Preamble

The Structural Engineers Association of Northern California (SEAONC) was founded in 1930 and incorporated in 1949. Article I of the Association’s Bylaws (June 2021) establishes its statement of purpose.

**ARTICLE I**

**Statement of Purpose**

This Association is established for the following purposes:

**Section 1.** To advance the art and science of structural engineering; to improve the practice of structural engineering and service to the public; to encourage engineering education; to maintain the honor and dignity of the profession; to enlighten the public regarding the province of the structural engineer; to advance proper legislation and to oppose improper legislation affecting structural engineering practice; to cooperate with other professional organizations; to cultivate social contacts within its Membership and by closer association and better mutual understanding to discourage unethical and/or detrimental practice.

**Section 2.** To afford the public a reasonable assurance of the ability and integrity of its Membership through the provision of high-quality educational content and enforcing adherence to ethical canons.

**Section 3.** To secure uniformity of action among the individuals forming this Association upon the general principles herein set forth, and upon such policies as may be decided upon from time to time. All action and policy shall strive to improve the profession.

The integrity of the Association is dependent on the reputation of its members and how they conduct themselves. SEAONC members, by accepting membership in the Association, agree to abide by this Canons of Ethics and codes of conduct referenced and contained herein. The SEAONC Canons of Ethics was first adopted by resolution on October 31, 1962, amended in June 1979, June 1989, October 2017, and is further amended herein.

**SEAONC CANONS OF ETHICS FOR MEMBERS**

1. Members of SEAONC shall conduct themselves with integrity and professionalism, and above all else protect and advance the health, safety, and welfare of the public through the practice of structural engineering.

2. Members of SEAONC, regardless of their membership grade or job description, commit to all of the following ethical responsibilities. In the case of a conflict between ethical responsibilities, consideration shall be given in the order of priority to the following stakeholders: the society, the natural and built environment, the profession, clients and employers, and peers.

3. By reference, SEAONC adopts and incorporates for all members, the *NCSEA Model Code of Ethics*¹ published by National Council of Structural Engineers Associations (NCSEA) on May 18, 2011 (attached), inclusive of the Fundamental Purpose, Fundamental Principles, and Fundamental Tenets. Annotations to the *NCSEA Model Code of Ethics* are outlined in item 4 below.

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4. Additional topics unique to SEAONC include the following.

4.1. Relations with Clients and Employers

4.1.1. Members will act with fairness and justice between their client or employer and contractor when dealing with contracts.

4.1.2. Members will disclose no information concerning the business affairs or technical processes of clients or employers without the client’s or employer’s consent.

4.1.3. Members will not be financially interested in the bids of a contractor on competitive work that Members are responsible for as employees or as independently commissioned consultants without the consent of their client or employer.

4.2. Relations with Engineers

4.2.1. Members will advance the profession by engaging structural and ancillary engineers regardless of gender, race, ethnicity, age, sexual orientation, immigration status, accessibility status, experience, or job title.

4.2.2. Members will establish financial relationships with clients and other engineers based on an obligation to discharge their duties with fidelity to the public, to their clients, to their employers and to their employees. At no time shall their impartiality or dedication to safety and service be compromised in the interest of financial gain.

5. Modifications to the NCSEA Model Code of Ethics are as follows, with modifications in bold.

5.1. All references to “structural engineers” shall refer to “Members.”

5.2. Delete Introduction.

5.3. Tenet 1.b: Approve or seal only those design documents or engineering reports, reviewed or prepared in accordance with the rules and laws of the authority having jurisdiction, which are determined to be safe for public health and welfare in conformance with accepted structural engineering practice.

5.4. Amend Tenet 1.e with Tenet 1.e.1: Actively participate in the practice of sustainable development which includes an accountable commitment strategy of engagement on projects and sharing information, with the goal of achieving net zero embodied carbon structures by 2050. Advocate and communicate with clients, the design community, and the public to build an understanding about embodied carbon and impacts of the built environment.

5.5. Amend Tenet 1 with Tenet 1.f: Communicate in a timely manner to clients and employers any risks and limitations related to their work.

5.6. Tenet 2.c: Affix their signatures or seals to structural engineering documents or structural engineering reports that have been prepared or reviewed by them or under their responsible charge, dealing with only those matters for which they are qualified by either education or training and by experience and examination.
5.7. ** Amend ** Tenet 2 with Tenet 2.d: Consider the capabilities, limitations, and implications of current and emerging technologies when part of their work.

5.8. ** Amend ** Tenet 3.d with Tenet 3.d.1: The peer reviewer should not bear a conflict of interest with respect to the project and should not be part of the project design team. The peer reviewer should commit the time required for the review such that it can proceed in a timely manner. The peer reviewer should not use the peer review project as an opportunity to solicit work.

5.9. Tenet 5.c: Request, propose, or accept professional commissions on a contingent basis only under circumstances in which their ** integrity and ** professional ** judgment ** would not be compromised.

5.10. ** Replace ** Tenet 5.h with the following.

5.10.1. Members may review the work performed by another engineer for the same client, or for a different client, only after notification is given to the other engineer.

5.10.1.1. Members need not notify the other engineer about reviewing the engineer’s work when:

5.10.1.1.1. The review is conducted by government regulatory bodies, such as authorities having jurisdiction, agency staff engineers, etc., as part of typical project review in design and construction.

5.10.1.1.2. A matter is in litigation and the other engineer is a consultant or expert to a named party.

5.10.1.1.3. The competency of the other engineer is under investigation by a duly authorized government agency where an independent confidential review by another engineer is required.

5.10.1.2. Except when Members are not required to inform the other engineer, they shall inform the other engineer of any differences of opinion in the reviewed work in all cases where their review is not required to be confidential because of expressed stipulation by their clients and/or on the advice of counsel, in which case they shall so inform the other engineer.

END

Code of Ethics

May 18, 2011

NCSEA Model Code of Ethics

Introduction

This Code of Ethics is provided to NCSEA member organizations (MO’s), to adopt in whole or in part as they so deem appropriate. Individual MO’s may determine whether or not enforcement of this Code will be implemented. Local statutory and regulatory requirements should also be reviewed, and the adopted Code amended to avoid conflicts.

Fundamental Purpose

This Code of Ethics is provided as guidance for individual structural engineers, and applies to the responsible individual who provides professional services in the analysis, assessment, design, construction, or repair of buildings, bridges, and other structures.

All of the Fundamental Principles, Tenets and Guidelines should be applied in accordance with the standards of skill and care generally exercised by other structural engineers in the same locale acting under similar circumstances and conditions.

Fundamental Principles

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

1. using their knowledge and skill for the enhancement of human welfare;
2. being honest and impartial in serving with fidelity the public, their employers and clients; and
3. striving to increase the competence of practitioners and the prestige of the structural engineering profession.

Fundamental Tenets

Structural engineers:

1. use their knowledge and skill in the performance of their professional duties to make decisions in the interest of the safety, health, and welfare of the public.
2. perform services only in areas of their demonstrated competence.
3. issue public statements in an objective and honest manner.
4. act for each employer or client as faithful agents or trustees, and avoid conflicts of interest.
5. build their professional reputation on merit and compete fairly with others.
6. act in such a manner as to uphold and enhance the honor, integrity, and dignity of the structural engineering profession, without tolerance for corruption.
7. continue their professional development throughout their careers, and provide opportunities for the professional development of others.
Guidelines to Practice Under the Fundamental Tenets of Ethics

**TENET 1.**

**Structural engineers use their knowledge and skill in the performance of their professional duties to make decisions in the interest of the safety, health, and welfare of the public.**

a. Recognize that the lives, safety, health and welfare of the general public are dependent upon engineering judgments, decisions and practices.

b. Approve or seal only those design documents or engineering reports, reviewed or prepared in accordance with the rules and laws of the authority having jurisdiction, which are determined to be safe for public health and welfare in conformance with accepted structural engineering standards.

c. Inform their clients or employers of the possible consequences, and notify such other authorities as may be appropriate, when their professional judgment is overruled under circumstances where the safety, health and welfare of the public are endangered.

d. When there is knowledge or reason to believe that another person or firm may be in violation of any of the provisions of Tenet 1, consider first presenting such information to the person or firm suspected of the violation. If such action does not satisfactorily resolve the suspected violation, present such information to the proper authority in writing and cooperate with the proper authority in furnishing such further information or assistance as may be required, without incurring a breach of this Code of Ethics.

e. 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.

**TENET 2.**

**Structural engineers perform services only in areas of their demonstrated competence.**

a. Engage in structural engineering assignments only when qualified by either education or training and by experience and examination in the field of structural engineering.

b. Accept assignments in which certain aspects require education, training, experience, or examination outside their areas of demonstrated competence, provided their services are restricted to those aspects for which they are qualified.

c. Affix their signatures or seals to structural engineering documents or structural engineering reports dealing with only those matters for which they are qualified by either education or training and by experience and examination.

**TENET 3.**

**Structural engineers issue public statements in an objective and honest manner.**

a. Endeavor to extend the public knowledge of structural engineering, and avoid participating in the dissemination of inaccurate, unfair or exaggerated statements regarding structural engineering.

b. Be objective and honest in professional reports, statements, or testimony. Include relevant and pertinent information in such reports, statements, or testimony.

c. When serving as expert witnesses, express an engineering opinion when it is founded upon: adequate knowledge of the known conditions, a basis of technical competence, and honest conviction.
d. When serving as peer reviewers, preferably (subject to the consent of the client) inform the design engineer of their appointment, have access to those responsible for the design, and be able to freely discuss and resolve all pertinent matters with the design engineer. The peer reviewer should not seek to provide their services for any remedial design work to be undertaken; however, the client may elect to request the peer reviewer to review the remedial design work. In the event that the design engineer should either abstain from undertaking the remedial design work or not be engaged by the client to perform these services, the client may engage the services of the peer reviewer to undertake such work.

e. Issue no statements, criticisms, or arguments on structural engineering matters which are inspired or paid for by interested parties, unless they indicate on whose behalf the statements are made.

f. Be dignified and honest in explaining their work and merit, and avoid acts tending to promote their own interests at the expense of the integrity, honor and dignity of the structural engineering profession.

**TENET 4.**

Structural engineers act for each employer or client as faithful agents or trustees, and avoid conflicts of interest.

a. Strive to avoid conflicts of interest with employers or clients, and promptly inform employers or clients of any business association, interests, or circumstances which could influence their judgment.

b. Refuse compensation from more than one party for the same services on a project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to, by all interested parties.

c. Avoid soliciting or accepting gratuities from other parties that create a conflict of interest.

d. When providing public service as members, advisors, or employees of a governmental body or department, avoid participating in considerations or actions with respect to services solicited or provided by them or their organization in private or public structural engineering practice.

e. Avoid using confidential information coming to them in the course of their assignments as a means of making personal gain or profit if such action is adverse to the interests of their clients, employers or the public.

f. Avoid accepting professional employment outside of their regular work or interest, when such activity could harm their employer or create a conflict of interest.

g. Avoid using equipment, supplies, computer files, computer software, laboratory or office facilities, or other real or intellectual property of their employers to carry on outside private practice without the consent of their employers, or in any manner inconsistent with any lease or licensing agreements governing such use.

**TENET 5.**

Structural engineers build their professional reputation on merit and compete fairly with others.

a. Avoid giving, soliciting or receiving either directly or indirectly, any political contribution, gratuity, or consideration in order to secure work.

b. Negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required. Disclose to the client any subcontracting, joint venturing, or outsourcing of structural engineering services by the structural engineer.

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

d. Provide accurate representation of their academic and professional qualifications or experience.
e. Give proper credit for structural engineering work to those contributing, and recognize the proprietary interests of others. When possible, name those responsible for designs, inventions, writings or other accomplishments.

f. Advertise professional services in a manner that is accurate, not deliberately false or misleading. Suggested and recommended means of advertising include:

1. Professional advertisements in recognized publications, and listings in rosters or directories published by responsible organizations, provided that the advertisements or listings are consistent in size and content, are in a section of the publication regularly devoted to such professional advertisements, and are accurate and not misleading with respect to the structural engineer’s extent of participation in projects described.

2. Professional advertisements benefitting or sponsoring charitable organizations.

3. Brochures and Internet Web pages which accurately describe experience, facilities, personnel and capacity to render service, providing they are not deliberately misleading with respect to the engineer’s participation in projects described.

4. A statement of the structural engineers’ names or the name of the firm and statement of the type of service posted on projects for services rendered.

5. Preparation or authorization of descriptive articles for the lay or technical press, which are accurate. Such articles should not imply anything more than direct participation in the project described.

6. Commercial advertisements as may be published by contractors and material suppliers, containing a modest, accurate statement acknowledging the structural engineer’s participation in the project, and used by permission of the structural engineer.

g. Avoid maliciously or falsely, directly or indirectly, injuring the professional reputation, prospects, practice or employment of others, or indiscriminately criticize another’s work.

h. Decline an appointment to supplant the original structural engineer when doubt exists regarding the resolution of the outstanding matters between the client and the original structural engineer.

**TENET 6.**

Structural engineers act in such a manner as to uphold and enhance the honor, integrity, and dignity of the structural engineering profession, without tolerance for corruption.

a. Act in such a manner which will uphold the honor, integrity, or dignity of the engineering profession, and avoid knowingly engaging in business or professional practices of a fraudulent, dishonest or unethical nature.

b. Be honest in their control and spending of monies, and promote effective use of resources through open, honest, and impartial service to the public, employers, associates and clients.

c. Be especially vigilant to maintain appropriate ethical behavior where payments of gratuities or bribes are institutionalized practices.

d. 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.

e. Avoid procuring, copying, or otherwise using the computer files, computer software, or other real or intellectual property of others without the consent of the product or property owner, or in any manner inconsistent with any lease or licensing agreements governing such use.

**TENET 7.**
Structural engineers continue their professional development throughout their careers, and provide opportunities for the professional development of others.

a. Strive to keep current in their specialty fields. This may be achieved by engaging in professional practice, participating in continuing education courses, reading in the technical literature, and attending professional meetings and seminars.

b. Encourage their engineering employees to become licensed, certified, or registered.

c. Strive to attend and present papers at professional and technical society meetings.

d. Strive to uphold a professional structural engineering relationship between employers and employees with respect to terms of employment including technical positions, salary ranges, and benefits.

Footnotes

1 NCSEA (National Council of Structural Engineers Associations) wishes to acknowledge and thank the American Society of Civil Engineers (ASCE), whose Code of Ethics was used as the basis for this document.

2 The Introduction is intended to be deleted upon adoption.