Report on a Case by the Board of Ethical Review

Case No. 66-9

Subject: Advertising - Engineers' Week Section of Newspaper
Section 3- Code of Ethics; Section 3(a)-Code of Ethics; Section 4-Code of Ethics.

Facts:
A chapter of the state professional engineering society sponsors an extensive Engineers' Week program in its area, including a cooperative arrangement with a daily newspaper for a special section which will contain a variety of news articles, feature stories, and pictures to show how engineers contribute to the development of new products and services. To aid the newspaper in financing the cost of the special section, the local chapter writes to each consulting engineer member advising him that a representative of the newspaper will call upon him to place an advertisement in the special section and urging that the member take such an advertisement "to help assure the financial success of this project and to demonstrate your support for the engineers of the area." This special section will also include advertisements of manufacturers, suppliers, and other commercial organizations. The consultants are also requested to submit news articles and pictures concerning the activities of the firm.

Questions:
1. Is it ethical for a consulting engineer to carry an advertisement in a special Engineers' Week section of a local newspaper?

2. Is it ethical for a consulting engineer to submit editorial material for a special Engineers' Week section of a local newspaper regarding the activities of the firm?

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 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."

Section 4-"The Engineer will endeavor to extend public knowledge and appreciation of engineering and its achievements and to protect the engineering profession from misrepresentation and misunderstanding."

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Discussion:
The purpose of Engineers' Week is to extend to the public a better understanding of the role of engineers and to illustrate the ways and means by which the engineering profession enhances the welfare and safety of the public. Engineers' Week performs a laudable and commendable activity on behalf of the entire profession and for that reason has long been sponsored by the National Society of Professional Engineers. It logically follows that all members of the engineering profession should cooperate and support that activity.

The question raised in this case treats only the methods to provide such support by members of the profession as weighed against the strictures of the Code of Ethics. We have enumerated on various occasions the limits of advertising in particular examples (Cases 59-1, 60-1, 61-3, 62-2, 62-8, 62-15, 63-3, 63-7, 64-8.)

In Case 62-15 it was held that it was unethical for an engineer to include a listing of his firm name along with similar listings for business and commercial firms in general advertisements supporting local civic and charitable causes. The primary reason for that holding was "because of its association with a conglomeration of unrelated business enterprises, thereby leaving the public with the impression that the practice of engineering is merely another in a series of business and commercial enterprises." It is also pertinent in that case that the names of the advertisers appeared in uniform size type, with a brief description of the product or service involved.

Our opinion in Case 62-15 is not controlling in this case, however, because both the tenor and content of the advertisements are in a completely different context. In the pending case the advertisement of the consulting firm will be separate from the advertisements of other companies or organizations as distinguished from the joint advertisement in case 6215. Therefore, the basic objection found in Case 62-15 does not apply. The reader of the advertisement will not be led to believe that the engineering firm is comparable in purpose to the manufacturers, suppliers, or other commercial operations. We assume that in reaching this conclusion it is evident that the advertisement of the engineering firm must be circumspect, dignified, and not self-laudatory, as required by the Code.

We perceive no objection to the engineering firm supplying material for the special section in the form of articles, reports, or pictures to indicate the activities of the firm. These, in fact, will support the purpose of the special section in demonstrating to the public the manner in which engineers provide services for the public weal. It is obvious, of course, that such material furnished by the engineering firm must in all respects satisfy the mandate of the Code with regard to self-laudation and adherence to fact. The Code does not, however, prevent the firm from being identified in the stories or in captions of pictures with particular projects of public interest. As noted in Case 59-1, "There is no objection to having a proper credit line for the work of consulting engineers on a particular project in a company-sponsored advertisement; such credit lines are, in

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fact, encouraged as a proper recognition for the professional services of the consulting engineer." We believe that this thought is equally applicable to the identification of a firm in stories or pictures of a special newspaper section devoted to the contributions of engineers to the public welfare.

Conclusions:
It is ethical for a consulting engineer to carry an advertisement in a special Engineers' Week section of a local newspaper and to submit editorial material regarding the activities of the firm provided such advertisement is circumspect, dignified, and not self-laudatory.

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 pertaining to the interpretation of the NSPE code of ethics.

BOARD OF ETHICAL REVIEW FOR THESE CASES: T. C. Cooke, P.E., C. C. Hallvik, P.E., James Hallett, P.E., N. O. Saulter P.E., Sherman Smith, P.E., Kurt F. Wendt, P.E.', Waldemar S. Nelson, P.E., Chairman

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