

NCSEA Code of Ethics¹

Fundamental Principles

Structural engineers uphold and advance the integrity, honor and dignity of the structural engineering profession by:

1. using their knowledge and skill for the enhancement of human welfare through the analysis, assessment, design, construction, or repair of buildings, bridges, and other structures;
2. being honest and impartial and serving with fidelity the public, their employers and clients; and
3. striving to increase the competence and prestige of the structural engineering profession.

Fundamental Tenets

1. Structural engineers shall hold paramount the safety, health, and welfare of the public in the performance of their professional duties.
2. Structural engineers shall perform services only in areas of their competence.
3. Structural engineers shall issue public statements only in an objective and truthful manner.
4. Structural engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.
5. Structural engineers shall build their professional reputation on the merit of their services and shall not compete unfairly with others.
6. Structural engineers shall act in such a manner as to uphold and enhance the honor, integrity, and dignity of the structural engineering profession, and shall act with zero tolerance for bribery, fraud, theft, and corruption.
7. Structural engineers shall continue their professional development throughout their careers, and shall provide opportunities for the professional development of those engineers under their supervision.

Guidelines to Practice Under the Fundamental Tenets of Ethics

TENET 1.

Structural engineers shall hold paramount the safety, health, and welfare of the public in the performance of their professional duties.

- a. Structural engineers shall recognize that the lives, safety, health and welfare of the general public are dependent upon engineering judgments, decisions

and practices incorporated into the analysis, assessment, design, construction, repair and/or rehabilitation of buildings, bridges and other structures.

- b. Structural engineers shall approve or seal only those design documents or engineering reports, reviewed or prepared by them in accordance with the rules and laws of the authority having jurisdiction, which are determined to be safe for public health and welfare in conformity with accepted structural engineering standards.
- c. Structural engineers, whose professional judgment is overruled under circumstances where the safety, health and welfare of the public are endangered, shall inform their clients or employers of the possible consequences.
- d. Structural engineers who have knowledge or reason to believe that another person or firm may be in violation of any of the provisions of Tenet 1 shall consider first presenting such information to the person or firm suspected of the violation. If such action does not satisfactorily dismiss the suspected violation, the structural engineer shall present such information to the proper authority in writing and shall cooperate with the proper authority in furnishing such further information or assistance as may be required, without incurring a breach of this code of ethics.
- e. Structural engineers shall seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health and well-being of their communities, and the protection of the environment through the practice of sustainable development.

TENET 2.

Structural engineers shall perform services only in areas of their competence.

- a. Structural engineers shall undertake to perform engineering assignments only when qualified by education or experience in the technical field of structural engineering involved.
- b. Structural engineers may accept an assignment requiring education, training or experience outside of their own fields of competence, provided their services are restricted to those phases of the project in which they are qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.
- c. Structural engineers shall not affix their signatures or seals to any structural engineering document or engineering report dealing with subject matter in which they lack competence by virtue of education, training or experience.

TENET 3.

Structural engineers shall issue public statements only in an objective and truthful manner.

- a. Structural engineers shall endeavor to extend the public knowledge of structural engineering, and shall not participate in the dissemination of untrue, unfair or exaggerated statements regarding structural engineering.

- b. Structural engineers shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony.
- c. Structural engineers, when serving as expert witnesses, shall express an engineering opinion only when it is founded upon adequate knowledge of the facts, upon a background of technical competence, and upon honest conviction.
- d. Structural engineers, when serving as peer reviewers, shall preferably (subject to the consent of the client) inform the design engineer of their appointment, have access to those responsible for the design, and be able to freely discuss and resolve all pertinent matters with the design engineer. The peer reviewer shall not offer their services for any remedial design work to be undertaken; however, the client may elect to request the peer reviewer to review the remedial design work. In the event that the design engineer should either abstain from undertaking the remedial design work or not be engaged by the client to perform these services, the client may engage the services of the peer reviewer to undertake such work.
- e. Structural engineers shall issue no statements, criticisms, or arguments on structural engineering matters which are inspired or paid for by interested parties, unless they indicate on whose behalf the statements are made.
- f. Structural engineers shall be dignified and honest in explaining their work and merit, and shall avoid any act tending to promote their own interests at the expense of the integrity, honor and dignity of the structural engineering profession.

TENET 4.

Structural engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.

- a. Structural engineers shall avoid all known or potential conflicts of interest with their employers or clients and shall promptly inform their employers or clients of any business association, interests, or circumstances which could influence their judgment or the quality of their services.
- b. Structural engineers shall not accept compensation from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to and agreed to, by all interested parties.
- c. Structural engineers shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their clients or employers in connection with work for which they are responsible.
- d. Structural engineers in public service as members, advisors, or employees of a governmental body or department shall not participate in considerations or actions with respect to services solicited or provided by them or their organization in private or public structural engineering practice.

- e. Structural engineers shall not use confidential information coming to them in the course of their assignments as a means of making personal profit if such action is adverse to the interests of their clients, employers or the public.
- f. Structural engineers shall not accept professional employment outside of their regular work or interest without the knowledge of their employers.
- g. Structural engineers shall not use equipment, supplies, computer files, computer software, laboratory or office facilities, or other real or intellectual property of their employers to carry on outside private practice without the consent of their employers, or in any manner inconsistent with any lease or licensing agreements governing such use.

TENET 5.

Structural engineers shall build their professional reputation on the merit of their services and shall not compete unfairly with others.

- a. Structural engineers shall not give, solicit or receive either directly or indirectly, any political contribution, gratuity, or unlawful consideration in order to secure work.
- b. Structural engineers shall negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required. Any subcontracting, joint venturing, or out-sourcing of structural engineering services by the structural engineer shall be disclosed to the client.
- c. Structural engineers may request, propose or accept professional commissions on a contingent basis only under circumstances in which their professional judgments would not be compromised.
- d. Structural engineers shall not falsify or permit misrepresentation of their academic or professional qualifications or experience.
- e. Structural engineers shall give proper credit for structural engineering work to those to whom credit is due, and shall recognize the proprietary interests of others. Whenever possible, they shall name the person, persons, or firm who may be responsible for designs, inventions, writings or other accomplishments.
- f. Structural engineers may advertise professional services in a way that does not contain misleading language or is in any other manner derogatory to the dignity of the profession. Examples of permissible advertising are as follows:
 - 1. Professional advertisements in recognized, dignified publications and listings in rosters or directories published by responsible organizations, provided that the advertisements or listings are consistent in size and content and are in a section of the publication regularly devoted to such professional advertisements.
 - 2. Professional advertisements benefiting or sponsoring charitable organizations.
 - 3. Brochures and Internet Web pages which factually describe experience, facilities, personnel and capacity to render service,

- providing they are not misleading with respect to the engineer's participation in projects described.
4. Display advertising in recognized dignified business and professional publications, providing it is factual and is not misleading with respect to the structural engineer's extent of participation in projects described.
 5. A statement of the structural engineers' names or the name of the firm and statement of the type of service posted on projects for which they render services.
 6. Preparation or authorization of descriptive articles for the lay or technical press, which are factual and dignified. Such articles shall not imply anything more than direct participation in the project described.
 7. Permission by structural engineers for their names to be used in commercial advertisements, such as may be published by contractors, material suppliers, etc., only by means of a modest, dignified notation acknowledging the structural engineers' participation in the project described. Such permission shall not include public endorsement of proprietary products.
- g. Structural engineers shall not maliciously or falsely, directly or indirectly, injure the professional reputation, prospects, practice or employment of another structural engineer or indiscriminately criticize another's work.
 - h. Structural engineers may accept an appointment to replace the original structural engineer, but only after being satisfied that the appointment of the original structural engineer has been terminated, and that steps are in hand to resolve, in a professional manner, all outstanding matters between the client and the original structural engineer.

TENET 6.

Structural engineers shall act in such a manner as to uphold and enhance the honor, integrity, and dignity of the structural engineering profession, and shall act with zero tolerance for bribery, fraud, theft, and corruption.

- a. Structural engineers shall not knowingly act in a manner which will be derogatory to the honor, integrity, or dignity of the engineering profession or knowingly engage in business or professional practices of a fraudulent, dishonest or unethical nature.
- b. Structural engineers shall be scrupulously honest in their control and spending of monies, and promote effective use of resources through open, honest, and impartial service with fidelity to the public, employers, associates and clients.
- c. Structural engineers shall act with zero-tolerance for bribery, fraud, theft, and corruption in all engineering or construction activities in which they are engaged.
- d. Structural engineers shall be especially vigilant to maintain appropriate ethical behavior where payments of gratuities or bribes are institutionalized practices.

- e. Structural engineers shall strive for transparency in the procurement and execution of projects. Transparency includes disclosure of names, addresses, purposes, and fees or commissions paid for all agents facilitating projects.
- f. Structural engineers shall encourage the use of certifications specifying zero-tolerance for bribery, fraud, theft, and corruption in all contracts.
- g. Structural engineers shall not procure, copy, or otherwise utilize the computer files, computer software, or other real or intellectual property of others without the consent of the property owner, or in any manner inconsistent with any lease or licensing agreements governing such use.

TENET 7.

Structural engineers shall continue their professional development throughout their careers, and shall provide opportunities for the professional development of those engineers under their supervision.

- a. Structural engineers shall strive to keep current in their specialty fields. This may be achieved by engaging in professional practice, participating in continuing education courses, reading in the technical literature, and attending professional meetings and seminars.
- b. Structural engineers shall encourage their engineering employees to become registered when they become so qualified.
- c. Structural engineers shall strive to attend and present papers at professional and technical society meetings.
- d. Structural engineers shall uphold the principle of mutually satisfying relationships between employers and employees with respect to terms of employment including technical positions, salary ranges, and fringe benefits.

Footnote

¹ **NCSEA (National Council of Structural Engineers Associations) wishes to acknowledge and thank the American Society of Civil Engineers (ASCE), whose Code of Ethics was used as the basis for this document.**