

ETHICS For Today

Tuscaloosa Branch ASCE January 27 Meeting

Daniel S. Turner, Ph.D., PE, PLS (Retired)

Life Guidance from DH Turner

Son, Life is like our garden.

**It takes a lot of sweat to grow
good vegetables.**

**But when winter comes into
your life, you will be glad
you worked hard all summer.**

Overview of Presentation

- 1) Introduction and goal of presentation
- 2) Why we need codes of ethics
- 3) My feelings about ethics
- 4) Role of character in ethical conduct
- 5) Professional society codes of ethics
- 6) Alabama PE & PLS Board, Alabama Code
- 7) My comments and encouragement

1-a) Introduction

Most of us feel we are already ethical.

Raise your hand if you did the following this year:

Read the ASCE ethics guidelines

Read another engineering society's ethics guidelines

Read Alabama code on PE and PLS ethics

Attended an ethics training workshop

Well ... How sure are you now that you know your ethical responsibilities?

1-b) Goal of Presentation

- 1) Help you understand ethical decisions and behavior
- 2) Help you leave this meeting smiling
- 3) Help you know that...
 - a) *Ethical behavior is binding on professionals*
 - b) *The key element is your personal character*
 - c) *Good and bad examples are all around us*
 - d) *We must talk the talk and walk the walk*

Definitions We Need to Understand

ETHICS – Standards or codes of behavior established by a group, for example the business world, the medical profession, engineering, architecture, and the justice system.

MORALS – Principles of right and wrong behavior, based on definitions of right and wrong.

SUMMARY – Morals define personal behavior, and ethics provide the social system to which morals are applied. Morals are a key component of personal character

Life Guidance from DH Turner

**Son, it is rewarding to help
people who need help,
Someday you will need help,
So make friends you can trust**

*There is a friend who
sticks closer than a brother.
Proverbs 18:24*

Ethics and Morality in America

Even though our Founding Fathers did not always agree on religion, they drew their moral and ethical guidelines from the Ten Commandments and the teachings of Jesus

A 2019 Gallop survey found that 72% of Americans feel our morality is very bad and declining rapidly.

Things have changed since our nation was founded in 1776. Erosion of moral character and ethical behavior were extensive over the next 244 years.

Your role might be to reverse the decline and uphold the dignity of the Civil Engineering profession, one person at a time, over the next 244 years.

2) Why We Need Codes of Ethics

- 1. Prevent a culture of public mistrust**
- 2. Protect health, safety and welfare of the public**
- 3. Allow you to know what is, or is not, acceptable**
- 4. Provide guidelines for making decisions compatible with acceptable practice**
- 5. Negate cozy feelings of being independent professionals with our own culture**
- 6. Resist overestimation of ability when we have a weak grasp of practice**

5 Involve Enviro Issues

4 Involve \$ Med Issues

1 Involves Government

About Ethics

Americans in 2018

- 1) **Corrupt Government Officials**
- 2) **Quality of Health Care**
- 3) **Drinking Water Contamination**
- 4) **Not Enough Government Regulation**
- 5) **Serious Illness of a Loved One**
- 6) **Global Warming**
- 7) **Declining Quality of Life**
- 8) **Declining Quality of Education**
- 9) **Declining Quality of Life**
- 10) **High Medical Bills**

Only one involves ethical issues (Gov't Corruption). Where are the concerns for declining morality, ethics, and behavior?

Items on this list are like those of the last five years

Snapshots of 2020

American Morality and Ethics

IRS –tax evasion rose rapidly since the early 1990s. Last year it cost the government at least \$300 billion.

The current US population is 335 million, so every American must pay \$896 to make up for the \$300 billion that “our friends” have stolen

65 to 75 percent of high school, college, and graduate students admitted cheating last year.

Life Guidance from DH Turner

Son, a clear conscience is a partner to a good night's sleep.

Snapshots of Average American Family Expenses

2019 TAXES (Mid 20% of Population) at Local, State and Federal Levels

\$15,750

2018 Health/Medical Costs at Local, State and Federal Levels

\$5,500 for Individual

\$13,850 for Family

3a) My Parents and My Character

- My Parents were county, raised in a depression
- Married during World War 2 and immediately separated when my dad returned to the Pacific war
- They worked every hour
- They taught “life”
- We were poor, had enough money to survive every night
- We helped our neighbors and shared with them
- We raised chickens, gardened and canned veggies
- We attended every church meeting every week
- My dad used pithy sayings to shape my character,
Often aided by a knotty branch from a privet hedge

**That type of lifestyle
has disappeared
from America**

3b) My Feelings About Ethics

- **Americans think and talk mostly about ourselves**
- **We want what others have and feel entitled to it**
- **We complain quickly and often**
- **Money is the driving factor, and greed is common**
- **I was called an idiot with poor judgement after I turned down a big money offer from a firm I didn't respect.**
- **Why does TV news dwell on poor personal behavior?**
- **Because it sells, the public thrives on watching idiots.**
- **But... it encourages more idiots to try the same behavior, making the situation worse**
- **Good behavior requires good personal character and good decisions, every time, all the time.**

Life Guidance from DH Turner

Son, do the best you can at all you do. It may not do as good as others, but people will notice, respect you, and want to be your friend

4a) Character

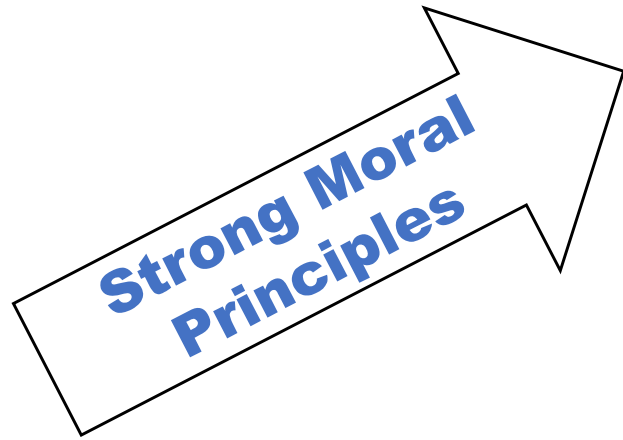
Definition

- ❖ Character involves mental and moral qualities distinctive to each individual
- ❖ It is what defines you as a person

Role of Character in Ethics

- ❖ Ethical behavior builds your character
- ❖ That increases your awareness of **1) situations**,
- ❖ **2) circumstances** and **3) people around you**
- ❖ Sometimes **1, 2,** and **3** give you an opportunity to demonstrate good ethical character
- ❖ Other times **1, 2,** and **3** should be treated carefully or avoided. It may be best for you to walk away.

4-b) Six Essential Traits of Character



Integrity

Honesty

Loyalty

Accountability

Self Sacrifice

Self Control

4c) Character

13 Desirable Character Characteristics

Humility, Patience and Honesty
Contentment and Dependability
Grit, Determination and Diligence
Courage and Compassion
Adaptability, Self Discipline,
and Impulse control

Life Guidance from DH Turner

Son, walk away from people and jobs you aren't going to be proud of. There'll be lots more opportunities down the road.

5) Professional Society Ethical Codes

ASCE

APWA

NSPE

ABET

ASME

ITE

NCEES

IISE

5a) 2020 ASCE Canons of Ethics

- 1. Hold Safety Paramount**
- 2. Service with Competence**
- 3. Issue True Statements**
- 4. Act as a Faithful Agent**
- 5. Reputation By Merit**
- 6. Uphold Professional Honor**
- 7. Professional Development**
- 8. Treat all persons fairly**

ASCE Ethics – Major Principles

Uphold and advance integrity, honor, and dignity of the engineering profession, using knowledge and skill to enhance human welfare and the environment. Honest, impartial, and serving the public, employers and clients with fidelity. Increase the competence and prestige of the engineering profession; and support professional and technical societies of their disciplines.

1. Hold paramount the safety, health, and welfare of the public, and strive to comply with the principles of sustainable development in performing professional duties.
2. Perform services only in areas of competence.
3. Issue public statements only in an objective & truthful manner.
4. Act in professional matters for each employer or client as a faithful agent or trustee, avoid conflicts of interest.
5. Build a professional reputation on the merit of services and not compete unfairly with others.
6. Uphold and enhance the honor, integrity, and dignity of the profession, zero tolerance for bribery, fraud, or corruption.

ASCE – Ethics Violations

Requirements and Procedures

- **ASCE bylaws require ASCE members to comply with the Code of Ethics and report observed violations**
- **The Committee on Professional Conduct reviews complaints and sends recommendations to ASCE's Exec Committee or Board of Direction for a formal hearing.**
- **To file a complaint: complete the Ethics Violation form**

Mail your complaint to:
American Society of Civil Engineers
1801 Alexander Bell Drive
Reston, VA 20191

ASCE ETHICS COMPLAINT FORM

This form is for anyone wishing to file an ethics complaint on a member of ASCE. The form will be delivered to a staff liaison for ASCE's Committee on Professional Conduct (CPC), who reviews the charges and confirms that an ASCE member is named and that appropriate canons of the ASCE Code of Ethics are cited. Once established, the form goes to the CPC, which determines if investigation is warranted. If so, a member of the committee is assigned to investigate the claim.

Name of Complainant:

Address:

Telephone:

E-mail:

Name(s) of the ASCE member(s) against whom this complaint is being filed:

City/State:

Describe conduct involved. (If space provided here is not sufficient, continue on a separate sheet of paper. Attach all relevant documents supporting the alleged unethical conduct.)

4. State specific canon(s) of the ASCE Code of Ethics which you believe the above conduct violated:

Life Guidance from DH Turner

Son, life is an endless list of decisions. Learn to make good ones and you will have less stress and more joy



5c) NSPE Code of Ethics for Engineers

Preamble

I. Fundamental Canons

II. Rules of Practice

III. Professional Obligations

5d) NSPE Code of Ethics

Preamble

Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the highest standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, 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. Engineers must perform under a standard of professional behavior that requires adherence to the highest principles of ethical conduct.

5e) NSPE Code of Ethics

Fundamental Canons

- 1) Hold paramount the safety, health, and welfare of the public.
- 2) Perform services only in areas of their competence.
- 3) Issue public statements only in an objective and truthful manner.
- 4) Act for each employer or client as faithful agents or trustees.
- 5) Avoid deceptive acts.
- 6) Conduct themselves honorably, responsibly, ethically, and lawfully to enhance the honor, reputation, and usefulness of the profession.

5f) NSPE Code of Ethics

Rules of Practice

Partial List – 5 total Rules of Practice in 18 Parts

Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the highest standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, 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. Engineers must perform under a standard of professional behavior that requires adherence to the highest principles of ethical conduct.

5g) NSPE Code of Ethics

Partial List – 9 total
Obligations in 30 parts

•Professional Obligations

III. Professional Obligations

1. Engineers shall be guided in all their relations by the highest standards of honesty and integrity.
2. Engineers shall at all times strive to serve the public interest.
3. Engineers shall avoid all conduct or practice that deceives the public.
4. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.
5. Engineers shall not be influenced in their professional duties by conflicting interests.
6. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticizing other engineers, or by other improper or questionable methods.

5h) IISE

(Institute of Industrial and Systems Engineers, Inc.)

*IISE endorses the Canon of Ethics of the
Accreditation Board for Engineering and
Technology*

6a) Alabama PE & PLS Board, Alabama Code

CHAPTER 330-X-14 PROFESSIONAL CONDUCT (CODE OF ETHICS), 2018

- 330-X-14.01 Preamble
- **(Canon I)** 330-X-14.02 Conflict Of Interest
- 330-X-14.03 Qualified By Education and/or Experience
- **(Canon II)** 330-X-14.04 Confidences Of Clients/Employers
- **(Canon III) 330-X-14.05 Practice**
- **(Canon IV) 330-X-14.06 Ethics**
- **(Canon V)** 330-X-14.07 Responsibility For Conduct,
- 330-X-14.08 Convictions

The preamble and Cannons are supported by more than 50 statements delineating the details for compliance with the Board's ethics requirements.

Recent News



Date	6b) Alabama Ethics Commission
Apr 1, 2020	April 1, 2020 Meeting Summary
Feb 25, 2020	Ex-Blount county principal pleads guilty in theft of school, concession stand funds
Feb 6, 2020	February 5, 2020 Commission Meeting
Dec 4, 2019	December 4, 2019 Advisory Opinions
Nov 5, 2019	Morgan County commissioner pleads guilty to violating state ethics law
Oct 31, 2019	Ethics Commission Proposes New Rules
Sep 19, 2019	Former Autauga County probate judge arrested on 4-count indictment
Sep 3, 2019	Ethics Commission Chief Special Agent Named as 2019 IACP 40 Under 40 Award Winner
Aug 23, 2019	Limestone County's 10-term sheriff arrested on ethics, theft charges
Aug 7, 2019	August 7, 2019 Advisory Opinions
Jun 24, 2019	June 5, 2019 Advisory Opinion
Apr 24, 2019	Former Tannehill Park director indicted in theft from historic foundation

6c) The Lives of Five Civil Servants Were Significantly Changed

- **A School Principal**
- **A County Commissioner**
- **A Probate Judge**
- **A Park Director**
- **A Sheriff**

What happens to the “common people” when the leaders misuse their special privileges?

6d) HIGHLIGHTS OF ALABAMA'S ETHICS LAW

The crux of Alabama's Ethics Law is that a public official or public employee must at all times be conscious of and avoid conflicts of interest and that a public official or public employee must never use the office or position for personal gain for himself/herself or for members of his/her family.

Unfortunately, the law can be a little difficult to understand because of the way it is written. A very brief overview of the most important provisions for county employees is set out below.

14 Pages

CONFLICT OF INTEREST

The Ethics Law defines a "conflict of interest" as, "A conflict on the part of a public official or public employee between his or her private interests and the official responsibilities inherent in an office of public trust". *Ala. Code § 36-25-1(8)*. A conflict occurs when:

- Any action, inaction, or decision by a public official/employee in the discharge of his or her official duties would materially affect his or her financial interest or that of his/her family or business in a manner different from how it affects other members of the class to which he or she belongs
-

6e) Engineers Chapter 330-X-14, Supp. 12/31/18

ALABAMA STATE BOARD OF REGISTRATION FOR PE and PLS
ADMINISTRATIVE CODE

CHAPTER 330-X-14

PROFESSIONAL CONDUCT (CODE OF ETHICS), 2018

TABLE OF CONTENTS

- 330-X-14-.01 Preamble
- 330-X-14-.02 Conflict Of Interest (Canon I)
- 330-X-14-.03 Qualified By Education and/or Experience
- (Canon II) 330-X-14-.04 Confidences Of Clients & Employers
- (Canon III) 330-X-14-.05 Practice
- (Canon IV) 330-X-14-.06 Ethics
- (Canon V) 330-X-14-.07 Responsibility For Conduct
- 330-X-14-.08 Convictions

Life Guidance from DH Turner

**Son, happiness is not due to chance,
but to choice. So choose to be happy.**

**You will soon find that those around
you are happy, and that you have
many new friends.**

7) My Commitment to Ethics

*As for me and my family, we will
serve the Lord and obey the law.*

*The knotty branch from the
privet hedge paid off!*

We all need a deep commitment to ethics

Will You Join Me?

7a) Not Everyone is Bad to the Bone

- **There are plenty of good examples in the next few slides**
- **They did not happen accidentally, they took courage, commitment, and constant vigil**
- **You might consider adopting some for your own life and ethics standards.**

7b) Great Ethical and Moral Decisions by Industry in the Last 10 Years

- **Costco decided to pay fairer wages**
- **Volkswagen reduced its workforce with no Layoffs**
- **Best Buy committed to sustainability**
- **Woolsworth's got out of the liquor and gambling businesses**
- **CVS Health stopped selling tobacco**
- **Chick-fil-A paid for employee education**
- **Chipotle Mexican Grill championed animal welfare**

7b) Most Ethical Companies in the World

An extensive international survey identified companies that were highly ethical in their behavior.

Only 133
(0.000001%)

About 100

including

eBay, H

Nokia, S

The company owners and managers set high goals and criteria for the actions of managers and employees to ensure safety while reaching goals. They cared about their employees and the reputations of their companies.

behavior.

e

firms,

ell,

rosoft,

What made these companies different?

Why were they selected?

I'm Still Waiting For your Answer

More Proof of Moral Decline in America

The U.S. incarceration rate is the world's
**We do not have to settle for mediocracy. I am
looking for heroes with character to stand up
and make a difference in the lives, honesty^{on,}
and ethics of those around us.**

The cost of US prisons, jails, probation, and
parole is now \$182 billion/year

Don't worry, your share is only \$543 per year

Source: U.S. Bureau of Justice Statistics

Life Guidance from DH Turner

Son, excuses are no good. Don't do anything so bad that you have trouble telling the truth to me, to your friends, and especially to your mama.

And in the future, it may include your wife, children and dog.

Not all businesses and industries were so ethical in conducting daily business.

2019 CEO turnover was an all-time high
The Primary cause was a systematic contempt for ethics as CEOs rushed to build their billion-dollar firms

Hang on, you may not believe the following examples

CEOs Not to Copy

a) **Kenneth Lay, Enron CEO 2001** – This firm's downfall and the imprisonment of its leaders was among the most shocking and reported ethics violations ever. It bankrupted Enron and destroyed Arthur Anderson, one of the world's largest audit firms.

The SEC brought charges against CEO Kenneth Lay, former CEO Jeffrey Skilling, CFO Andrew Fastow and other high-ranking employees.

Lay was found guilty of 10 counts of securities fraud. He died of a heart attack 2 months before sentencing.

CEOs Not to Copy

b) **Dennis Kozlowski, 2002** -- CEO of Tyco, a massive security and electronics company, who got caught with his hand in the corporate cookie jar.

The Board of Directors found he and the CFO took unauthorized bonuses and loans of \$600 million and used corporate funds to pay for lavish parties, a Manhattan flat and expensive jewelry

They were charged with grand larceny, securities fraud, and other crimes. In 2005 Kozlowski was sentenced to 8 to 25 years in a federal penitentiary.

Life Guidance from DH Turner

Son, I bragged on you today.

**I told uncle John that you made
a nearly perfect bad example!**

CEOs Not to Copy

c) Billy McFarland, Fyre Festival Co-Founder

Creator/co-promoter of a festival with rapper Ja Rule
Weekend bash in Bermuda, 4 major bands

3 counts of wire fraud, 1 count bank fraud, 1 count of
lying to investigators

\$28 million in bogus tickets

Started another fraud soon after initial arrest

6 years in a Federal prison, 3 years' probation, \$28
million restitution

CEOs Not to Copy



CEOs Not to Copy

e) Adam Neumann CEO and co-founder of WeWork

Wife and best friend were co-founders
Trademarked "WeWork" and sold it to
his own company for \$6 million.
Disturbing disclosures in S-1 filing
Investors pressed for disclosure.

Neumann resigned

Life Guidance from DH Turner

Son, be careful in choosing friends... they can make you or break you.

CEOs Not to Copy

f) Elizabeth Holmes, Founder of Theranos

- Health technology company - falsified bloodwork results
- Federal grand jury - 9 counts of wire fraud, 2 counts of conspiracy to commit wire fraud.
- This is personal
- I am a long-term diabetic and test my blood at least once a day.
- Where would I be today if Ms. Holmes company had evaluated my blood tests?
- Is the seriousness of personal ethics now a little clearer?

CEOs Not to Copy

g) *Your Name*

You could wake up tomorrow with your name on this list, from a bad decision due to peer pressure, carelessness, selfishness, laziness, or stupidity.

None of your excuses would be good defenses in court.

Good engineering practice requires a lifetime of ethical commitment, so make it the foundation of your character

Turn down people, opportunities and situations that challenge your personal ethical beliefs. Do so graciously if you can.

You will sleep well, knowing you did the right thing.

Top 10 Reasons for Bad Business Decisions

1. Inexperience

One is justifiable

2. Personal Life Pressures

Five involve stress/pressure

3. Time Pressure

4. Stress & Overwork

Four involve poor decisions or poor management skills

5. Senior Leadership Pressure

6. Pressure from Individual Team Members

7. No Clear Personal Values

8. No Solid Decision-Making Process

9. Ego and Power

10. Lack of Balance Between Emotion and Logic

Life Guidance from DH Turner

**Son, Money is not the most
important thing,
The people around you are.**

6a) ALABAMA Board of Licensure for Engineers and Surveyors

- **To me, ethical commitment starts with the criteria, materials and instructions assembled by the Alabama PE & PLS Board.**
- **These materials are embedded in State Code, which makes violating them much more serious.**
- **Penalties for violations are more serious, more expensive, and more embarrassing. All PE and PLS licensees are deemed to be familiar with and comply with all the Board's ethical guidance.**

6b) ALABAMA Board of Licensure for Engineers and Surveyors Things you should be aware of

PENALTIES

An intentional violation of the Ethics law is a Class B felony, punishable by imprisonment for 2 to 20 years and/or a fine of not more than \$10,000.

Any other violation is a Class A misdemeanor, which is punishable by not more than one year in county jail and/or a fine of not more than \$2,000.00.

The Ethics Commission has authority to resolve minor violations by levying an administrative penalty not to exceed \$1,000.

- “Minor violation” means economic gain or loss
- The Commission shall also order restitution

The word FELONY should get your attention. This is serious.

6c) ALABAMA Board of Licensure for Engineers and Surveyors

BELS Resources for Licensees and potential Licensees

The Board website contains much helpful information:

- About the Board, it's composition, and its charge
- The Board's Calendar
- Meeting dates (you can watch meetings live online)
- Frequently asked questions, with answers
- Much, much more
- Board Members and Staff have always been very helpful and courteous whenever I called or visited.

Life Guidance from DH Turner

**Son, treat others like
you want them to treat you**

Who Are the Honest Americans Leaders?

Two names show up on almost all polls of honest American leaders – **Martin Luther King** and **Abraham Lincoln**. Both faced overwhelming obstacles as they played important rolls in shaping our nation. Thank God that their fortitude and commitment helped make it happen.

**By the way, I didn't make the 2020 short list.
Did You?**

Do you think this presentation can help all of us inch our way up the 2021 list?

The Most Respected People in the US and the World

Billy Graham was in the top 10 on both the US and World “Most Respected” lists for 61 consecutive years, typically ranking in the top 4 and as high as number 2.

So, what was he doing differently from you?

MY SUGGESTION FOR YOUR ETHICS GAMEPLAN

- **Fully commit to becoming an ethics advocate**
- **Know which code or codes apply to you.**
- **Go online and get copies.**
- **Read them and learn them.**
- **Know how to conform to them.**
- **Know how to commit to them.**
- **Understand governing docs, professional society codes, State Law, and other appropriate documents.**
- **Know how to apply codes of ethics and State law**
- **Seek ethical training to stay current.**

Life Guidance from DH Turner

**Son, It is good to help people
who needs help, because
someday you will want
someone to help you**

Current, Tragic Examples

Mike Hubbard, 58 yrs. old, Former Speaker of Alabama House of Representatives, House Minority Leader, Twice chairman Alabama Republican Party

Broadcaster-Businessman, Co-Owner of Auburn Radio Network, 2 Radio Stations, Ad Agency, etc. Sold Multi-media Rights for Auburn Athletics to IMG Sports Marketing and Broadcasting

Sentenced to 4 years in prison for felony violations of state ethics laws, removed from House of Representatives. This September he began his term in state prison.

Current, Tragic Examples

Doug Patterson, age 38, 6-year Limestone County District judge. Pleaded guilty prior to trial for theft and ethics charges for financial exploitation, and for using his position for personal gain. He took \$47,000 from a Juvenile court fund as a judge, and stole from the conservatorship account of a disabled woman while working as a private attorney.

He agreed to pay \$ 73,000 in restitution and faces additional fines and jail time at his sentencing hearing

Life Guidance from DH Turner

**Son, It is good to help people who
need help,**

**Someday you will need
someone to help you**

Leaders Have Vision

“A pile of rocks ceases to be a pile of rocks when somebody contemplates it with a cathedral in mind.”

Saint Erupery

We need Ethics
leadership by example

**“Never forget that example is
not the main way to lead;
it is the only way.”**

Albert Schweitzer

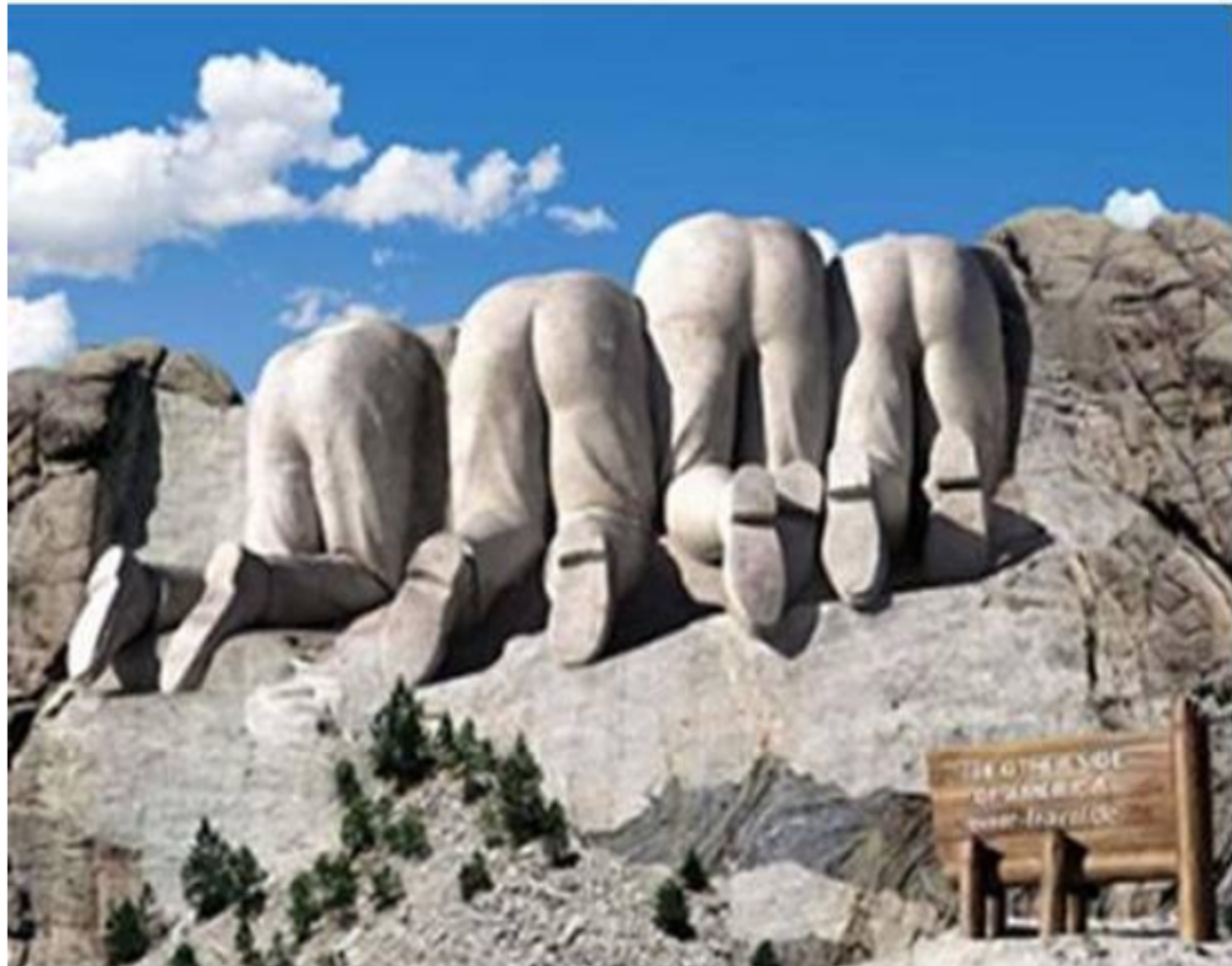
AAUGH



Life Guidance from DH Turner

**Son, you don't want to spend the rest
of your life regretting a bad decision**

You know, there are some things that you just never think of like Mt. Rushmore from the Canadian side.



A large colony of penguins, likely King penguins, is gathered on a snowy and rocky shore. The penguins are densely packed, with many standing and some sitting. The background shows a vast expanse of snow and a clear sky. The overall scene is bright and sunny.

Penguin Happy Hour

**You should have been in
Antarctica, the Penguins
asked about you**

Thanks for inviting me.

This presentation was almost as much fun as Royal Dornoch. I certainly enjoyed the meeting and sharing my feelings about ethics with you!

1) Remember to enjoy the fruits of hard work in a great profession.

2) Remember to be an ethics advocate and a good example!

Royal Dornoch, 1818

A natural links golf course created by God.

Top 10 in the world

The Slide You've Been Waiting For

