ETHICS –
IT'S SELDOM AS CLEAR AS WE THINK

Presented to Air & Waste Management Association

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October 27, 2022

OBJECTIVES

DOING THE RIGHT THING IS SOMETIMES HARD, BUT NEVER WRONG.

@CHRISTINECAINE

Ethics sounds easy. All we have to do is "The Right Thing"

BLACK AND WHITE

- **Cambridge defines - A black-and-white subject or situation is one in which it is easy to understand what is right and wrong:**

- **Macmillan defines - involving one idea that is clearly right and another that is clearly wrong, so that it is not difficult for you to make a moral decision**

OBJECTIVES

Ethics are usually not clear cut.

Are there circumstances that determine
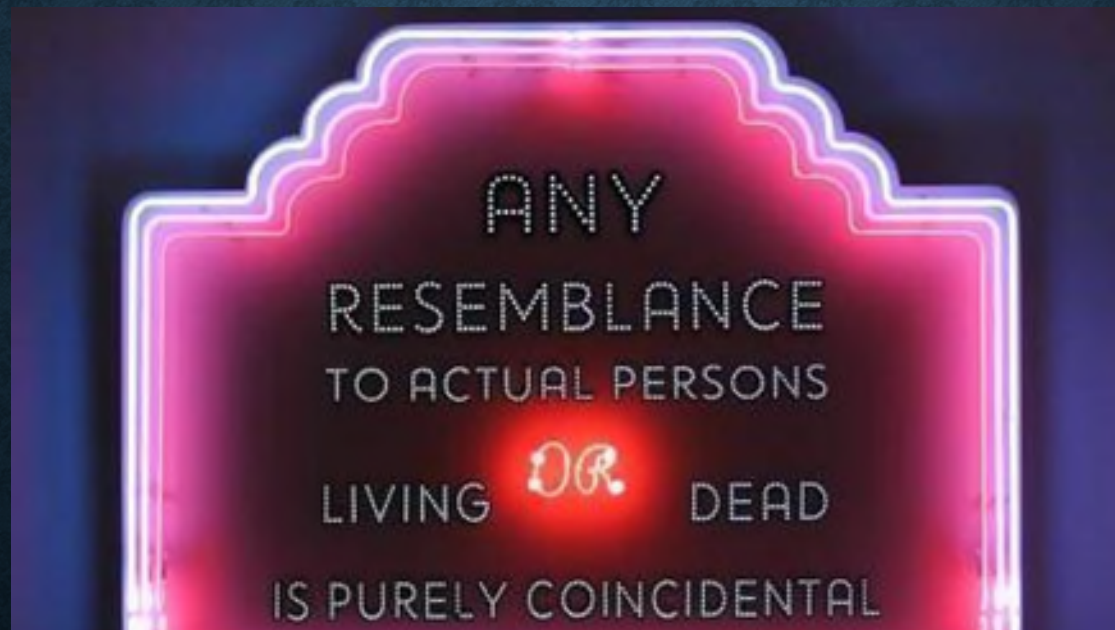
"what is the right thing"?

The Goal Today

Discuss Hypothetical Scenarios that generate some

Ethical Thought for all of us

DISCLAIMER

I am not an Expert

Any Scenarios are absolutely fictional

ASCE ETHICS

ADOPTED IN 1914

BUT RECENTLY REVISED ENTIRELY

ASCE ETHICS

PREAMBLE

Members of The American Society of Civil Engineers 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 Civil Engineering.

Engineers govern their professional careers on the following fundamental principles:

• create safe, resilient, and sustainable infrastructure;

• treat all persons with respect, dignity, and fairness in a manner that fosters equitable participation without regard to personal identity;

• consider the current and anticipated needs of society; and

• utilize their knowledge and skills to enhance the quality of life for humanity.

ASCE ETHICS

PREAMBLE

All members of The American Society of Civil Engineers, 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, the five stakeholders are listed in the order of priority. There is no priority of responsibilities within a given stakeholder group with the exception that 1 takes precedence over all other responsibilities.

ASCE ETHICS

1. SOCIETY

2. NATURAL AND BUILT ENVIRONMENT

3. PROFESSION

4. CLIENTS AND EMPLOYERS

5. PEERS

ASCE ETHICS

Society

Engineers:

a. first and foremost, protect the health, safety, and welfare of the public;

b. enhance the quality of life for humanity;

c. express professional opinions truthfully and only when founded on adequate knowledge and honest conviction;

d. have zero tolerance for bribery, fraud, and corruption in all forms, and report violations to the proper authorities;

e. endeavor to be of service in civic affairs;

ASCE ETHICS

Society

Engineers:

f. treat all persons with respect, dignity, and fairness, and reject all forms of discrimination and harassment;

g. recognize the diverse historical, social, and cultural needs of the community, and incorporate these considerations in their work;

h. consider the capabilities, limitations, and implications of current and emerging technologies when part of their work; and

i. report misconduct to the appropriate authorities where necessary to protect the health, safety, and welfare of the public

ASCE ETHICS

Natural and Built Environment

Engineers:

a. adhere to the principles of sustainable development;

b. consider and balance societal, environmental, and economic impacts, along with opportunities for improvement, in their work;

c. mitigate adverse societal, environmental, and economic effects; and

d. use resources wisely while minimizing resource depletion.

ASCE ETHICS

Profession

Engineers:

a. uphold the honor, integrity, and dignity of the profession;

b. practice engineering in compliance with all legal requirements in the jurisdiction of practice;

c. represent their professional qualifications and experience truthfully;

d. reject practices of unfair competition;

e. promote mentorship and knowledge-sharing equitably with current and future engineers;

f. educate the public on the role of civil engineering in society; and

g. continue professional development to enhance their technical and non-technical competencies.

ASCE ETHICS
Clients and Employers

Engineers:

a. act as faithful agents of their clients and employers with integrity and professionalism;

b. make clear to clients and employers any real, potential, or perceived conflicts of interest;

c. communicate in a timely manner to clients and employers any risks and limitations related to their work;

d. present clearly and promptly the consequences to clients and employers if their engineering judgment is overruled where health, safety, and welfare of the public may be endangered;

e. keep clients' and employers' identified proprietary information confidential;

f. perform services only in areas of their competence; and

g. approve, sign, or seal only work products that have been prepared or reviewed by them or under their responsible charge.

ASCE ETHICS

Peers

Engineers:

a. only take credit for professional work they have personally completed;

b. provide attribution for the work of others;

c. foster health and safety in the workplace;

d. promote and exhibit inclusive, equitable, and ethical behavior in all engagements with colleagues;

e. act with honesty and fairness on collaborative work efforts;

f. encourage and enable the education and development of other engineers and prospective members of the profession;

g. supervise equitably and respectfully;

h. comment only in a professional manner on the work, professional reputation, and personal character of other engineers; and

i. report violations of the Code of Ethics to the American Society of Civil Engineers.

ASCE ETHICS

Under ASCE bylaws, all ASCE members are required to comply with the Code of Ethics and to report any observed violations. The Committee on Professional Conduct (CPC) reviews and investigates complaints in accordance with its rules of procedure. If the CPC finds that an ethics violation has occurred and that disciplinary actions are appropriate, it will forward its recommendations to ASCE's Executive Committee or Board of Direction for a formal hearing on the matter.

NSPE ETHICS

- 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

ASME CODE OF ETHICS

The Fundamental Principles

- 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;

2. Being honest and impartial, and serving with fidelity, the public, their employers and their clients;

3. Striving to increase the competence and prestige of the engineering profession; and

4. Supporting the professional and technical societies of their disciplines.

The Fundamental Canons

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

2. Engineers shall perform services only in the 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 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 profession.

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

IEEE CODE OF ETHICS

-
I. To uphold the highest standards of integrity, responsible behavior, and ethical conduct in professional activities.

- **1. to hold paramount the safety, health, and welfare of the public, to strive to comply with ethical design and sustainable development practices, to protect the privacy of others, and to disclose promptly factors that might endanger the public or the environment;**

- **2. to improve the understanding by individuals and society of the capabilities and societal implications of conventional and emerging technologies, including intelligent systems;**

- **3. to avoid real or perceived conflicts of interest whenever possible, and to disclose them to affected parties when they do exist;**

- **4. to avoid unlawful conduct in professional activities, and to reject bribery in all its forms;**

- **5. to seek, accept, and offer honest criticism of technical work, to acknowledge and correct errors, to be honest and realistic in stating claims or estimates based on available data, and to credit properly the contributions of others;**

- **6. to maintain and improve our technical competence and to undertake technological tasks for others only if qualified by training or experience, or after full disclosure of pertinent limitations;**

- **II. To treat all persons fairly and with respect, to not engage in harassment or discrimination, and to avoid injuring others.**

- **7. to treat all persons fairly and with respect, and to not engage in discrimination based on characteristics such as race, religion, gender, disability, age, national origin, sexual orientation, gender identity, or gender expression;**

- **8. to not engage in harassment of any kind, including sexual harassment or bullying behavior;**

- **9. to avoid injuring others, their property, reputation, or employment by false or malicious actions, rumors or any other verbal or physical abuses;**

ETHICS

Bill's Simple Rules of Ethics

(Not Really Mine)

- Is it illegal?

- Would you be embarrassed if it were in the News, TV or Social Media?

- Would you be embarrassed to tell your family?

ETHICS

Doesn't all of this boil down to

"Just Do The Right Thing"

LET'S DISCUSS SOME POTENTIAL ISSUES

Are they as clear as we think??
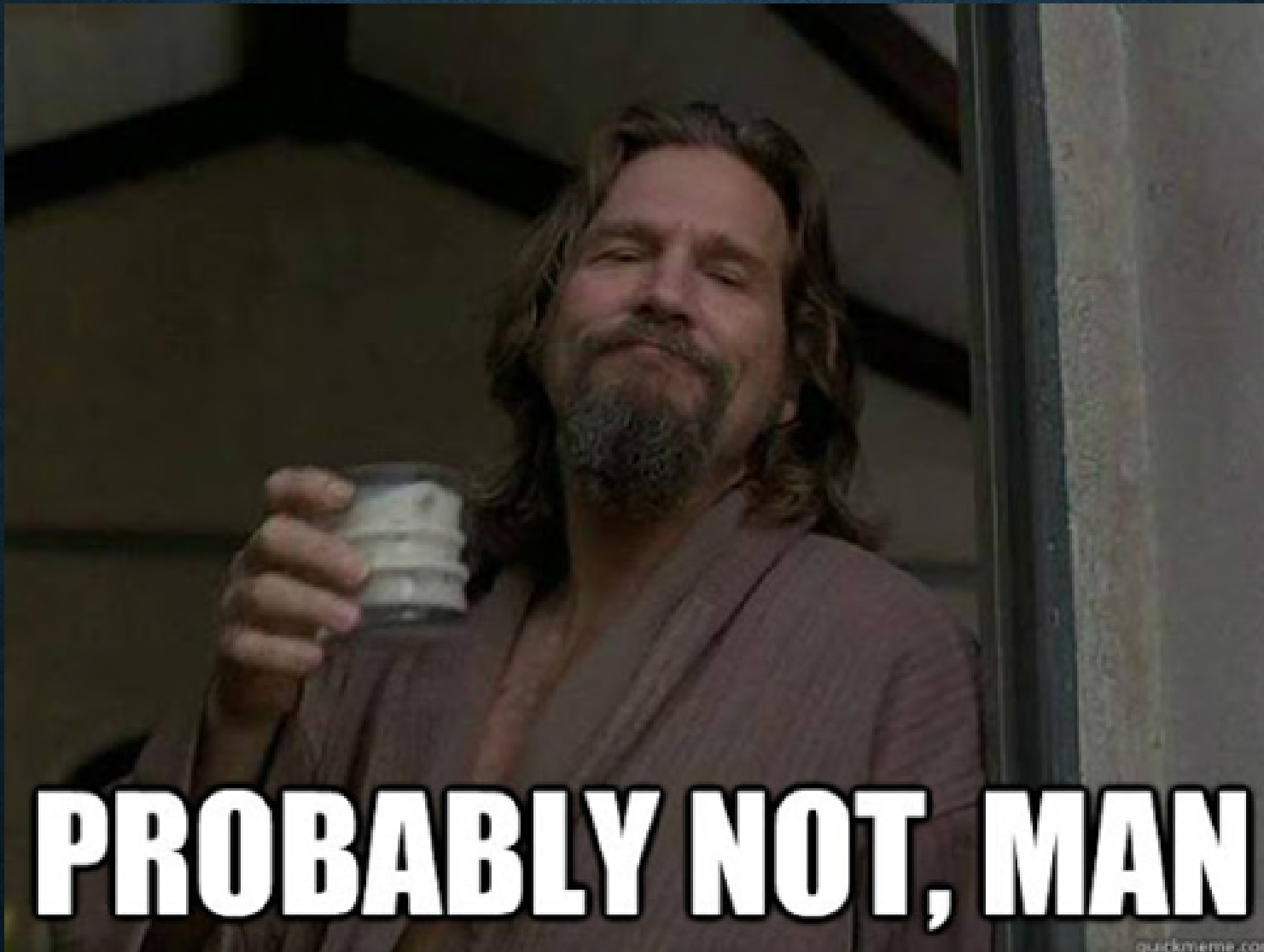
Let's set the stage…

THE FRIEND'S DILEMMA

- A very good friend tells you they always run stop signs. They are only suggestions. It's perfectly fine to roll thru…..
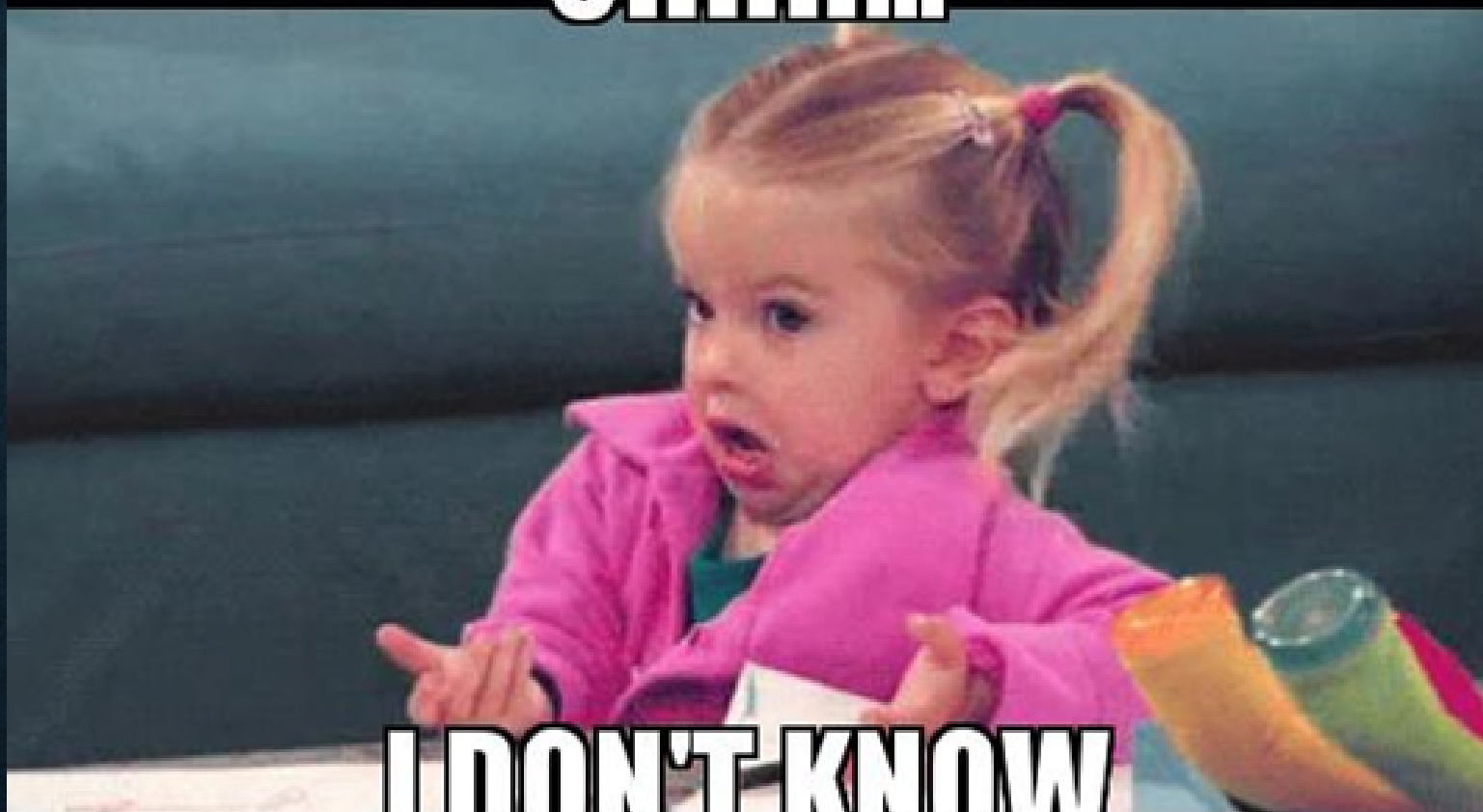
DO YOU TURN HIM IN?

- Is it illegal?
- Would you be embarrassed if it were in the News, TV or Social Media?
- Would you be embarrassed to tell your family?

THE FRIEND'S DILEMMA

- A very good friend tells you they always run stop signs. They are only suggestions. But the other day, he hit a car, left the scene (Hit and Run). Obvious that no one was injured. Surely they have insurance. Not a big deal.
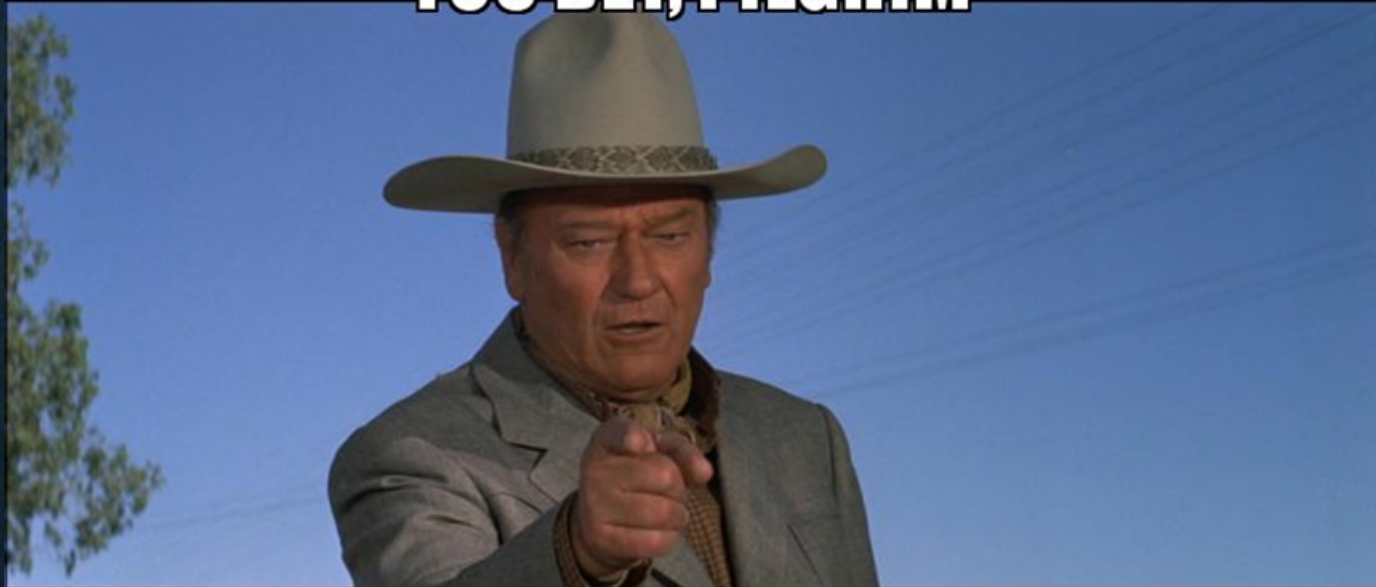
DO YOU TURN HIM IN?

- Is it illegal?
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THE FRIEND'S DILEMMA

- You are walking down the street, you see a car run a stop sign. It careens off a parked car leaving some dents and damage. You get the license plate.

DO YOU TURN HIM IN?

- Is it illegal?
- Would you be embarrassed if it were in the News, TV or Social Media?
- Would you be embarrassed to tell your family?

YOU BET, PILGRIM

THE FRIEND'S DILEMMA

- A very good friend tells you they always run stop signs. They are only suggestions. He runs a stop sign and hits a pedestrian. He runs off leaving the scene. The news reports a pedestrian was killed in a hit and run and there are no witnesses.

DO YOU TURN HIM IN?

- Is it illegal?
- Would you be embarrassed if it were in the News, TV or Social Media?
- Would you be embarrassed to tell your family?

WHAT'S DIFFERENT IN THESE SCENARIOS?

- All illegal

- What sways our decision process?

- Relationships?

- Is one more "trivial"?

- The affect on property?

- The affect on life?

We all must weigh the potential consequences of our actions to the potential conclusion?

Am I at risk?

Is the public/society at risk?

SOMETIMES IT IS EASY? OR IS IT?

LET'S THINK ABOUT SOME POSSIBLE, NORMAL, EVERYDAY SITUATIONS

SAFETY

- You designed a project
- You have NOT been asked to provide construction support
  - You just want to go see your project
- You take a site visit
- The Contractor is your life long friend
- **You see a safety issue**

WHAT DO YOU DO?
POLL QUESTION

- Tell Superintendent?

- Tell your "friend" at the construction company?

- Tell your Manager at the office?

- Tell the client/owner?

- Do nothing?

- And remember, you have no contract here to be engaged……

WHAT DO YOU DO?

- And nothing happened after you advised……

- NOW WHAT?

ASCE ETHICS

Society

Engineers:

a. **first and foremost, protect the health, safety, and welfare of the public;**

LET'S CHANGE THIS UP A LITLE

SAFETY

- You have nothing to do with the project
- You are walking by the site
- You see a safety issue

ASCE ETHICS

Society

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OPTIONS?
POLL QUESTION

- Do Nothing

- Call the Contractor

- Tell your Management

- Call the Local Building Officials

- Post on Social Media

- Call the media

CLEAR ENOUGH FOR YOU?

BILL'S TEST

- Is it illegal?

- Would you be embarrassed if it were in the News, TV or Social Media?

- Would you be embarrassed to tell your family?

GIFTING

- A material supplier sends you a case of wine every Christmas

- Is it ok to accept?

THE ETHICS ISSUES

- have zero tolerance for bribery, fraud, and corruption in all forms, and report violations to the proper authorities;

- uphold the honor, integrity, and dignity of the profession

- act as faithful agents of their clients and employers with integrity and professionalism;

- make clear to clients and employers any real, potential, or perceived conflicts of interest

BILL'S TEST

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LET'S TALK RECENT

A "Disaster" strikes

I AM NOT AN EXPERT!

SURFSIDE TOWERS

REPORTED TO DATE....

- As federal investigators piece together evidence, a trail of documents indicated the 12-story, 136-unit oceanfront condo building had substantial concrete structural damage to its pool deck area and was overdue for repairs.

REPORTED TO DATE....

- While federal authorities have not yet concluded the investigation to determine the cause of the fall, a number of experts and engineers believe prolonged structural damage, delayed repairs and environmental issues over four decades could have contributed to the building's deterioration.

REPORTED TO DATE....

- Signs of structural damage to the Champlain Towers South's pool deck and garage ceiling were reported as early as 1996. Western Water Co., a local contractor, noted in a report the pool deck of the Champlain condo building and the ceiling of the underground parking garage beneath needed "concrete structural repair."

YOU SEE DAMAGE…

YOU SEE DAMAGE...

WHAT DO YOU DO?

ASCE ETHICS

Society

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e. endeavor to be of service in civic affairs;

DO YOU REPORT IT?

- TO WHO?
  - OWNERS
  - CITY
  - STATE
  - MEDIA
  - BOSS
  - SOCIAL MEDIA

NONE OF THIS IS REAL!

Wow! The land of make believe!

THE PHONE STARTS TO RING

Will you speak about this on TV?

WHAT DO THEY WANT? REALLY?

A Headline

A "scoop"

WHAT ARE THE ISSUES?

LETS IMAGINE

- I go on TV

- The last building I did was 35 years ago

- I've done no analysis

- "From the video's I've seen, appears it was a failure due to the XYZ Company's negligence. But I've done no analysis"

SOCIETY

Engineers:

c. express professional opinions truthfully and only when founded on adequate knowledge and honest conviction;

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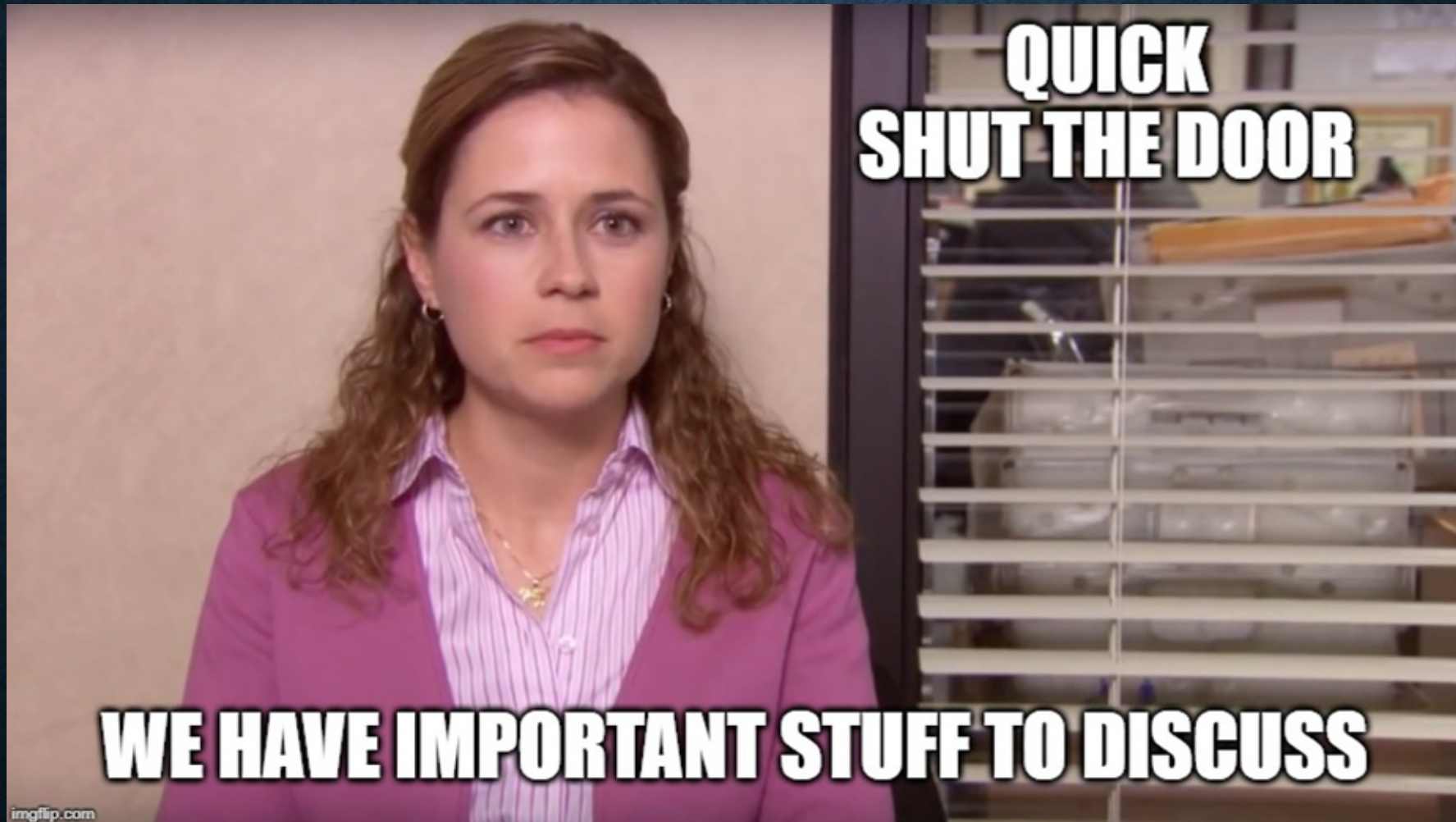
- Would you be embarrassed to tell your family?

BUT IS IT UNETHICAL?

SO WHAT ABOUT IF I AM NOT ON TV?

At the office

IF SOMEONE ASSIGNS FAULT THRU CONJECTURE

- Has that violated any ethics standards

- Is this just running a stop sign?

IF SOMEONE ASSIGNS FAULT THRU CONJECTURE (IN A PRIVATE CONVERSATION)

- Has that violated any ethics standards

- Is this just running a stop sign and the minor hit and run?

SO WHAT ABOUT IF I AM NOT ON TV?

On Social Media

IF SOMEONE ASSIGNS FAULT THRU CONJECTURE

- Has that violated any ethics standards

- Is this just running a stop sign?

LET'S LOOK AT ONE MORE

THIS ONE IS NOT FICTIONAL

SOME BACKGROUND FIRST

- Put in place March 10, 2018 - Cracks start appearing at supports

- March 11 – cracks more extensive

- March 13 – "We do not see this as a safety issue"

- March 15 – early morning inspection followed by Entire Team Meeting
  - "No Safety Concerns"

SOME BACKGROUND FIRST

MARCH 15 AFTERNOON

IN THAT MEETING....

Everyone involved on the project.

The Entire Team

Contractor, Inspectors, Owners, FIU, DOT

AND NO ONE SAID A WORD….

SOCIETY

Engineers:

a. first and foremost, protect the health, safety, and welfare of the public;

b. enhance the quality of life for humanity;

DO WE THINK ANYONE IN THAT MEETING THOUGHT IT WAS UNSAFE?

Why didn't they speak?

Relationships with boss?

Relationship with the Experts?

Afraid of being laughed at?

They know best!

YOU ARE IN THE MEETING.
WHAT WOULD YOU DO?
POLL

- Keep Quiet – I don't know enough about concrete and design issues

- Tell my Boss/Manager afterwards

- Stand up and be vocal – "this is a problem, close the road"

- Leave the meeting and call the press

- Post on social media

- Seek out colleagues for an opinion

"I'm not stupid, I chose not to say anything to keep the peace..."

Anonymous
24 Feb 2013 9:22 pm

DID ANYONE IN THAT ROOM VIOLATE THE ASCE CODE OF ETHICS?

MILGRAM EXPERIMENT

- Started as a Bar Bet

- Why would Nazi Soldiers torment prisoners?

- Under certain circumstances would you "torture" someone?

- Would YOU knowingly subject someone to 450 volts?

MILGRAM EXPERIMENT

MILGRAM EXPERIMENT

Results:
65% (two-thirds) of participants (i.e., teachers) continued to the highest level of 450 volts.
All the participants continued to 300 volts.

Conclusion:
The individual explanation for the behavior of the participants would be that it was something about them as people that caused them to obey, *but a more realistic explanation is that the situation they were in influenced them and caused them to behave in the way that they did.*

Take-a-ways:
- We all have the opportunity to morally disengage...and it seems more likely than not (2/3 of us will do so particularly if a supervisor/authority figures asks us to)...

CLOSING THOUGHTS

- It may not be easy to do "the right thing"

- There are many factors that drive the "ethical" decision
  - Relationships can be a key factor
  - Personal and Business
  - Loss of life?
  - Loss of property?

- Easy to say put those aside

- But in the end, what are we **Required** to do?

HOW TO KEEP YOUR MORAL BEARINGS

- Know what you believe is right and wrong

- When making decisions apply the golden rule

- Guard against being lulled into thinking you can't make a bad decision

- Would I be comfortable with my decision on the front page of the newspaper?

- Practice ethical decision making everyday

- Discuss tough ethical situations with those you respect

- Find your courage

- Apply the same code of ethics at work, home, school, etc

- Above being loyal to your superiors, be loyal to your principles

COMMENTS/QUESTIONS

And Remember, I am NOT the expert

I may not have the answer