Report on a Case by the Board of Ethical Review

Case No. 76-1

Review of Engineering Work by Non-registered Engineer
Non-Use of Assigned Work by Engineer Employee

Facts:
Example 1: John Jones, P.E., is in charge of the design of a structure on behalf of his employer, a governmental agency. He assigned the actual design work to Samuel Smith, P.E., who is classified as a junior engineer. After Jones received the design from Smith he assigned David Doe, a junior engineer, but not a registered engineer, to check the work of Smith.

Example 2: Walter Williams, P.E., is the supervisor of George Green, P.E., and Green is the supervisor of Alan Adams, P.E., all of whom are employed by a governmental agency. Williams assigned to Adams the design of a structure for a particular project and told him to give his design computations to Green when the design was complete. Adams did so. However, another design performed by Green was used and no information was provided to Adams to indicate why his design was not accepted.

Questions:
Example 1: Was the action of Jones ethical?
Example 2: Were the actions of Williams and Green ethical?

References:
Code of Ethics-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-"The Engineer will cooperate in extending the effectiveness of the profession by interchanging information and experience with other engineers and students, and will endeavor to provide opportunity for the professional development and advancement of engineers under his supervision."

Section 15(d)-"He will assign a professional engineer duties of a nature to utilize his full training and experience, insofar as possible, and delegate lesser functions to subprofessionals or to technicians."

Discussion:
Here we deal for the first time with the ethical aspects of the interrelationship of engineers engaged in a common enterprise of serving the interest of their employer, as distinguished from the relationship of outside engineers serving the interests of a client on a contractual basis.

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The issue in the first example is whether any provisions of the Code of Ethics stipulate or imply that it is improper for the work of a registered engineer to be subject to check by a nonregistered engineer. We start from the premise that in any event the ethical duty of the three engineers involved, including, Doe, even though not a registered engineer, is to provide that level of professional service which will best fit the needs of the employer. Under the facts as presented, we can reasonably assume that Jones made a proper judgment that Smith was the best qualified engineer available at that time for the design function. This would be in full accord with the mandate of §15(d) to assign a professional engineer duties of a nature to utilize his full training "insofar as possible." The question remains whether it is proper to assign a nonregistered engineer to check the work of a registered engineer.

It is no reflection of the professional status or dignity of a registered engineer to have his work checked by a nonregistered engineer, provided that the final engineering decisions are made by a registered engineer in responsible charge. We assume that Doe was thought by Jones to be qualified for checking the work. We also assume for the purpose of this case that the checking of the work was an interim act and that if the checking turned up any errors or questions those would be subject to further checking and final decision by Jones, the registered engineer in responsible charge.

The question raised by the second example is whether there was an ethical duty on the part of Williams or Green, or both, to tell Adams why his design was not used. We have cited §12(b) to indicate the principle that an engineer in governmental employ may properly evaluate the work of other engineers when that is a part of his employment duties. The facts before us indicate in the normal course of relationships of this kind, Green did evaluate the work turned in by Adams and determined that the design he had prepared was more suitable for the project. The facts do not tell us, but it may be that when Williams gave the assignment to Adams he did so to give Adams practical engineering design experience. On that basis we think that the action of Williams was in accord with the concept of §15 to provide opportunity for the professional development of engineers under his supervision. Our only criticism of the procedure followed is that it would have been wise at the completion of the work by all concerned to have given Adams a critique or explanation for the decision to utilize Green’s design rather than his. Such action is not specifically mandated by the code, but it would be in keeping with the concept and purpose of §15.

Conclusions:*
Example 1: The action of Jones was ethical.

Example 2: The actions of Williams and Green were ethical.

**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

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Board of Ethical Review

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