



Just the FAQs on Ethics

DPLE 149

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Course Description

Many design professionals approach their day-to-day activities acting ethically, but thinking little about it as they do so.

This course will explore what professional ethics are, where they're defined, when they're tested, and what happens when ethical matters are mismanaged.

Learning Objectives

Participants will:

Review where to find applicable codes of ethics for design professionals and how those codes are designed to protect the public health, safety, and welfare.

Consider various definitions of ethics for design professionals, understanding that design professionals can never ignore the duty to protect the public health, safety, and welfare.

Evaluate potential consequences of violating those codes of ethics.

Analyze when and why ethics are tested and how to address this to protect owners and the public at large.



Risk Management Tip #1: What are Professional Ethics?

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Ethics: Defining

Ethics can be defined as a system of moral rules intended to regulate behavior or thought

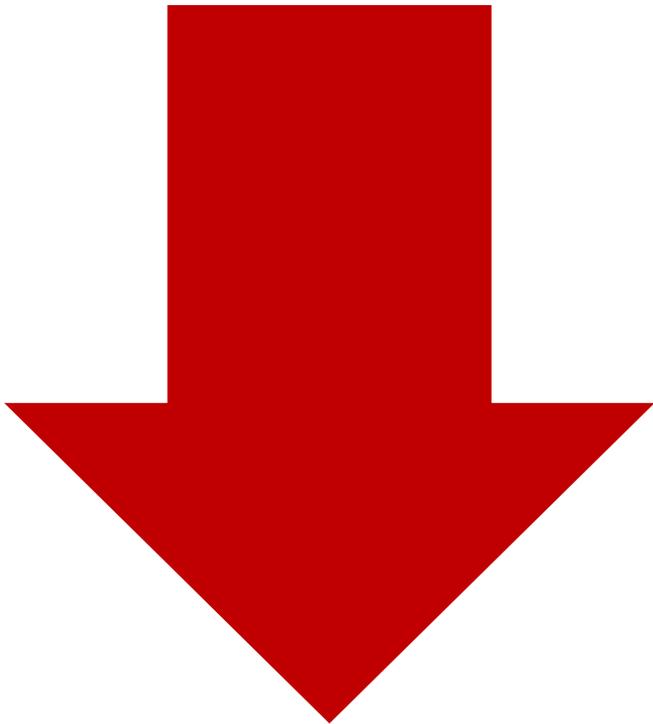


Do the **RIGHT**
Thing

Ethics: Deciding



Good Choice



Bad Choice



Risk Management Tip #2: Where are Professional Ethics Defined?

Example—NCARB

NCARB Rules of Conduct

RULE 1 COMPETENCE

- 1.1 In practicing architecture, an architect's primary duty is to **protect the public's health, safety, and welfare.**
In discharging this duty, an architect shall act with reasonable care and competence, and shall apply the knowledge and skill ordinarily applied by architects in good standing, practicing in the same locality.

Example—NCARB

NCARB Rules of Conduct

RULE 1 COMPETENCE (continued)

1.2 In designing a project, an architect shall take into account the applicable federal, state, and local building laws and regulations.

While an architect may rely on the advice of other professionals (e.g., attorneys, engineers, and other qualified persons) as to the intent and meaning of such regulations, once having obtained such advice, an architect shall not knowingly design a project in violation of such laws and regulations.

Example—NCARB

NCARB Rules of Conduct

RULE 3 FULL DISCLOSURE

3.5 If, in the course of an architect's work on a project, the architect becomes aware of a decision made by the architect's employer or client, against the architect's advice, which **violates applicable federal, state, or local building laws and regulations** and which will, in the architect's judgment, **materially and adversely affect the health and safety of the public**, the architect shall

- (a) **refuse to consent** to the decision, *and*
- (b) **report the decision to the official** charged with the enforcement of building laws and regulations, and

Example—NCARB

NCARB Rules of Conduct

RULE 3 FULL DISCLOSURE (continued)

(c) in circumstances where the architect reasonably believes that other such decisions will be taken notwithstanding the architect's objection, terminate the provision of services with reference to the project unless the architect is able to cause the matter to be resolved by other means.

Example—NSPE

National Society of Professional Engineers Code of Ethics for Engineers

I. Fundamental Canons

Engineers, in the fulfillment of their professional duties, shall:

- 1. Hold paramount the safety, health, and welfare of the public.**

Example—NSPE

National Society of Professional Engineers Code of Ethics for Engineers

II. Rules of Practice

1. Engineers shall **hold paramount the safety, health, and welfare of the public.**
 - a. 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.
 - b. Engineers shall approve only those engineering documents that are **in conformity with applicable standards.**
 - c. Engineers shall not reveal facts, data, or information without the prior consent of the client or employer except as **authorized or required by law or this Code.**
 - f. Engineers having knowledge of any alleged violation of this Code shall **report thereon to appropriate professional bodies** and, when relevant, **also to public authorities**, and cooperate with the proper authorities in furnishing such information or assistance as may be required.

Example—NSPS

National Society of Professional Surveyors Creed and Canons

I pledge:

To place service before profit, honor and standing of the profession before personal advantage, and the **public welfare above all other considerations.**

Canon 1.

A Professional Surveyor should **refrain from conduct that is detrimental to the public.**



Risk Management Tip #3: When and Why are Professional Ethics Tested?

Power and Privilege

The value of ethics

lies in its asking **uncomfortable** questions about our **often-unchallenged** assumptions about **power** and **privilege** and about our **often-unexamined** responsibilities to **others** who have neither.



Thomas Fisher
Dean of the College of Design
University of Minnesota

Money



Aesthetics

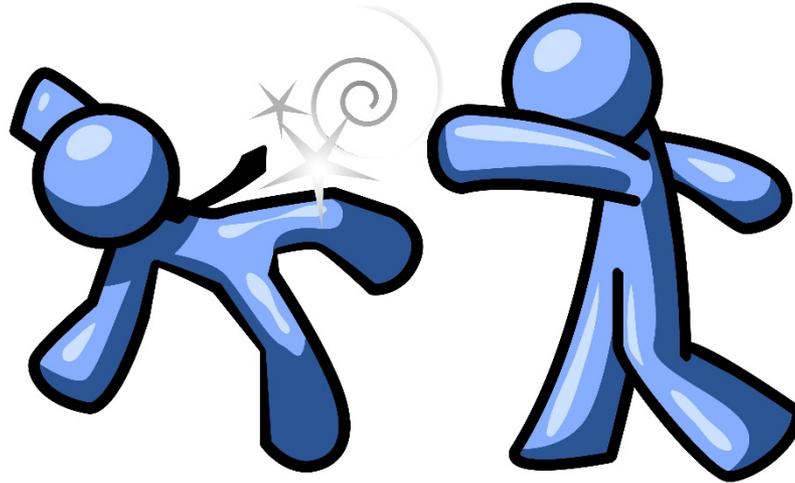
Aesthetics

Design



Ecology

Fear



*...codes of professional ethics and resources...
characteristically focus on risk management,
risk avoidance, conflict resolution and the like
rather than offering advice on dealing with disaster,
impending or existing.*

--Eugene Kremer, FAIA

And...

WHAT

ELSE???



Risk Management Tip #4: What are the Consequences of Mismanaging Ethics?

Consequences: How to be Scared Straight

Citation

Admonition

Sanction

Disciplinary
Proceeding

Fine

Penalty

Mandatory
Training

Censure

Reproval

Probation

Conditional
Reinstatement

Suspension

Revocation

Surrender

Expulsion



Risk Management Tip #5: So...How Do We Do the Right Thing?

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Searching for the Right Course of Action



“OK. It is two years from now. You are in a deposition or in court and are asked how you handled this situation. What do you want your answer to be?”

--Bill Quatman, FAIA

Reflection



- What are some of the most difficult ethical decisions you've faced in your career?
- How did you approach those situations?
- What did you learn from them?

Thank you for your time!

QUESTIONS??

**This concludes The American Institute of Architects
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