Report on a Case by the Board of Ethical Review

Case No. 66-3

Subject: Name of Engineer on Building
Section 3-Code of Ethics; Section 3(a)-Code of Ethics.

Facts:
An engineer rents office space in a building on the main business street of a city. There are three other tenants in the building, each of whom is engaged in a commercial type of enterprise. These tenants have painted on the side of the building, which is easily noticeable from the street, the names of their companies in prominent letters. The engineer is considering adding the name of his firm in an available space immediately below or above the present signs.

Question:
Is it ethical for an engineer to place the name of his firm on the side of a building in which he occupies space as described above and adjacent to the names of commercial firms which occupy space in the building?

References:
Code of Ethics-Section 3-"The Engineer will not advertise his work or merit in a self-laudatory manner, and will avoid all conduct or practice likely to discredit or unfavorably reflect upon the dignity or honor of the profession."

Section 3 (a)-"Circumspect advertising may be properly employed by the Engineer to announce his practice and availability. Only those media shall be used as are necessary to reach directly an interested and potential client or employer, and such media shall in themselves be dignified, reputable, and characteristically free of any factor or circumstance that would bring disrepute to the profession or to the professional using them. The substance of such advertising shall be limited to fact and shall contain no statement or offer intended to discredit or displace another engineer, either specifically or by implication."

Discussion:
We believe that this case is governed by the principles enunciated in Case No. 62-8, in which it was concluded that billboard advertising for engineering services is unethical.

It was pointed out in Case No. 62-8 that the Code (then the Canons of Ethics and Rules of Professional Conduct) "do not prohibit or restrict advertisement of engineering services as to size, format, or style, provided such advertisement is dignified, circumspect, and in good taste, and is not self-laudatory." The conclusion in that Case was based on advertisements in magazines. But we added the comment:

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> "If size, format or style were the only factors in the instant case we could base our conclusion on the earlier opinion. However, we are confronted now with the additional question of the type of media employed: i.e., billboard. While billboard advertising has its place in the commercial world it is most inappropriate for the offering of professional engineering services. This is the commercialization of professional engineering services run riot and by its nature it cannot be considered dignified, circumspect or in good taste. It is a medium which is not directed at any particular group or class of potential or interested clients; rather it is a general offer to the whole public and thereby places engineering services on the same plane as products which are normally offered to the public via billboards."

Applying these principles to the present case we do not believe that the sign on the side of the building for the engineering would per se be objectionable if it is circumspect in content and style. In this case it is distinguished from a billboard advertisement because it is on the site of the engineer's location and its primary purpose is to serve as identification of the location of the engineer rather than as an advertisement for his services.

With regard to the sign being adjacent to similar signs of commercial organizations occupying space in the building, it was held in Case 62-15 that it was not ethical for an engineer to include a listing of his firm name along with similar listings for business or commercial firms in a newspaper advertisement. The case before us is distinguished from that holding, however, because the main objection in Case 62-15 was that the listing of the firm name "with a conglomeration of unrelated business enterprises," thereby might leave "the public with the impression that the practice of engineering is merely another in a series of business and commercial enterprises."

That reason does not apply to the present case because the primary purpose of the sign is not to solicit business or advertise the work of the engineer, but rather to identify the location of the engineer.

Conclusion:
It is ethical for an engineer to place the name of his firm on the side of a building in which he occupies space under the condition described.

BOARD OF ETHICAL REVIEW CASE REPORTS: The Board of Ethical Review was established to provide service to the membership of the NSPE by rendering impartial opinions pertaining to the interpretation of the NSPE code of ethics.

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