2023
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS
MILTON F. LUNCH ETHICS CONTEST

HISTORY: Milton “Milt” F. Lunch, NSPE’s general counsel from the 1940s until the 1980s, was critical to the establishment of the NSPE Board of Ethical Review and the development of the NSPE Code of Ethics in the 1950s. During his tenure as NSPE general counsel, Milt presented numerous papers and authored influential articles about the importance of licensure, ethics, and professionalism. He passed away in 2001.

INVITATION: Match your wits and knowledge of engineering ethics with experienced professional engineers and engineering students throughout the country! All current NSPE individual members and NSPE chapters (including student chapters) are invited to participate in the 2023 NSPE Milton F. Lunch Ethics Contest.

NSPE state societies and local chapters are encouraged to consider using this contest as a state or chapter activity to generate member discussion and spur greater interest in engineering ethics.

HOW TO PARTICIPATE
This year, NSPE’s Board of Ethical Review is furnishing you with two key ethical issues. You are to select one and develop a written response not to exceed 1,000 words that expresses your views and demonstrates an understanding of the ethical issues involved. The fact pattern, questions, and citations to the NSPE Code of Ethics are not included in the word count, just the analysis and conclusions. A template used by the Board of Ethical Review for case analysis is included. Participants are encouraged (but not required) to consider and cite in the submission the NSPE Code of Ethics and previous NSPE Board of Ethical Review opinions. The BER Case Search Database, the NSPE Ethics Reference Guide, and the NSPE Ethics Study Guide might also be helpful to you.

CONTEST RULES
All submission entries must be received by May 12, 2023. Email or mail entries to:

2022 NSPE Milton F. Lunch Ethics Contest
1420 King Street, Suite #302
Alexandria, VA 22314
legal@nspe.org

This year, NSPE will provide the author of the winning entry an award of $1,000, a certificate, and recognition in PE magazine. At its discretion, NSPE may award honorable mentions.

JUDGING CRITERIA
The judges will use the following criteria:

- Quality of the entry in form and presentation. (Clarity, composition, and expression are important. Your essay, video, photo essay, poster, or PowerPoint should be a finished piece and “ready to go.”);
- Demonstration of understanding the implications concerning ethical or unethical behavior; and
- Comprehensive analysis and arguments supporting your conclusions. (This may include new thoughts or other expressions about engineering ethics and professional practice.)

Good luck, fellow professional engineers and student engineers!

Sincerely,

David J Kish, P.E.
Chair, NSPE Board of Ethical Review
Choose only ONE of the following ethical issues:

Ethical Issue #1: Billing
Facts:
Engineer A, a forensic engineer, is hired by Client H to analyze the collapse of a deck. The contract specified hourly billing. Engineer A inspects the collapse, collects the appropriate data, completes the analysis, prepares a report, and bills Client H. A month later, Engineer A is hired by Client F to analyze the collapse of a second deck. Again, Engineer A inspects the collapse and collects the appropriate data. Engineer A quickly realizes that the two collapses are almost identical. Engineer A presents a lump sum contract for the same amount as the invoice to Client H. Engineer A edits the previous, Client H report, changing names, dates, measurements, etc., and finalizes the second, Client F report in less than an hour. Engineer A believes that the lump sum amount is appropriate as a billing for the value of the report, regardless of the time spent.

Question: Was Engineer A’s lump sum contract with Client F ethical?

Ethical Issue #2: Omission
Facts:
Engineer is retained by Mining Company seeking to reopen an old mine for further recovery using new technologies. As part of the process for approving the reopening of the mine, Engineer attends a public hearing and presents the proposed design Zoning Board. Engineer makes a formal presentation, with special attention to the proposed above-ground operations. Engineer also responds to questions from members of the Zoning Board and from nearby residents in the audience regarding hours of operation, light levels, environmental impacts on water, and infrastructure impacts on the roads’ surfaces. Engineer assures the Zoning Board and the public that there will be no 3rd-shift (i.e. 11 p.m. to 7 a.m.) operations, that all lighting will be directed to minimize spread, that all environmental requirements will be complied with, and a bond has been posted to cover the costs of repair of any road damage. Engineer is aware that large ventilation fans will be running continuously and that such fans are considered by many to be a source of noise pollution. However, no one asks Engineer about noise, so Engineer volunteers no information about the ventilation fans’ hours of operation or noise levels.

Question(s):
Was Engineer ethically required to volunteer information about the known noise level associated with the proposed ventilation fans and their continuous operation?

NOTE: In order to maintain anonymity for purposes of judging, the actual body of the entry should not include any reference to the state society, chapter, member, student, university, or any other individual group that submitted the entry. NSPE reserves the right to edit any submission to comply with copyright, privacy, and other rights. However, be sure to provide the name, address, email address, phone number, and current NSPE member number of (1) your NSPE chapter or state society and (2) each of the individuals responsible for submitting the entry on a separate cover sheet accompanying your entry. Submissions failing to include this information will be returned to the submitter and will not be eligible for the contest.