Report on a Case by the Board of Ethical Review

Case No. 61-1

Subject:
Use of PE Seal on Political Advertisement - Canon 2 - Canons of Ethics; Rule 3- Rules of Professional Conduct; NSPE Policy No, 61.

Facts:
A registered engineer, as a candidate for election to a public office, was the subject of a political advertisement containing his photograph and a reproduction of his professional engineers seal. The paid political advertisement was as follows:

"Vote for John Doe-We need an engineer on the Port Commission! That's simple common sense, isn't it? John Doe is an experienced licensed engineer with years of rich accomplishments. He is a builder who disdains delay. He acts now! Sound in decision. As an engineer, he stands highly regarded in wide areas.

"John Doe has effectively performed his engineering skills here at home as the elected _____ County Engineer, in the building of the famed Alcan Highway into Alaska and on important projects in Latin America.

"As an elected public administrator he has served on the board of _____ Commissioners in highly creditable manner and also as an elected member of the State Legislature. And today is serving in stellar manner as an elected member of the _____ City Council, where his wisdom and judgment have stood out in behalf of the people. Doe has earned the public's positive confidence.

"The. . Port Commission has long needed an engineer as one of its members. John Doe is that man! "We need an Engineer on our Board of Port Commissioners. (Paid Political Advertisement.)"

(Note-Also shown on the advertisement were a photograph of the candidate and a reproduction of the PE seal.)

Questions:
1. Is the text of the advertisement unethical?
2. Is this an appropriate use of the seal?

References:
Canons of Ethics-Canon 2-"He will not advertise his work or merit in a self-laudatory manner and he will avoid all conduct or practice likely to discredit or do injury to the dignity and honor of his profession."

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Rules of Professional Conduct-Rule 3-"He should seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health and well-being of his community."

NSPE Policy 61-"The state engineering registration laws generally specify and require that a professional engineer affix his seal to engineering plans, drawings, specifications and other documents applicable to his professional practice. The purpose of this requirement is to indicate the professional qualification, and legal certification of that fact, of the person or persons responsible for the preparation of the engineering documents.

"It is clear that the intent of the state laws will be clouded and the protection accorded the public will be endangered if other indicia having no relationship to the professional qualifications of the person or persons preparing the engineering documents are added, unless required by law."

Discussion:
It is universally agreed that the professional engineer has a right, and even a duty in the general sense, to be active in the political affairs of his community, state and nation. Eminent leaders of the engineering profession have long pointed to lack of political activity on the part of professional engineers and have urged them to seek political office at all levels of government in order to provide the public with the kind of desirable public service which may be expected from one with specialized training and experience in many aspects of governmental activity related to engineering implications. The need for such public service on the part of professional engineers is all the more urgent today as the machinery of government becomes increasingly dependent upon technical knowledge and experience. Rule 3 supports this attitude, and there is no more effective way to implement its philosophy than for professional engineers to work directly as representatives of the public in political organizations.

Question 1. In the instant case, the professional engineer seeking public office stressed his engineering competence and background. We think this was proper and appropriate to the circumstances. While the professional engineer may not advertise his merit in a self-laudatory manner as related to engineering services as stated in Canon 2, we do not read this as requiring him, as a candidate for public office, to hide his light under a bushel or to refrain from advising the voters of the facts on which he bases his claim for election to office. In the realities of political life, the professional engineer should not be placed at a disadvantage and forbidden to recite those personal qualifications which he believes the voters should be made aware of as a basis for their judgment. The quoted advertisement is couched in usual political tones and in the main stresses, the opinion that the individual's engineering qualification is a relevant factor in his selection for the office.

Question 2. The use of his PE seat in the advertisement, however, raises other and more difficult questions. While the display of the seal may have been intended only as

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graphic portrayal of his engineering qualification, as referred to in the text, it is, in fact, more than that. The seal is an official mark authorized by the state for the express purpose of impressing it upon engineering drawings, specifications, plans and reports prepared by the professional engineer. Its use beyond that purpose converts it into a promotional device in a way not contemplated or authorized by the legislature. Also NSPE Professional Policy No. 61 recognizes the limited use of the engineers' seal.

Accordingly, we hold that it is inappropriate for a professional engineer to use his seal in any way other than on engineering documents. Such extraneous use of the seal is likely to discredit and do injury to the dignity and honor of the profession and cheapen the respect and value accorded it as evidence of engineering competence, converting it into a promotional tool of self-aggrandizement.

Conclusions:
Q1. The text, as a political advertisement, is not unethical.*

Q2. This use of the seal is inappropriate.

Board of Ethical Review PHIL T. ELLIOTT, P. E. EZRA K. NICHOLSON, P. E. WYLIE W. GILLESPIE. P. E. A. C. KIRKWOOD, P. E. PIERCE G. ELLIS, P. E. Chairman

Dissenting Opinion:
We agree with the other members on the conclusion to Question 2. On Question 1, we believe that the same standard of ethics applicable to professional engineering as enunciated in Case 59-1 (AMERICAN ENGINEER, April, 1960) should be applied to a political advertisement by a professional engineer. MARVIN C NICHOLS, P.E., L.R. DURKEE, P.E.

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