



# PART 2 – THE ASCE CODE OF ETHICS

## DISCUSSION:

A code of ethics should be stated in simple terms, should be easy to understand, and should be timeless in application. It should be simple so it can be familiar and applied to one's daily life. It should be easy to understand so that it cannot be misinterpreted. It should be timeless so that it is always applicable, no matter how the profession and society change as a whole. In light of these basic concepts, we present ASCE's Code of Ethics, comprised of the Fundamental Principle sand Fundamental Canons:

## Code of Ethics [1]
## Fundamental Principle [2]

Engineers uphold and advance the integrity, honor, and dignity of the engineering profession by:

1. Using their knowledge and skill for the enhancement of human welfare and the environment;
2. Being honest and impartial and serving with fidelity the public, their employers and clients;
3. Striving to increase the competence and prestige of the engineering profession; and
4. Supporting the professional and technical societies of their disciplines.

## Fundamental Canons

1. Engineers shall hold paramount the safety, health, and welfare of the public and shall strive to comply with the principles of sustainable development [3] in the performance of their professional duties.

2. Engineers shall perform services only in areas of their competence.

3. Engineers shall issue public statements only in an objective and truthful manner.

4. Engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.

5. Engineers shall build their professional reputation on the merit and integrity 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.

7. Engineers shall continue their professional development throughout their careers, and shall provide opportunities for the professional development of those engineers under their supervision.

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[1] The Society's Code of Ethics was adopted on September 2, 1914, and was most recently amended on July 23, 2006. Pursuant to the Society's Bylaws, it is the duty of every Society member to report promptly to the Committee on Professional Conduct any observed violation of the Code of Ethics.

[2] In April 1975, the ASCE Board of Direction adopted the fundamental principles of the Code of Ethics of Engineers as accepted by the Accreditation Board for Engineering and Technology, Inc. (ABET).

[3] In November 1996, the ASCE Board of Direction adopted the following definition of Sustainable Development: "Sustainable Development is the challenge of meeting human needs for natural resources, industrial products, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development."

# PART 3 – GUIDELINES TO PRACTICE

## DISCUSSION:

The Guidelines to Practice are intended to provide guidance and examples of what is intended by the Fundamental Principles and Fundamental Canons. They provide details and discussion of specific issues that have been identified by ASCE. The Guidelines are in no way all-inclusive and should not be seen as such. Just as the body of law is ever expanding to address the various permutations of each type of crime, the Guidelines will continue to grow to provide clarification as the profession changes with time.

The Code of Ethics should never be used as a political tool. However, political issues do need to be tested with the ethical litmus. The result of the testing and the conclusion of how the issues should be addressed from an ethical standpoint can be memorialized in the Guidelines.

Although the Guidelines are intended to provide clarification, they cannot be all inclusive because society and the profession are always evolving. One of the challenges of having too many guidelines is that some will analyze the guidelines looking for loopholes to justify a position or action. This is the reason that the Guidelines are in a separate section of the Manual on the ASCE Code of Ethics to help illustrate the separation of the Guidelines from the Fundamental Principles and Fundamental Canons. Each professional and member's position or action must be consistent with the Fundamental Principles and Fundamental Canons because they are the final measure of consonance.

The Guidelines should be clearly consistent with the Fundamental Principles and Fundamental Canons. Inconsistencies should be challenged to prevent this document from becoming corrupt and hypocritical. Each member owes a duty to be knowledgeable of the Code of Ethics, to understand what the Code stands for, and to apply the Code to their daily lives.

## Guidelines to Practice under the Fundamental Canons of Ethics

### CANON 1.

**Engineers shall hold paramount the safety, health, and welfare of the public in the performance of their professional duties.**

a. Engineers shall recognize that the lives, safety, health, and welfare of the general public are dependent upon engineering judgments, decisions, and practices incorporated into structures, machines, products, processes, and devices.

b. Engineers shall approve or seal only those design documents, reviewed or prepared by them, which are determined to be safe for public health and welfare in conformity with accepted engineering standards.

c. Engineers whose professional judgment is overruled under circumstances where the safety, health, and welfare of the public are endangered, or the principles of sustainable development ignored, shall inform their clients or employers of the possible consequences.

d. Engineers who have knowledge or reason to believe that another person or firm may be in violation of any of the provisions of Canon 1 shall present such information to the proper authority in writing and shall cooperate with the proper authority in furnishing such further information or assistance as may be required.

e. Engineers should seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health, and well-being of their communities, and the protection of the environment through the practice of sustainable development.

f. Engineers should be committed to improving the environment by adherence to the principles of sustainable development so as to enhance the quality of life of the general public.

### CANON 2.

**Engineers shall perform services only in areas of their competence.**

a. Engineers shall undertake to perform engineering assignments only when qualified by education or experience in the technical field of engineering involved.

b. Engineers may accept an assignment requiring education or experience outside of their own fields of competence, provided their services are restricted to those phases of the project in which they are qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.

c. Engineers shall not affix their signatures or seals to any engineering plan or document dealing with subject matter in which they lack competence by virtue of education or experience or to any such plan or document not reviewed or prepared under their supervisory control.

## CANON 3.

**Engineers shall issue public statements only in an objective and truthful manner.**

a. Engineers should endeavor to extend the public knowledge of engineering and sustainable development, and shall not participate in the dissemination of untrue, unfair, or exaggerated statements regarding engineering.

b. Engineers shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony.

c. Engineers, when serving as expert witnesses, shall express an engineering opinion only when it is founded upon adequate knowledge of the facts, upon a background of technical competence, and upon honest conviction.

d. Engineers shall issue no statements, criticisms, or arguments on engineering matters which are inspired or paid for by interested parties, unless they indicate on whose behalf the statements are made.

e. Engineers shall be dignified and modest in explaining their work and merit, and will avoid any act tending to promote their own interests at the expense of the integrity, honor, and dignity of the profession.

## CANON 4.

**Engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.**

a. Engineers shall avoid all known or potential conflicts of interest with their employers or clients and shall promptly inform their employers or clients of any business association, interests, or circumstances which could influence their judgment or the quality of their services.

b. Engineers shall not accept compensation from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to and agreed to, by all interested parties.

c. Engineers shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their clients or employers in connection with work for which they are responsible.

d. Engineers in public service as members, advisors, or employees of a governmental body or department shall not participate in considerations or actions with respect to services solicited or provided by them or their organization in private or public engineering practice.

e. Engineers shall advise their employers or clients when, as a result of their studies, they believe a project will not be successful.

f. Engineers shall not use confidential information coming to them in the course of their assignments as a means of making personal profit if such action is adverse to the interests of their clients, employerss or the public.

g. Engineers shall not accept professional employment outside of their regular work or interest without the knowledge of their employers.

## CANON 5.

**Engineers shall build their professional reputation on the merit and integrity of their services.**

a. Engineers shall not give, solicit, or receive, either directly or indirectly, any political contribution, gratuity, or unlawful consideration in order to secure work, exclusive of securing salaried positions through employment agencies.

b. Engineers should negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required.

c. Engineers may request, propose, or accept professional commissions on a contingent basis only under circumstances in which their professional judgments would not be compromised.

d. Engineers shall not falsify or permit misrepresentation of their academic or professional qualifications or experience.

e. Engineers shall give proper credit for engineering work to those to whom credit is due, and shall recognize the proprietary interests of others. Whenever possible, they shall name the person or persons who may be responsible for designs, inventions, writings, or other accomplishments.

f. Engineers may advertise professional services in a way that does not contain misleading language or is in any other manner derogatory to the dignity of the profession.

Examples of permissible advertising are as follows:

- Professional cards in recognized, dignified publications and listings in rosters or directories published by responsible organizations, provided that the cards or listings are consistent in size and content and are in a section of the publication regularly devoted to such professional cards.

- Brochures which factually describe experience, facilities, personnel, and capacity to render service, providing they are not misleading with respect to the engineer's participation in projects described.

- Display advertising in recognized dignified business and professional publications, providing it is factual and is not misleading with respect to the engineer's extent of participation in projects described.

- A statement of the engineers' names or the name of the firm and statement of the type of service posted on projects for which they render services.

- Preparation or authorization of descriptive articles for the lay or technical press, which are factual and dignified. Such articles shall not imply anything more than direct participation in the project described.

- Permission by engineers for their names to be used in commercial advertisements, such as may be published by contractors, material suppliers, etc., only by means of a modest, dignified notation acknowledging the engineers' participation in the project described. Such permission shall not include public endorsement of proprietary products.

g. Engineers shall not maliciously or falsely, directly or indirectly, injure the professional reputation, prospects, practice, or employment of another engineer or indiscriminately criticize another's work.

h. Engineers shall not use equipment, supplies, laboratory, or office facilities of their employers to carry on outside private practice without the consent of their employers.

## CANON 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 zerotolerance for bribery, fraud, and corruption.**

a. Engineers shall not knowingly engage in business or professional practices of a fraudulent, dishonest, or unethical nature.

b. Engineers shall be scrupulously honest in their control and spending of monies, and promote effective use of resources through open, honest, and impartial service with fidelity to the public, employers, associates, and clients.

c. Engineers shall act with zerotolerance for bribery, fraud, and corruption in all engineering or construction activities in which they are engaged.

d. Engineers should be especially vigilant to maintain appropriate ethical behavior where payments of gratuities or bribes are institutionalized practices.

e. Engineers should strive for transparency in the procurement and execution of projects. Transparency includes disclosure of names, addresses, purposes, and fees or commissions paid for all agents facilitating projects.

f. Engineers should encourage the use of certifications specifying zerotolerance for bribery, fraud, and corruption in all contracts.

## CANON 7.

**Engineers shall continue their professional development throughout their careers, and shall provide opportunities for the professional development of those engineers under their supervision.**

a. Engineers 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.

b. Engineers should encourage their engineering employees to become registered at the earliest possible date.

c. Engineers should encourage engineering employees to attend and present papers at professional and technical society meetings.

d. Engineers shall uphold the principle of mutually satisfying relationships between employers and employees with respect to terms of employment including professional grade descriptions, salary ranges, and fringe benefits.

