Report on a Case by the Board of Ethical Review

Case No. 68-11

Review of Architect's Plans

Facts:
Engineer "A" is employed by an industrial corporation. His immediate supervisor is Engineer "B", who is chairman of a civic committee responsible for retaining an architect to design a civic facility. When Engineer "B" received the completed plans and specifications from the architect, he directed Engineer "A" to review them in order to (1) gain knowledge, (2) suggest improvements, (3) assure their compliance with the specified requirements.

Questions:
1. Is the instruction of Engineer "8" to Engineer "A" consistent with the Code of Ethics?

2. Is Engineer "A" ethically permitted to carry out the instructions given him by Engineer "B"?

References:
Code of Ethics-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." Section 6-"The Engineer will undertake engineering assignments for which he will be responsible only when qualified by training or experience; and he will engage, or advise engaging, experts and specialists whenever the client's or employer's interests are best served by such service." Section 12 (a)-"An Engineer in private practice will not review the work of another engineer for the same client, except with the knowledge of such engineer, or unless the connection of such engineer with the work has been terminated." Section 12 (b)-"An Engineer in governmental, industrial, or educational employ is entitled to review and evaluate the work of other engineers when so required by his employment duties." Section 15 (a)-"He will encourage his engineering employees' efforts to improve their education."

Discussion:
We base our discussion and conclusions on the assumption that Engineer "B" as a supervisor was acting within the scope of his authority and had the explicit or implied permission of his employer to use his time and that of Engineer "A" for the stated purposes.

Both Engineer "A" and Engineer "B" would be providing professional services in accord with the mandate of Section 2 (b) in that their respective roles are intended to be of constructive value to the community.

Copyright © 1968 National Society of Professional Engineer (NSPE) www.nspe.org . All rights reserved.
To request permission to reproduce this NSPE Board of Ethical Review Case, please contact the NSPE Legal Department (legal@nspe.org).

Also, Engineer "B" is acting within the concept of Section 15 (a) in having Engineer "A" perform the review for the purpose, in part, of gaining knowledge.

The more pertinent and difficult question, however, is the limitation imposed by Section 12 (b). This section of the Code implies that the review of the work of another engineer by an engineer in industry is for the purposes of his employer. Proceeding on the assumption that the review is being done with the consent of the employer, we can rationalize that a civic improvement project is for the benefit of the employer, which is a part of the community.

We turn then to the interprofessional aspects of the question. Here the review is of the work of an architect, not of another engineer. Section 12 (a) does not provide any specific guidance because it is restricted to engineers in private practice and deals only with work for the same client. Nevertheless, we believe it provides a general guideline in the sense that it expresses the principle that in that type of case the reviewing engineer has a duty to ascertain that the designing engineer has knowledge of the review unless the connection of the designing engineer with the client has been terminated. The last proviso is not applicable here.

Even though the Code refers only to engineers, we believe that the principles enunciated in these circumstances should be applicable to other professions, and particularly to other design professions. This view is supported by the document, "Professional Collaboration in Environmental Design," approved both by NSPE and the American Institute of Architects. It states, in part, that engineers and architects, ". . . perform their services in accordance with the standards of conduct and code of ethics of their individual professions, and each respects the standards and codes of the other profession."

In light of this principle, we believe it would be incumbent upon Engineer "B" to advise the architect of the proposed review of his plans and specifications by Engineer "A" in order that the architect may have the opportunity to comment upon such evaluation or recommendations as may be submitted by Engineer "A" to the civic committee through Engineer "B"; but in accordance with Section 6, Engineer "A" must limit his suggestions and opinions to those aspects within his competence.

Conclusions:*

1. The instruction of Engineer "B" to Engineer "A" would be consistent with the Code of Ethics, provided that Engineer "B" advised the architect of the proposed review.

2. Engineer "A" is ethically permitted to carry out the instructions given him by Engineer "B" for those aspects within his competence.

Copyright © 1968 National Society of Professional Engineer (NSPE) www.nspe.org . All rights reserved.
To request permission to reproduce this NSPE Board of Ethical Review Case, please contact the NSPE Legal Department (legal@nspe.org).

*__Note__-This opinion is based on data submitted to the Board of Ethical Review and does not necessarily represent all of the pertinent facts when applied to a specific case. This opinion is for educational purposes only and should not be construed as expressing any opinion on the ethics of specific individuals. This opinion may be reprinted without further permission, provided that this statement is included before or after the text of the case.

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.

BOARD OF ETHICAL REVIEW: Frank H. Bridgers, P.E., James Hallett, P.E., C.C. Hallvik, P.E., N.0. Saulter, P.E., Sherman Smith, P.E., Kurt F. Wendt, P.E., T. C. Cooke, P.E.. Chairman

Copyright © 1968 National Society of Professional Engineer (NSPE) www.nspe.org . All rights reserved.
To request permission to reproduce this NSPE Board of Ethical Review Case, please contact the NSPE Legal Department (legal@nspe.org).