

BACKGROUND INFORMATION ON REVISIONS TO THE CODE OF ETHICS

Charge to the Committee

The Task Committee on the Code of Ethics (TCCoE) officially received its charge on 29 October 2018. The TCCoE's charge reads as follows:

The Task Committee on the Code of Ethics shall be charged with developing and proposing a comprehensive overhaul of the ASCE Code of Ethics. To ensure the Task Committee does not simply edit or rewrite the existing provisions, it is envisioned that the Task Committee should approach its task as if drafting an ASCE Code of Ethics for the first time, working first to identify the moral concepts that should be captured in a civil engineer's professional code of conduct and then second to commit those moral concepts into concise and readable language.

To facilitate this "blank slate" approach, the Task Committee may begin the process by meeting with an external consultant with experience assisting non-profit or for-profit entities in drafting codes of conduct.

Why a New Code Should Be Considered

The current Code of Ethics has several challenges, including but not limited to:

Overdue Comprehensive Review

The most recent comprehensive review of the ASCE Code of Ethics was undertaken in 1974; since then, language has been periodically added to the Code, (most recently, a new Canon (Canon 8) was added in 2017) but it has not received a comprehensive review in more than 45 years. The resulting code is lengthy, includes outdated language, and may not completely capture the ethical norms of today's engineering professional. As a living document, the Code should be critically reviewed and subject to revision on more routine and shorter intervals.

Outdated Model

The Canons-based model is not intuitive or easy to use. For example, an engineer with questions about their ethical obligations when critiquing another engineer's work will not easily recognize that this question is answered in a supplemental guideline under the "fair competition" language of Canon 5. Organization based on stakeholders simplifies the search for ethical guidance, e.g., questions about obligations to other engineers are listed in the "Peers" category.

Gray Areas

The current format of the Code lends itself to significant gray areas in which an engineer is unable to determine which canon takes precedence in the event of an ethical conflict between stakeholders. It is not clear, for example, if public safety should take precedence over a client request.

American-Centric Language

The current Code uses American-centric language that may not translate well to ASCE's increasingly global membership. Some terms simply do not have an equivalent translation in other languages.

What the Proposed Code of Ethics Provides

The Proposed Code was developed using the following format and guiding concepts:

Improved Model Format

The Ethics Code starts with a credo-like statement of behaviors by which engineers should govern their professional careers. Following this aspirational statement, ethical principles are listed by stakeholder

group (Society, Natural and Built Environment, Profession, Clients and Employers, and Peers) in a numbered and letter format for ease-of-use.

Positive Empowering Language

Ethical principles empower engineers. The Code lists behaviors to which engineers will aspire, rather than a list of rules, regulations, or things “not to do.” From a practical standpoint, this means the language is positive.

Enforceability

Ethical principles included are focused on intent as opposed to specific behaviors. This allows the ethical principles to remain intact as the profession and technology changes. This makes the ethics code easier to enforce and maintain in the future.

Clear Hierarchy

The Code of ethics clarifies which ethical stakeholder responsibilities take precedence over another. The Code does this by creating the aspirational statement guiding principles first (as the civil engineer’s primary responsibility), and then listing other shareholders in order of precedence.

Stakeholder Responsibility

This Code allows engineers to clearly articulate their responsibility to each stakeholder. As previously expressed, the Code does this by using a “stakeholder” model, in which an engineer’s responsibilities to each party are identified by groups.

Concise

The Code is concise to allow ease of use. This Code communicates all of the same principles as the existing Code, but uses a fraction of the words to do so. It is anticipated that the final version will have a companion one-page infographic-type graphic that is easy to read, print, and share to both improve visibility and increase use of the Code.

Modern Language

The Code utilizes modern, globally recognized, and gender-neutral language.

Current Status

The process used in developing this Code has been rigorous, thorough, thoughtful, and consensus-building. The ASCE Board of Direction approved the Proposed Code of Ethics on First Reading during the July Board Meeting. In accordance with ASCE By-laws, the Proposed Code of Ethics will remain on the ASCE website for a period of 30 days prior to the Board’s consideration for Second Reading during the October Board Meeting.

Point of Contact

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