Obligation to Communicate in an Appropriate Manner

Case No. 10-1

Facts:

Engineer A reads a public online newspaper blog relating to a local construction project. Engineer A strenuously disagrees with the view of the author of the blog and so writes a lengthy response to the online blog which also includes coarse, abusive, and obscene language. Engineer A includes his name along with his P.E. designation.

Question:

Was it ethical for Engineer A to include his P.E. designation in the blog posting?

References:

Section I.6.	-	*NSPE Code of Ethics:*	*Engineers, in the fulfillment of their professional duties, shall conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.*
Section II.2.	-	*NSPE Code of Ethics:*	*Engineers shall perform services only in the areas of their competence.*
Section III.2.c.	-	*NSPE Code of Ethics:*	*Engineers are encouraged to extend public knowledge and appreciation of engineering and its achievements.*

Discussion:

The NSPE Code of Ethics strongly encourages engineers to engage in public policy issues and discussions by extending public knowledge and appreciation of engineering and its achievements. There are a variety of mechanisms available to engineers in engaging in these discussions and activities. In engaging in these activities, engineers are obligated to conduct themselves honorably and with dignity.

Numerous NSPE Board of Ethical Review cases have examined some of the methods in which engineers can engage in these activities. They include political candidacy (Case No. 75-4), political announcements (Case No. 74-10), comments on matters involving protection of the public health and safety (Case Nos. 79-2, 88-7, 07-10), and other methods and activities. As well educated professionals, engineers must play an important role in public policy issues affecting policies at the local, state, regional, and national levels.

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One case which was considered by the NSPE Board of Ethical Review and which has a bearing on the Board's analysis in the present case is NSPE Board of Ethical Review Case No. 04-6. In that case, Engineer A, the president of a national technical society, was invited to address Engineer A's technical discipline at a gathering of engineers and engineering students at a college of engineering. Toward the end of the address, Engineer A noted that engineers in his discipline of practice, as well as in certain other disciplines of engineering practice, are "paid to think" while engineers in a newer discipline of engineering practice are "paid not to think."

After seeing that his comments were not well received by some members of the audience, including some guests who were members of the newer discipline, Engineer A said "I should have asked if there were any engineers in this newer discipline in the audience before making remarks concerning their discipline." Engineer B, who practiced in the newer discipline, raised his hand and tried to take the edge off of Engineer A's comments before the members of the audience. Immediately following the presentation, Engineer B sent a letter to Engineer A, criticizing Engineer A for his comments, copying many leaders within the engineering profession, and requesting that Engineer A apologize for his comments.

In its analysis, the NSPE Board of Ethical Review considered Engineer A's comments as merely an "ad hominum" (i.e., personal prejudice) attack both on the newer discipline of engineering and the members of that newer discipline. Such attacks, said the Board, were beneath the dignity of the engineering profession and should not be deemed acceptable under the NSPE Code of Ethics or other professional standards.

In addition, the Board determined that Engineer B's actions, while somewhat strong, were appropriate under the circumstances, considering the position of Engineer A and the need to take quick and effective action to counter Engineer A's ad hominum attack. While arguably Engineer B could have approached Engineer A following his remarks and sought to have Engineer A remedy the situation by issuing a public apology without Engineer B communicating his displeasure to other engineering professional leaders, the Board was not persuaded that Engineer B's actions were outside of the bounds of the NSPE Code, provided his letter was consistent with the comments made at the meeting. Under the facts, there was no suggestion that Engineer B's actions were intended or had the effect of being done falsely or maliciously and, therefore, the Board was convinced that Engineer B's actions were proper.

In closing its discussion in Case No. 04-6, the Board cautioned that its decision should not be read to condone the mass distribution of critical letters or e-mails beyond those who are in an appropriate position of authority and responsibility to receive this information.

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We believe that Case No. 04-6 is instructive in connection with the present facts of this case because it offers a reasonable standard of conduct by which an engineer's statements and actions should be measured. In Case No. 04-6, both Engineer A and Engineer B's conduct were the subject of the Board's consideration and the Board carefully evaluated their actions based upon professional norms and standards. In the case presently under consideration by the Board, it is clear that Engineer A's actions were well beyond what could be considered acceptable conduct for an engineer or for any professional. To engage in public discourse in a derogatory and crude way and associate one's comments with the engineering profession is clearly inconsistent with the obligation of an engineer to uphold the honor and the dignity of the engineering profession or any profession for that matter.

While it may be argued that an engineer has a right to freely speak and communicate without interference, accompanying that right is the responsibility to act in a manner that does not bring embarrassment and ridicule upon the engineering profession. Engineer A's actions were done without regard or consideration to the engineering profession. If Engineer A intended to bring some level of credibility to the arguments by referencing his status as a professional engineer, those intentions were clearly undermined by his use of coarse, abusive, and obscene language. Certainly engineers have every right and should be strongly encouraged to reference their status as professional engineers as appropriate when offering their opinions, however controversial, on matters of public concern. However, the association of their status as professional engineers with comments that are of a nature as indicated under the facts in this case is well beyond what is appropriate and acceptable.

Conclusion:
It was unethical for Engineer A to post a response to the online blog using coarse, abusive, and obscene language regardless of whether or not he included his name or PE designation.

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