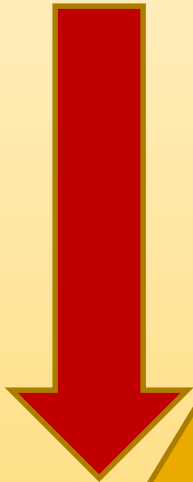




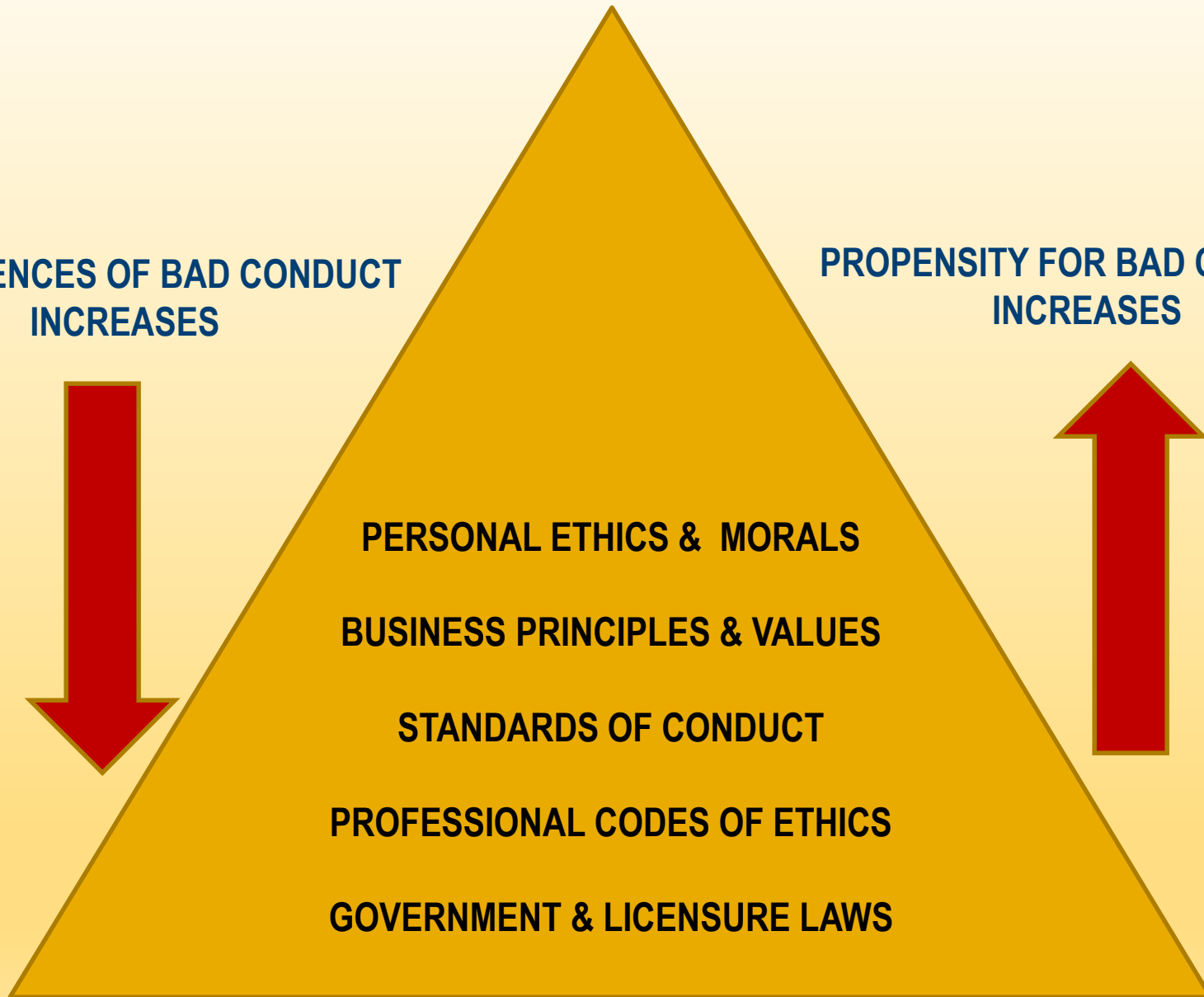
Presented by: Deborah Ducote Keller, P.E.
Ethics Part I

**Staying Within the Rules for
Solicitations
for
Professional
*Engineering Services***

**CONSEQUENCES OF BAD CONDUCT
INCREASES**



**PROPENSITY FOR BAD CONDUCT
INCREASES**



PERSONAL ETHICS & MORALS

BUSINESS PRINCIPLES & VALUES

STANDARDS OF CONDUCT

PROFESSIONAL CODES OF ETHICS

GOVERNMENT & LICENSURE LAWS

LEVELS OF INTEGRITY VS. RISK & CONSEQUENCES

<p>?????</p> <p>BEHAVIOR IS A FUNCTION OF THE SEVERITY OF THE CONSEQUENCE</p>	<p>ALWAYS HIGHLY UNETHICAL</p> <p>BEHAVIOR IS <u>NOT</u> A FUNCTION OF RISK OF BEING CAUGHT NOR SEVERITY OF THE CONSEQUENCE</p>	<p>MAXIMUM SEVERITY OF CONSEQUENCE</p>
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<p>CERTAIN TO NOT BE CAUGHT</p>	<p>CERTAIN TO BE CAUGHT</p>	

Integrity Begins with You and Includes State & Federal Laws

YOUR PERSONAL ETHICS & MORALS

YOUR EMPLOYER'S STATED CORE VALUES

YOUR EMPLOYER'S STANDARDS OF CONDUCT POLICY

ENGINEERING SOCIETIES' PROFESSIONAL CODES OF ETHICS

**(NSPE, LES, ACEC, SWE, NSBE, SHPE
ASCE, ASME, ASNE, SNAME, IEEE, SPE, etc.)**

LA CODE OF GOVERNMENTAL ETHICS & LAPELS

ETHICS PART I:

**Staying Within the Rules for Solicitations *for*
Professional
*Engineering Services***

References Cited

**LAPELS-Louisiana Professional Engineering and Land
Surveying Board**

NSPE-National Society of Professional Engineers

**ASCE-American Society of Civil Engineers
(Example of Professional Society Code of Ethics)**

LA Code-Louisiana Code of Government Ethics

Solicitations for Work

LAPELS Chapter 25 Professional Conduct 2509 Improper Solicitations:

Avoid improper solicitation of employment & services

Do not falsify or permit misrepresentation of qualifications, exaggeration of responsibility of prior assignments, misrepresent pertinent facts to enhance qualifications

Licensees shall not pay nor offer to pay, directly or indirectly any commission or gift or other valuable consideration in order to secure work except:

- 1) As a bona fide employee, or a bona fide marketing agency retained by them
- 2) Hiring an employment agency for a salaried position

Solicitations for Work

LAPELS Chapter 25 Professional Conduct **2511 Conduct of Advertising:**

Do not make exaggerated, misleading, deceptive or false statements or claims in any public communications

Do not misrepresent a fact, omit a material fact, make statements likely to create an unjustified expectation

Do not make statements containing a prediction of future success

Do not write articles that imply credit to the author for work performed by others

Solicitations for Work

NSPE Chapter III (5) (b)

Professional Obligations

Engineers shall not offer, give, solicit or receive (either directly or indirectly) any contribution to influence the award of a contract by public authority, or which may be reasonably construed by the public authority, or which may be reasonably construed by the public as having the effect or intent of influencing the award of a contract.

They shall not offer any gift or other valuable consideration in order to secure work.

Solicitations for Work

ASCE Code of Ethics Canon 5

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

This does not restrict competition among engineers per se, only methods by which an engineer may attempt to gain an unfair advantage over competitors.

Such unfair practices include bestowing gifts or gratuities to obtain work, falsely portraying one's qualifications and credentials, taking credit for the work of another, and maliciously criticizing the work of another.

Solicitations for Work

ASCE Code of Ethics Canon 6

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

This broadly prohibits acts not explicitly proscribed elsewhere, but violate the spirit of the Code of Ethics.

It prohibits engineers from knowingly participating in fraudulent or dishonest practices.

Bribes and corruption are not to be tolerated and engineers should beware of situations where such practices have broad, institutionalized, or cultural support.

Solicitation for Work

Louisiana Code of Governmental Ethics

Who does this apply to besides the paid public employee in Louisiana?

Members of the immediate family: mother, father, mother-in-law, father-in-law, spouse, sister, sister-in-law, brother, brother-in-law, daughter, daughter-in-law, son, and son-in-law

A “Public Employee” is defined also as someone who is an unpaid member on a government board, authority, agency, commission, etc.

Solicitation for Work

Louisiana Code of Governmental Ethics

There is a two year period after termination of public service that prohibits certain activities by the former public servant, including assisting others to solicit the same type of work from the entity the public servant had worked for.

Any **company** that hires that former public servant will also be prohibited from doing the same type of work with the entity the public servant had worked for.

Any funding from the former entity to another government entity invokes the same prohibition for the former public servant.

The Bottom Line

“Your brand is what people say about you when you aren’t in the room.” - Jeff Bezos, Amazon.com

What are they saying about YOU?

Is it worth losing your professional license?

Ignorance of the law is not an excuse.

Comments & Questions



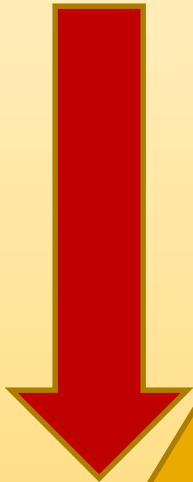
A Louisiana Licensed Professional Engineering Firm



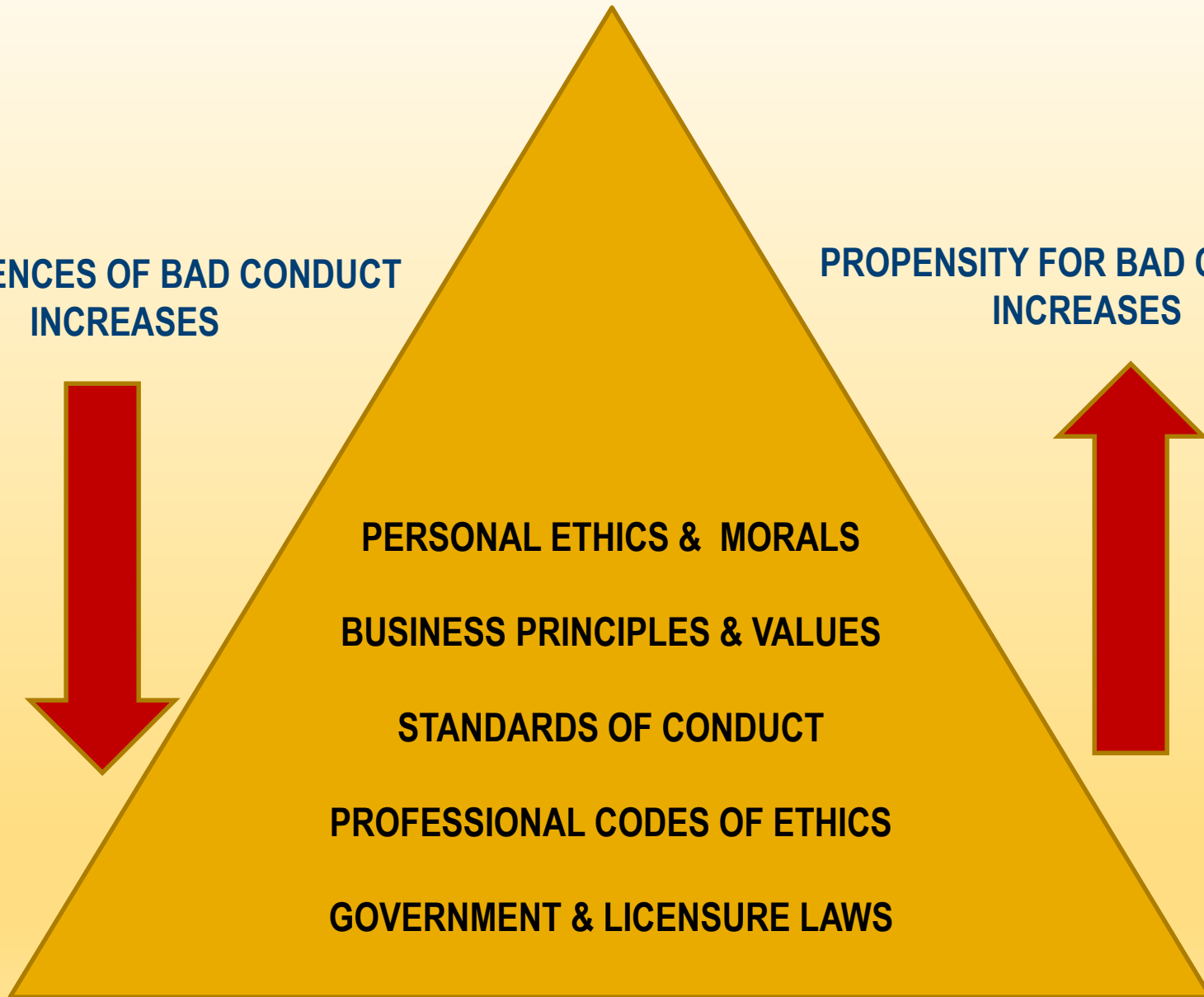
Presented by: Deborah Ducote Keller, P.E.
Ethics Part II

**Appreciating Your Clients
Legally
for
*Professional Engineering Services***

**CONSEQUENCES OF BAD CONDUCT
INCREASES**



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LA CODE OF GOVERNMENTAL ETHICS & LAPELS

ETHICS PART II:

**Appreciating Your Clients Legally *for*
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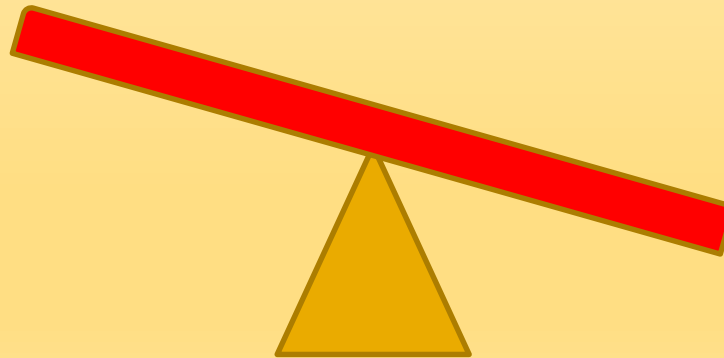
LA Code-Louisiana Code of Government Ethics

Appreciating Clients

LAPELS Chapter 25 Professional Conduct 2509 Improper Solicitations:

Licensees shall not offer to pay, directly or indirectly, any gift or other valuable consideration in order to secure work

Securing Work vs. Appreciating a Client



Appreciating Clients

Louisiana Code of Governmental Ethics

Who does this apply to besides the paid public employee in Louisiana?

Members of the immediate family: mother, father, mother-in-law, father-in-law, spouse, sister, sister-in-law, brother, brother-in-law, daughter, daughter-in-law, son, and son-in-law

A “Public Employee” is defined also as someone who is an unpaid member on a government board, authority, agency, commission, etc.

There is a two year period after termination of public service that prohibits certain activities by the former public servant.

Appreciating Clients

Louisiana Code of Governmental Ethics

Gifts, food and drink, and other donations contained within the Louisiana Code of Governmental Ethics (La. R.S. 42:1101 et. seq.)

Generally, a Public Servant includes elected officials and public employees.

They may NOT solicit or accept gifts:

- From anyone seeking to obtain a contractual or business or financial relationship with the agency
- From anyone seeking, for compensation, to influence the passage or defeat of legislation by the agency
- For the performance of a service substantially related to the public duties or which draws on non-public information.
- For services rendered to or for:
anyone seeking to obtain a contract or business or financial relationship with the employee's agency, anyone who is regulated by the employee's agency, or have a substantial economic interest, which maybe substantially affected by the performance or non-performance of the employee's official duties

Appreciating Clients

Louisiana Code of Governmental Ethics

Gifts, food and drink, and other donations contained within the Louisiana Code of Governmental Ethics (La. R.S. 42:1101 et. seq.)

Generally, a public employee may not receive anything of economic value:

- From a source other than government entity for performance of official duties and responsibilities
- For the performance of a service substantially related to the public duties or which draws on non-public information.
- For services rendered to or for:
anyone seeking to obtain a contract or business or financial relationship with the employee's agency, anyone who is regulated by the employee's agency, or have a substantial economic interest, which maybe substantially affected by the performance or non-performance of the employee's official duties

Appreciating Clients

Louisiana Code of Governmental Ethics

The Code of Ethics does not prohibit a public employee from accepting complimentary food and drink, but only when the public employee is the personal guest of the giver, including reasonable transportation and entertainment incidental thereto.

Therefore, if a company or an individual is providing the food and drink, a representative of that company or the individual providing the food or drink must be physically present when the food is consumed. Additionally, the public employee may not be given more than \$60 in food and/or drink at a single meal or event.

Above does not apply to a gathering held in conjunction with a meeting of a national or regional organization or a statewide organization of government officials or employees, or to a public employee of a post-secondary education attending a private fundraiser for that institution.

Appreciating Clients

Louisiana Code of Governmental Ethics

Other than food and drink, any other type of gifts and donations are generally prohibited. A limited exception to this general rule is for **promotional items which have no substantial resale value.**

In order to qualify, these items must be permanently imprinted with a company or organization's name or logo, and must be of very minor value, such as t-shirts, pens, hats or cups imprinted with the logo. Items such as money, gift cards, tickets, and other gifts are strictly prohibited.

There are exceptions to this summary on the LA Code, read LSA R.S. 42:1101 et seq. car

Visit the Louisiana Board of Ethics' website www.ethics.state.la.us

When in doubt, file a request for a formal Board of Ethics written opinion as per the website.

Appreciating Clients

NSPE Chapter III (5) (b) Professional Obligations

Engineers shall not offer any gift or other valuable consideration in order to secure work.

Protect yourself and your employer by documenting the business purpose to demonstrate that it is not related to securing work

AND

complies with other applicable codes, laws, conduct standards

Appreciating Clients

ASCE Code of Ethics Canon 5

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

This canon restricts methods by which an engineer may attempt to gain an unfair advantage over competitors.

Such unfair practices include bestowing gifts or gratuities to obtain work.

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Appreciating Clients

ASCE Code of Ethics Canon 6

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

Beware of situations where such practices have broad, even institutionalized or cultural, support.

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