

Attached entry submitted by:

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The 2007 NSPE Milton F. Lunch Ethics Contest

Facts:

Engineer A is a professional engineer in private practice who is being mobilized as a[n] Army Reserve engineer officer. Unlike previous roles as an Army officer (combat engineer, etc.), Engineer A is being mobilized as a design engineer and is expected to use his civilian skills and judgment as a professional engineer. Engineer A is advised that in the performance of his actions as a member of the military, Engineer A is subject to military law (e.g., Uniform Code of Military Justice, etc.), which would exempt Engineer A from civil liability associated with his work. However, Engineer A believes that he still has obligations as a professional engineer and that his professional and ethical obligations still apply.

Question:

Does Engineer A continue to have ethical obligations under the NSPE Code of Ethics as a member of the U.S. military?

References (NSPE Code):

- Section I.1. NSPE Code of Ethics: Engineers, in the fulfillment of their professional duties shall: hold paramount the safety, health, and welfare of the public.
- Section I.6. NSPE Code of Ethics: Engineers, in the fulfillment of their professional duties, shall: Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.
- Section II.1.a. NSPE Code of Ethics: Engineers shall hold paramount the safety, health, and welfare of the public. If engineers' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.
- Section III.1.b. NSPE Code of Ethics: Engineers shall be guided in all their relations by the highest standards of honesty and integrity. Engineers shall advise their clients or employers when they believe a project will not be successful.
- Section III.1.e. NSPE Code of Ethics: Engineers shall be guided in all their relations by the highest standards of honesty and integrity. Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.

Discussion:

Engineer A while mobilized as an Army Reserve engineer officer is still accountable for the safety, health, and welfare of those (public, be they military or civilian) that may be affected by the exercise of his professional engineering duties. While Engineer Officers help the Army and the Nation in building structures, developing civil works programs, working with natural resources as well as providing combat support on the battlefield, this function does not relieve the officer from his professional obligation under section I.1. of the Code of Ethics. The Uniform Code of Military Justice may exempt him from civil liability, but not from his ethical obligation under the Code of Ethics (NSPE)

An Army Reserve (engineer) officer is prepared to fulfill future responsibilities to country in a military venue. The engineering profession is particularly suited for the preparation of dependent, able leadership. An essential attribute of this leadership is the commitment of professional engineers to conduct themselves honorably, responsibly, and ethically as specified in section I.6. of the Code of Ethics.

The formal code of ethics, which is developed, maintained, and applied by the NSPE, addresses those circumstances when an engineer perceives a potential conflict in the performance of his professional duties. Sections II.1.a.says “if an engineers’ judgment is overruled under circumstances that endanger life or property; they shall notify their employer or client and *such other authority* as may be appropriate.” In the case of the military, that “other authority” would be the chain of command. Furthermore section III.1.b. says “Engineers shall advise their *clients or employers* when they believe a project will not be successful”, the “client or employer” again is the military chain of command. Therefore the NSPE Code of Ethics spells out the appropriate action to be initiated, even when in the military. The notification of appropriate authority of an action deemed to endanger life or property is provided both in the Code of Ethics and in the military chain of command. Each branch of the military has guidelines for behavior and conduct that are strictly enforced. Failure to comply leads to sanctions such as punishment or discharge. Formulation of the ethical standards, investigation of violations, and application of sanctions are also conducted by military officers. Self-regulation of ethical principles of conduct relating to the professional group’s conduct of practice, behavior toward clients, interaction with colleagues, and relationships with allied professions is a professional criterion that applies to military officers as it does to other professions.

Conclusion:

Engineer A, both as a military officer and a professional engineer is bound by two “Rules of Conduct”: as a military officer, by the Code of Uniform Military Justice, and, as a professional engineer, by the NSPE Code of Ethics. There is nothing in either guideline that conflicts with the other. Therefore Engineer A continues to have an ethical obligation under the NSPE Code of Ethics when performing duties as a professional engineer as a member of the U.S. military. Section III.1.e.of the NSPE Code states “Engineers shall be guided in **all** their relations by the highest standards of honesty and integrity” consequently the practice of engineering is linked directly and vitally to the quality of life for all people. The services provided by engineers require honesty, impartiality, fairness and equity, and must be dedicated to the protection of the public health, safety, and welfare be they civil or military in nature.