



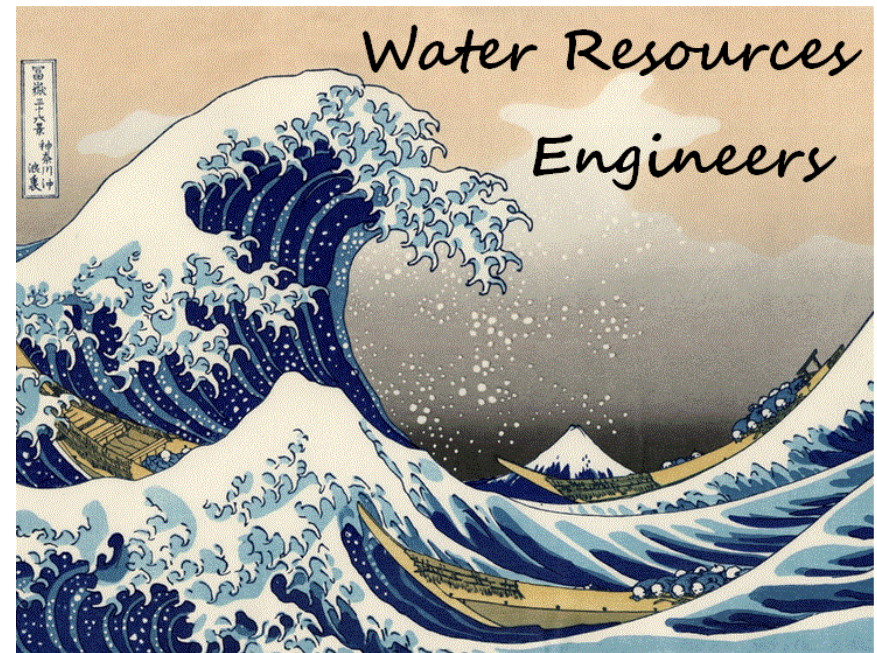
# David Williams

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**DTW and Associates, LLC**

# About Me

- BSCE and MSCE (Environmental Civil Engineering), University of California, Davis (*Go Ags!*)
- Ph.D. in River Mechanics, Colorado State University (*Go Rams!*)
- Worked at/as:
  - Airborne Combat Engineer Officer, U.S. Army, 7<sup>th</sup> Special Forces Group (Green Berets)
  - U.S. Army Corps of Engineers as a Civilian (HEC, Nashville District (H&H chief), Waterways Experiment Station (now ERDC))
  - President/Co-founder of WEST Consultants, a nationally known 40 person water resources engineering firm
  - Taught Engineering and Computer programming at UC Davis and San Diego State University
  - National Director, Water Resources at PBS&J (now Atkins) and HDR

# Why Can David Teach This Course?

- 1 week Federal Course on Equal Employment Opportunity Counseling which included ethics for managers and employees
- Federal Equal Employment Opportunity Counselor
- Asian and Pacific Islander Program Manager at the USACE
- Has taught this course for such entities as:
  - FMA, International Erosion Control Association and Illinois Association for Floodplain and Stormwater Management
  - ASCE/EWRI
  - City of Dallas
  - Numerous flood control agencies and counties
  - Forester University and Red Vector (webinar based instruction)
- Ordained Minister

# Now Hear This!

- This is not legal advice - it is a lecture on general principles of Ethics.
- For legal advice. see a lawyer licensed in your jurisdiction.



# David's Philosophy on Teaching Professional Conduct and Ethics

- This is not a “what you should do” presentation
- You will be presented with “hard” rules as well as interpretative rules
- What is presented is a PROPOSED framework to guide your judgment
- You will be given ideas on what to think about when you are in conduct and ethical challenging situations
- Ethical conduct can be different for employees of various entities – Governmental, Academia, Private Practice
- For you to have a good conduct and ethical life, ask yourself the simple questions first, and then act based upon a honest self evaluation – you will sleep well!

# David's Haiku Poetry for the Day

## Rules of Haiku

3 lines consisting of 5, 7 and 5 syllables for the 3 lines.

No need to rhyme.

**Boss paid for conference  
Golf or go to dull sessions?  
Ethics Dilemma!**

# Code of Conduct/Ethics Definitions

- There is a subtle difference between Conduct and Ethics – you can have bad conduct that can be interpreted as “non-unethical”.
- A set of rules to guide behavior and decisions in a specified situation ([wiktionary.org](http://wiktionary.org))
- A set of conventional principles and expectations that are considered binding on any person who is a member of a particular group ([thefreedictionary.com](http://thefreedictionary.com))
- A set of principles of conduct within an organization that guide decision making and behavior ([uslegal.com](http://uslegal.com))

# Review of Codes of Conduct and Ethics

- We will look at 2 categories of Codes
  - Professional Certification – National Society of Professional Engineers (NSPE)
  - Governmental Codes – Maricopa County, AZ
- We will also go over Scenarios that cover workplace conduct, working with other employees, working with other professionals outside of the workplace, and conduct on a personal basis.



# An Acronym to Prod your Conscience! P.L.U.S.

## Source: Ethics Resource Center

- **P = Policies**

Is it consistent with my organization's policies, procedures and guidelines?

- **L= Legal**

Is it acceptable under the applicable laws and regulations?

- **U = Universal**

Does it conform to the universal principles/values my organization has adopted?

- **S= Self**

Does it satisfy my personal definition of right, good and fair?

# National Society of Professional Engineers (NSPE): I. Fundamental Canons

- Engineers, in the fulfillment of their professional duties, shall:
  - Hold paramount the safety, health, and welfare of the public.
  - Perform services only in areas of their competence.
  - Issue public statements only in an objective and truthful manner.
  - Act for each employer or client as faithful agents or trustees.
  - Avoid deceptive acts.
  - Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.

## **II. Rules of Practice**

### **1a. Engineers shall hold paramount the safety, health, and welfare of the public.**

- If engineers' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.
- Engineers shall approve only those engineering documents that are in conformity with applicable standards.
- Engineers shall not reveal facts, data, or information without the prior consent of the client or employer except as authorized or required by law or this Code.

## II. Rules of Practice

### **1b. Engineers shall hold paramount the safety, health, and welfare of the public.**

- Engineers shall not permit the use of their name or associate in business ventures with any person or firm that they believe is engaged in fraudulent or dishonest enterprise.
- Engineers shall not aid or abet the unlawful practice of engineering by a person or firm.
- Engineers having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and, when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required

## II. Rules of Practice

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

- Engineers shall undertake assignments only when qualified by education or experience in the specific technical fields involved.
- Engineers shall not affix their signatures to any plans or documents dealing with subject matter in which they lack competence, nor to any plan or document not prepared under their direction and control.
- Engineers may accept assignments and assume responsibility for coordination of an entire project and sign and seal the engineering documents for the entire project, provided that each technical segment is signed and sealed only by the qualified engineers who prepared the segment.

## II. Rules of Practice

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

- 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, which should bear the date indicating when it was current.
- Engineers may express publicly technical opinions that are founded upon knowledge of the facts and competence in the subject matter.
- Engineers shall issue no statements, criticisms, or arguments on technical matters that are inspired or paid for by interested parties, unless they have prefaced their comments by explicitly identifying the interested parties on whose behalf they are speaking, and by revealing the existence of any interest the engineers may have in the matters.

## II. Rules of Practice

### 4a. Engineers shall act for each employer or client as faithful agents or trustees.

- Engineers shall disclose all known or potential conflicts of interest that could influence or appear to influence their judgment or the quality of their services.
- Engineers shall not accept compensation, financial or otherwise, 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 and agreed to by all interested parties.
- Engineers shall not solicit or accept financial or other valuable consideration, directly or indirectly, from outside agents in connection with the work for which they are responsible.

## II. Rules of Practice

### **4b. Engineers shall act for each employer or client as faithful agents or trustees.**

- Engineers in public service as members, advisors, or employees of a governmental or quasi-governmental body or department shall not participate in decisions with respect to services solicited or provided by them or their organizations in private or public engineering practice.
- Engineers shall not solicit or accept a contract from a governmental body on which a principal or officer of their organization serves as a member.



## II. Rules of Practice

### 5a. Engineers shall avoid deceptive acts.

- Engineers shall not falsify their qualifications or permit misrepresentation of their or their associates' qualifications.
- They shall not misrepresent or exaggerate their responsibility in or for the subject matter of prior assignments.
- Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint venturers, or past accomplishments.

## II. Rules of Practice

### 5b. Engineers shall avoid deceptive acts.

- Engineers shall not offer, give, solicit, or receive, either directly or indirectly, any contribution to influence the award of a contract by public authority, or which may be reasonably construed by the public as having the effect or intent of influencing the awarding of a contract.
- They shall not offer any gift or other valuable consideration in order to secure work.
- They shall not pay a commission, percentage, or brokerage fee in order to secure work, except to a bona fide employee or bona fide established commercial or marketing agencies retained by them.

### **III. Professional Obligations**

#### **1a. Engineers shall be guided in all their relations by the highest standards of honesty and integrity.**

- Engineers shall acknowledge their errors and shall not distort or alter the facts.
- Engineers shall advise their clients or employers when they believe a project will not be successful.
- Engineers shall not accept outside employment to the detriment of their regular work or interest.

### **III. Professional Obligations**

#### **1b. Engineers shall be guided in all their relations by the highest standards of honesty and integrity.**

- Before accepting any outside engineering employment, they will notify their employers.
- Engineers shall not attempt to attract an engineer from another employer by false or misleading pretenses.
- Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.

### **III. Professional Obligations**

#### **2a. Engineers shall at all times strive to serve the public interest**

- Engineers are encouraged to participate in civic affairs; career guidance for youths; and work for the advancement of the safety, health, and well-being of their community.
- Engineers shall not complete, sign, or seal plans and/or specifications that are not in conformity with applicable engineering standards.
- If the client or employer insists on such unprofessional conduct, they shall notify the proper authorities and withdraw from further service on the project.

### **III. Professional Obligations**

#### **2b. Engineers shall at all times strive to serve the public interest**

- Engineers are encouraged to extend public knowledge and appreciation of engineering and its achievements.
- Engineers are encouraged to adhere to the principles of sustainable development<sup>1</sup> in order to protect the environment for future generations.

## **III. Professional Obligations**

### **3. Engineers shall avoid all conduct or practice that deceives the public.**

- Engineers shall avoid the use of statements containing a material misrepresentation of fact or omitting a material fact.
- Consistent with the foregoing, engineers may advertise for recruitment of personnel.
- Consistent with the foregoing, engineers may prepare articles for the lay or technical press, but such articles shall not imply credit to the author for work performed by others.

### **III. Professional Obligations**

**4a. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.**

- Engineers shall not, without the consent of all interested parties, promote or arrange for new employment or practice in connection with a specific project for which the engineer has gained particular and specialized knowledge.



### **III. Professional Obligations**

#### **5. Engineers shall not be influenced in their professional duties by conflicting interests.**

- Engineers shall not accept financial or other considerations, including free engineering designs, from material or equipment suppliers for specifying their product.
- Engineers shall not accept commissions or allowances, directly or indirectly, from contractors or other parties dealing with clients or employers of the engineer in connection with work for which the engineer is responsible.

### **III. Professional Obligations**

#### **6. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticizing other engineers, or by other improper or questionable methods.**

- Engineers shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgment may be compromised.
- 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.
- Engineers shall not, without consent, use equipment, supplies, laboratory, or office facilities of an employer to carry on outside private practice.

### **III. Professional Obligations**

#### **7. Engineers shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other engineers.**

- Engineers who believe others are guilty of unethical or illegal practice shall present such information to the proper authority for action.
- Engineers in private practice shall not review the work of another engineer for the same client, except with the knowledge of such engineer, or unless the connection of such engineer with the work has been terminated.
- Engineers in governmental, industrial, or educational employ are entitled to review and evaluate the work of other engineers when so required by their employment duties.
- Engineers in sales or industrial employ are entitled to make engineering comparisons of represented products with products of other suppliers.

### **III. Professional Obligations**

**8. Engineers shall accept personal responsibility for their professional activities, provided, however, that engineers may seek indemnification for services arising out of their practice for other than gross negligence, where the engineer's interests cannot otherwise be protected.**

- Engineers shall conform with state registration laws in the practice of engineering.
- Engineers shall not use association with a non-engineer, a corporation, or partnership as a "cloak" for unethical acts.

### **III. Professional Obligations**

#### **9a. Engineers shall give credit for engineering work to those to whom credit is due, and will recognize the proprietary interests of others.**

- Engineers shall, whenever possible, name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.
- 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.
- 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.

### **III. Professional Obligations**

#### **9a. Engineers shall give credit for engineering work to those to whom credit is due, and will recognize the proprietary interests of others.**

- 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.
- 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.

# Maricopa County Code Of Ethics (Ethics Handbook)

- Conflict of interest: occurs when an employee, elected or appointed official, volunteer, or a member of an appointed board, committee, or commission:
  - (1) Has a substantial interest in any decision, contract, sale, purchase, or invoice with Maricopa County;
  - (2) Solicits, accepts or agrees to accept, any compensation, favor, gift, promise or other items of value (whether tangible or intangible) in return for influencing, attempting to influence, rewarding or not rewarding an official action or decision; or,
  - (3) Participates in a Maricopa County action while negotiating prospective employment with a person who has a financial interest in the negotiation.

# Maricopa County

## Code Of Ethics (Ethics Handbook)

- Accepting gifts: one should refuse any gift or favor which may reasonably be interpreted to be offered in order to influence a County decision. However, acceptable gifts are:
  - a personal gift from a friend or family member.
  - winning or receiving a promotional gift from a community business, where the opportunity to win/receive the gift is open to the community in general.
  - gifts of nominal value.
  - normal and customary hospitality in a social setting.



# Maricopa County

## Code Of Ethics (Ethics Handbook)

### Other things it covers

- Gifts Between Employees – permissible if there exists a relationship outside of work
- Honoraria – can accept if not related to the person's official duties
- Voting Conflicts – related to conflicts of interests

# Maricopa County

## Code Of Ethics (Ethics Handbook)

- Fair and Equitable Treatment – treat everyone equally and no special treatments to any particular person
- Nepotism – cannot directly or indirectly influence the hiring, promotion, re-assignment, reward, etc. of a relative
- Use of Public Property – public property cannot be used for other than official activities
- Voice and Electronic Mail – only for official business, but can be used for incidental personal business

# Maricopa County

## Code Of Ethics (Ethics Handbook)

- Disclosure of County Information – record retention requirements and non-confidential information readily available to the public
- Dedicated Service – implement official objectives and ordinances, adhere to work and performance standards
- Political Activity – can participate on their own time and only as a private citizen
- Use of Paid Work Time – adhere to start and end work times, lunch and breaks, be productive, etc.

# Maricopa County

## Code Of Ethics (Ethics Handbook)

- Incompatible Employment – can have outside work if does not conflict with official business
- Post Employment Restrictions – cannot take improper advantage of previous employment with county, cannot work on a project that the person had an influence on while a county employee within 2 years of separation (some exceptions)
- Employee Concerns – should report to supervisor if Handbook provisions are not being followed
- Citizen Concerns – if a non-employee believes that the Handbook provisions are not being followed, should report to Co. HR Director

# Proposed Final “Gut Checks” if Unsure of Your Actions

- **Headline Test**

- a. If it was in the newspaper, would it embarrass you or your organizations.
- b. Could they twist any truths or half truths and put it in a bad light?

- **“Mommy” Test**

- a. Imagine telling of the situation to whomever was your moral compass when you were growing up.
- b. Would they have been (or now be) proud of what you did?

# Scenario I

Ted is a supervisor employee with the County. Cash also works for the county.

**Cash: Hi Ted. Want to go on a break with us?**

Ted: No, I can't. I did not get very good management marks on my last employee evaluation so I signed up for an online management course that the County is paying for. I have to work on a paper that is due tomorrow – but thanks anyways.

**Cash: Well, then will you be able to come to happy hour after work?**

Ted: Nope, I will probably work on this until after 5 pm. Have a good time without me!

# Scenario I – Possible Answers

**Cash: Hi Ted. Want to go on a break with us?**

Ted: No, I can't. I did not get very good management marks on my last employee evaluation so I signed up for an online management course that the County is paying for. I have to work on a paper that is due tomorrow – but thanks anyways.

**Cash: Well, then will you be able to come to happy hour after work?**

Ted: Nope, I will probably work on this until after 5 pm. Have a good time without me!

## ***A Quick Poll...***

- a) I do not see a problem
- b) Ted should not be working on personal activities on county time
- c) Ted should not be working on personal things using a county computer
- d) Additional information is needed to make a determination



# Scenario II

Takeo is an Asian who works for private company and Julie also works there.

Takeo : **Hi Julie, how are things going?**

Julie: I have a lot of work to do. It is like a Chinese fire drill here!

Takeo : **Gee, I wish you would not use that phrase.**

Julie: Don't get so sensitive just because you have work up the ying-yang too!

Takeo : **That was not necessary!**

Julie: Don't go hari-kari on me! If you expect me to kow-tow to your special sensitivities, forget it!

Takeo : **Look, I just want our conversations just to be on a friendly and ethnically neutral basis. Can't we all get along?**



# Scenario II – Possible Answers

Takeo : **Hi Julie, how are things going?**

Julie: I have a lot of work to do. It is like a Chinese fire drill here!

Takeo : **I wish you would not use that phrase.**

Julie: Don't get so sensitive just because you have work up the ying-yang, too!

Takeo : **That was not necessary!**

Julie: Don't go hari-kari on me! If you expect me to kow-tow to your special sensitivities, forget it!

Takeo : **Look, I just want our conversations to be on a friendly and ethnically neutral basis.**

## ***A Quick Poll...***

- a) Takeo is being too sensitive since this is commonly used language, so I do not see a problem.
- b) Julie is insensitive, but there is no ethics problem.
- c) If Julie signed a company policy document on conduct, it is an ethics problem.
- d) Takeo shouldn't say anything since Julie is a member of another ethic group.



# Scenario III

Phil works for the county as a dump truck driver. His friend, Tom, does not work for the county. Thomas calls Phil on the cell phone.

**Tom: Hey Phil, whatcha doing?**

Phil: I'm on the way back with a  $\frac{1}{4}$  load of gravel that was left over from a job. I was told to drive out about 10 miles out to dump it in one of those sand mining pits and return to the yard. It's going to take me about an extra hour to do all of this.

**Tom: How about dropping by my house and putting it on my driveway?**

Phil: Well, I don't know about that. However, you are just about a mile from where I am now and it would save the County gas money if I dumped it at your place and go straight to the yard, which is only 2 miles from your place.

**Tom: Great! I am glad to see that you are a conscientious County employees, thinking about cutting costs for the county!**

# Scenario III – Possible Answers

**Tom: Hey Phil, whatcha doing?**

Phil: I'm on the way back with a ¼ load of gravel that was left over from a job. I was told to drive out about 10 miles out to dump it in one of those sand mining pits and return to the yard. It's going to take me about an extra hour to do all of this.

**Tom: How about dropping by my house and putting it on my driveway?**

Phil: Well, I don't know about that. However, you are just about a mile from where I am now and it would save the County gas money if I dumped it at your place and go straight to the yard, which is only 2 miles from your place.

**Tom: Great! I am glad to see that you are a conscientious County employee, thinking about cutting costs for the county!**

## ***A Quick Poll...***

- a) Tom is gaining something from the County so it is bad conduct by Phil.
- b) Tom is acting unethically by enticing Phil to be unethical.
- c) Phil is saving the County money, so I do not see an ethics problem.
- d) Tom is a tax payer so he is entitled to the such County services.



# Scenario IV

Val is a deputy sheriff and her friend, Terry is a campaign worker for the re-election of Sheriff Trent.

**Terry: Val, will you be coming to the rally for Trent after work?**

Val: Sure, count me in. You know I support his tactics! I'll come over after I go home and change from my uniform to my civilian clothes.

**Terry: Gee, why bother? Just come as you are – we won't mind!**

Val: Ok, it would save me some time.

# Scenario IV – Possible Answers

Val is a deputy sheriff, and her friend Terry is a campaign worker for the re-election of Sheriff Trent.

**Terry: Val, will you be coming to the rally for Trent after work?**

Val: Sure, count me in. You know I support his tactics! I'll come over after I go home and change from my uniform to my civilian clothes.

**Terry: Gee, why bother? Just come as you are – we won't mind!**

Val: Ok, it would save me some time.



## ***A Quick Poll...***

- a) Val should not be supporting any candidate because she is a deputy sheriff and works for a government.
- b) Val is being a good citizen for being politically active - this is good conduct.
- c) Terry is acting unethical, trying to entice Val to support her boss.
- d) Val is representing the County if she goes in her uniform – bad conduct.

# Scenario V

Arlen is just exiting from a job interview with the Resistance is Futile company and notices that Jim is the next person to be interviewed.

Arlen knows that Jim had a recent disciplinary action against him by the Board of Registration.

Should Arlen inform the company about this?

# Scenario V – Possible Answers

- Arlen is just exiting from a job interview with the Resistance is Futile company and notices that Jim is the next person to be interviewed.
- Arlen knows that Jim had a recent disciplinary action against him by the Board of Registration.
- Should Arlen inform the company about this?



## ***A Quick Poll...***

- a) He should anonymously tell the company about this.
- b) He should just be quiet since the company should have done its D&D.
- c) He should tell the company since it would give him an advantage.
- d) Arlen should later talk to Jim to make sure Jim told the company.

# Scenario VI

Jane used to work for Harold but left for another company under unpleasant circumstances.

Harold's company has invited Jane's company to be a sub consultant in pursuit of a large project.

In the process of putting the proposal together, Jane notices that Harold has taken credit for work that Jane did when she was with Harold's company.

What should she do?

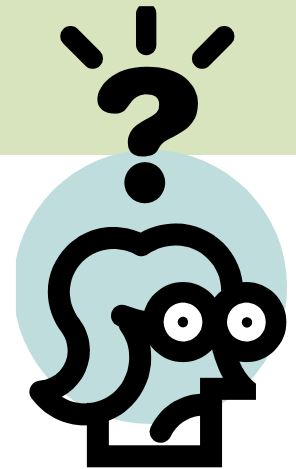


# Scenario VI – Possible Answers

- Jane used to work for Harold but left for another company under unpleasant circumstances.
- Harold's company has invited Jane's company to be a sub consultant in pursuit of a large project.
- In the process of putting the proposal together, Jane notices that Harold has taken credit for work that Jane did when she was with Harold's company.
- What should she do?

## ***A Quick Poll...***

- a) Tell Harold's supervisor about the issue.
- b) Tell her boss and report him to the relevant board of registration.
- c) She should just be quiet since the prime contractor calls the shots.
- d) Talk to Harold and persuade him to change the proposal.



# Scenario VII

John, an engineer for the city, is a personal friend of David and they used to be students together in college.

David works for an engineering firm that does business for the City.

David invites John to go up to David's family mountain house for a week.

Should John accept?

# Scenario VII – Possible Answers

- John, an engineer for the city, is a personal friend of David and they used to be students together in college.
- David works for an engineering firm that does business for the City. David invites John to go up to David's family mountain house for a week.
- Should John accept?



## ***A Quick Poll...***

- a) Sure – he has an established relationship outside of work.
- b) No, it may be looked upon as a “bribe”.
- c) It is ok if John pays a reasonable amount as compensation.
- d) Accept only if David accepts a similar invitation from John.

# Scenario VIII

For scenario VII (David invites John to go up to David's family mountain house for a week), what should John do if David's company is about to do an interview with the City in pursuit of a project and John is on the selection committee?

# Scenario VII – Possible Answers

For scenario VII (David invites John to go up to David's family mountain house for a week), what should John do if David's company is about to do an interview with the City in pursuit of a project and John is on the selection committee?

## ***Quick Poll...***

- a) Not accept until after the interview
- b) Accept since they are good friends outside of work
- c) Do not accept anything like this unless John leaves the City
- d) Accept the invitation and recuse himself from “voting”.
- e) It is ok if John pays a reasonable amount as compensation.



# Scenario IX

For scenario VII (David invites John to go up to David's family house for a week), what should John do if:

1. he is not on the section committee and
2. the house was in Hawaii and
3. John lives in Independence Falls, MN and
4. David offers to pay his way there?

# Scenario IX – Possible Answers

For scenario VII (David invites John to go up to David's family house for a week), what should John do if:

1. he is not on the section committee and
2. the house was in Hawaii and
3. John lives in Independence Falls, MN and
4. David offers to pay his way there?



## ***Quick Poll...***

- a) Not accept until after the interview
- b) Accept since they are good friends outside of work
- c) Not accept anything like this unless John leaves the City
- d) It is ok if John pays a reasonable amount as compensation.

# Scenario X

- Brian is an environmental scientist for the NRCS (a Federal Agency).
- He is asked by a company that worked on one of his projects (he was the Project Manager) if he would like to be one of the authors of a paper to be presented to a Professional Society Journal on the project.
- Brian says he is too busy to contribute but is told he does not have to do anything and they would do all the work on the paper preparation and submittal.
- What should Brian do or say?



# Scenario X – Possible Answers

- Brian is an environmental scientist for the NRCS (a Federal Agency).
- He is asked by a company that worked on one of his projects (he was the Project Manager) if he would like to be one of the authors of a paper to be presented to a Professional Society Journal on the project.
- Brian says he is too busy to contribute but is told he does not have to do anything and they would do all the work on the paper preparation and submittal.
- What should Brian do or say?



## ***A Quick Poll...***

- a) No problem – he did work on the project!
- b) He should decline since he would not be involved in writing the paper.
- c) Only if he is the last author listed.
- d) No, but they can acknowledge him in the paper introduction.

# Scenario XI

John is about to submit a paper the next day and has a great illustrative figure that he wants to use but cannot find the source to credit.

What should John do?

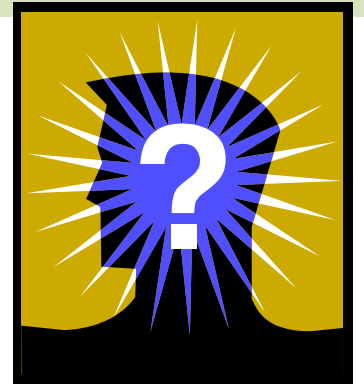
# Scenario XI – Possible Answers

John is about to submit a paper the next day and has a great illustrative figure that he wants to use but cannot find the source to credit.

What should John do?

## ***Quick Poll...***

- a) Not use the figure
- b) Redraw the figure showing the same idea/concept
- c) Use the figure and include the address of the website
- d) Use the figure and don't say anything about where he got it



# Free Form Discussion Scenarios

The following are scenarios where we will discuss in free form in which the participants discuss:

1. Is there an ethics dilemma?
2. If appropriate, what are the possible paths to take if we are in the dilemma?
3. What is “best” path if such a thing exists?
4. What are the possible ways to avoid these types of dilemmas?

# Scenario XII

Marie is a FEMA employee and is at an FMA conference.

Her friends that work for a private FEMA contractor invites her to the contractor's open house for some food and drinks.

Should she accept?

1. Is there an ethics dilemma?
2. If appropriate, what are the possible paths to take if we are in the dilemma?
3. What is “best” path if such a thing exists?
4. What are the possible ways to avoid these types of dilemmas?

# Scenario XIII

For scenario VIII, what should Marie do if the open house was only for FEMA employees.

For the above scenario, what should she do if the invitation was for a catered dinner for FEMA employees?

1. Is there an ethics dilemma?
2. If appropriate, what are the possible paths to take if we are in the dilemma?
3. What is “best” path if such a thing exists?
4. What are the possible ways to avoid these types of dilemmas?

# **Scenario XIV (if we have time)**

## **from National Institute for Engineering Ethics**

Four of the key engineering employees of firm A left the firm at the same time following disagreement on certain firm policies and promptly organized a new engineering firm, B, with the four engineers as the principals.

Firm B promptly contacted the former clients of Firm A, including some former clients of Firm A which had projects under discussion with Firm A, but for which specific selection or negotiation had not taken place.

In some instances one or more of the four engineers had been involved with the former clients of Firm A while in their employ.

## Scenario XIV, cont.

While Firm B was making these contacts to indicate the availability of the new firm for assignments from the former clients, Firm A was also making contact with the former clients to indicate that their firm was still available for future commissions and retained its capacity to provide proper services despite the departure of the four engineers.

Firm A has protested the action of the four engineers on ethical grounds, alleging that they violated the rule against supplanting.

Further, Firm A was told by the clients that Firm B had cast doubt on the ability of Firm A to provide quality services. In discussions with the former clients, Firm A indicated doubt that Firm B was qualified to provide quality services.



## Scenario XIV, cont.

Did the four engineers who founded Firm B violate the Code of Ethics by seeking work from former clients of Firm A?

Did the four engineers comprising Firm B act unethically in casting doubt on the ability of Firm A to provide quality services?

Did Firm A act unethically in casting doubt on the ability of Firm B to provide quality services?

# Final Comments

It is not hard to make decisions when you know what your values are and abide by them.

If you have a decision between keeping your job, keeping your client, or keeping your license because of an ethics dilemma, you should keep your license. You can always get another employer and another client, but you rarely can get another license.

Questions or Comments?