Report on a Case by the Board of Ethical Review

Case No. 67-10

Criticism of Engineering in Products

Facts:
Engineer A, employed by the XYZ Manufacturing Company, which produces and sells a variety of commercial home-use products, became concerned about what he regards as a trend toward the production of "cheap" products for sale to the public. He feels that this trend toward inferior and shoddy products is due in large part to inadequate engineering, and that an increase in engineering effort could produce products of greater durability and efficiency.

Engineer A joins a group of other engineers, not all of whom work for the same company, who feel the same way. They form a "Citizens Committee for Quality Products." Engineer A becomes a leading spokesman for their cause, including public statements, letters to local newspapers and appearance before legislative bodies in support of laws to impose minimum standards for commercial products.

Engineer B, the supervisor of Engineer A, warned him that if he continued in his activities, he would be discharged because he was putting his employer in an embarrassing position, even though Engineer A had not mentioned the products of his employer or any other specific company in his activities on behalf of the Citizens Committee.

Questions:
1. Was Engineer A in violation of the Code of Ethics?

2. Was Engineer B in violation of the Code of Ethics?

References:
Code of Ethics-Section 1- "The Engineer will be guided in all his professional relations by the highest standards of integrity, and will act in professional matters for each client or employer as a faithful agent or trustee."

Section 2-"The Engineer will have proper regard for the safety, health, and welfare of the public in the performance of his professional duties. If his engineering judgment is overruled by nontechnical authority, he will clearly point out the consequences. He will notify the proper authority of any observed conditions which endanger public safety and health."

Section 2 (a)-"He will regard his duty to the public welfare as paramount."

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Section 2 (b)-"He shall 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."

Discussion:
Whether or not the engineer-members of the Citizens Committee were justified in their opinions is not germane to this case. It is sufficient to assume that they were sincere in those opinions and believed they were serving the public interest in their activities.

It is basic to the entire concept of a profession that its members will devote their interests to the public welfare, as is made abundantly clear in Section 2 and Section 2(a) of the Code. What was being done, assuming good faith, was in full accord with the mandate of Section 2(b) of the Code.

The same principles and Code provisions are binding on the engineering supervisor who threatened Engineer A with the possible discharge if he continued his activities on behalf of the Citizens Committee. By so doing, Engineer B may have intended to act in the interests of the employer of both, but at the same time he was subordinating the public welfare requirements of the Code.

What we have said does not conflict with the holding in Case 61-10, in which it was found that engineers assigned to the design of a commercial product of lower quality should not question the company's business decision, but have an obligation to point out any safety hazards in the new design, and may offer their personal opinions and comments to management.

In this case, we are not dealing with the product of a particular company or any particular product. What Engineer A and his colleagues are doing is taking upon themselves what they regard to be a public service designed to raise the quality of all products. This we believe they are entitled to do under the Code, recognizing that they may place their own position in jeopardy by going counter to the apparent interests of their employers. If punitive action is taken by one or more employers of the engineers engaged in this activity, the Code will not rescue them because the Code applies only to individual engineers and not to companies.

Engineer B, even though intending to act in the best interests of his employer, is in conflict with the cited sections of the Code because by his threat he intends to preclude other engineers from carrying out what they believe to be motives consonant with the Code.

Conclusions:*
1. Engineer A was not in violation of the Code of Ethics.

2. Engineer B was in violation of the Code of Ethics.

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