

# Rights and Responsibilities for Engineers

The basic rights of engineers include the right to live freely and pursue their legitimate interests as any human being, along with the right to be against racial or sexual discrimination, receiving one's salary according to the work, choosing of political activities, etc., as other employees. Besides all of them, engineers have some special rights as professionals.

## Professional Rights

The rights that engineers have as professionals are called Professional Rights. These professional rights include –

- The basic right of professional conscience.
- The right of conscientious refusal.
- The right of professional recognition.

### Right of Professional Conscience [innervoice](#) [example of cement](#)

This is a basic right which explains that the decisions taken while carrying on with the duty, where they are taken in moral and ethical manner, cannot be opposed. The right of professional conscience is the moral right to exercise professional judgement in pursuing professional responsibilities. It requires autonomous moral judgement in trying to uncover the most morally reasonable courses of action, and the correct courses of action are not always obvious.

There are two general ways to justify the basic right of professional conscience.

- The exercise of moral reflection and conscience that justifies professional duties is necessary, with respect to that duty.
- The general duties to respect persons and rule-utilitarianism would accent the public good of allowing engineers to pursue their professional duties.

### Right of Conscientious Refusal [corporate example](#)

The right of conscientious refusal is the right to refuse to engage in unethical behavior. This can be done solely because it feels unethical to the doer. This action might bring conflicts within the authority-based relationships.

The two main situations to be considered here are –

- When it is already stated that certain act is unethical in a widely shared agreement among all the employees.
- When there occurs disagreement among considerable number of people whether the act is unethical.

Hence it is understood that engineers and other professionals have a moral right to refuse the unethical acts such as bribery, forging documents, altering test results, lying, padding payrolls or coercing employees into acting by threatening, etc.

### **Right to Recognition**

An engineer has a right to the recognition of one's work and accomplishments. An engineer also has right to speak about the work one does by maintaining confidentiality and can receive external recognition. The right for internal recognition which includes patents, promotions, raises etc. along with a fair remuneration, are also a part of it.

The fulfilment of right to recognition motivates the employee to be a trustful member of the organization, which also benefits the employer. This makes the employee morally bound which enhances the ethical nature to be abide by the professional ethics.

### **Employee Rights**

An employee right can be any right, moral or legal, that involves the status of being an employee. They involve some professional rights also, such as the right to be paid according to the salary mentioned in one's contract. Privacy and equal opportunity can be considered essential rights too.

#### **Privacy**

The right to privacy refers to the right of having a private life, off the job. It is the right to control the access to and the use of information about oneself.

The examples of situations where the functions of employers conflict the rights of employees will be when the job-related queries or any other tests conducted in a job, includes questions relating to personal life such as alcohol usage or sexual conduct. The instances when a supervisor unlocks and checks the desk of his subordinate in his absence or when the management questions about his likes, dislikes or posts on social media regarding his personal opinions where it has nothing to do with the company.

Employers should view the relationship with their employees concerning confidentiality that cannot break the trust. The personal information in such cases is given based on the special professional relation and trust.

### **Equal Opportunity – Non-discrimination**

The demeaning of a person based on trivial factors such as one's sex, race, skin color, age or political or religious outlook can be understood as Discrimination. Such a discrimination should never be allowed at any workplace; this is where everyone has to be treated equally. These things internally affect the person's self-identity and self-respect which is pernicious within the work environment, where the work itself should represent a person's self-image.

According to the **Civil Rights Act of 1964**, "It shall be unlawful employment practice for an employer to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex or national origin".

### **Equal Opportunity – Sexual Harassment**

In today's world, there is an increase in the number of sexual harassment cases across the world. This is quite an unfortunate scenario. There were a number of cases where the charges were levied since last two decades, which kept on growing. A definition of **Sexual harassment** is, "The unwanted imposition of sexual requirements in the context of a relationship of unequal power". Sexual harassment is a display of power and aggression through sexual means. It takes two forms, quid pro quo and hostile work environment.

**Quid Pro Quo** includes cases where supervisors require sexual favors as a condition for some employment benefit (a job, promotion or raise). It can take the form of a sexual threat (of harm) or sexual offer (of a benefit in return for a benefit). **Hostile work Environment** by contrast, is any sexually oriented aspect of the workplace that threatens employee's rights to equal opportunity. It includes unwanted sexual proposals, lewd remarks, sexual leering, posting nude photos and inappropriate physical contact.

### **Equal opportunity – Affirmative Action**

Affirmative action refers to the preference given to a person or a group who was denied equal importance in the past. For example, the women and the minority communities were not given equal treatment and were ill-treated in the past. So to compensate that, amendments

were made in recent laws to provide them special quota for reservations in education, employment and social sectors.

These preferential treatments are made in order to compensate the previous ill-actions. Ideally such compensation should be given to those specific individuals who in the past were denied jobs. But the practical possibilities of such actions are limited. Sexism and racism still permeate in our society and to counterbalance their insidious impact reverse preferential treatment is warranted in order to ensure equal opportunity for minorities and women.

### **Intellectual Property Rights**

Intellectual property right is a type of property right which allows the creators or owners of patents trademarks or copyrighted works to benefit from their own work or investment. These rights enable the right person to benefit from the protection of moral and material interests resulting from the authorship of scientific, literary or artistic productions. These rights are outlined in the article 27 of the Universal declaration of Human rights.



## **Responsibilities of Engineers**

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In our previous chapters, we discussed many things about the ethics to be possessed by an engineer. The responsibilities of an engineer, if not taken proper care of, results in the adverse effects just like the above discussed incidents. In this chapter, we will discuss the responsibilities of an engineer.

Loyalty to corporations, respect for authority, collegiality and other teamwork are a few important virtues in the field of Engineering. Professionalism in engineering would be threatened at every turn in a corporation driven with powerful egos. Robert Jackall, a Sociologist criticizes professionalism saying, “what is right in the corporation is what the guy above you wants from you. That’s what morality is in the corporation.”

In order to understand how good the ethical factors in a corporate world should be, let us consider the following points –

- Ethical values in their full complexity are widely acknowledged and appreciated by managers and employees alike.

- In an ethical corporate climate, the use of ethical language is honestly applied and recognized as a legitimate part of corporate dialogue.
- Top management sets a moral tone in words, in policies and by personal example.
- The procedures should be followed for conflict resolution.

## **Loyalty**

Loyalty is the faithful adherence to an organization and the employer. Loyalty to an employer can be either of the two types –

- **Agency-loyalty** – Agency-loyalty is acting to fulfil one’s contractual duties to an employer. This is entirely a matter of actions, such as doing one’s job and not stealing from one’s employer, irrespective of the motive behind it. [abide the agency laws or external law](#)
- **Attitude-loyalty** – Attitude-loyalty has a lot to do with attitudes, emotions and a sense of personal identity as it does with actions. It can be understood that people who work grudgingly and spitefully are not loyal; in spite of the fact they may adequately perform all their work responsibilities and hence manifest agencyloyalty. [abide internal law](#)

## **Collegiality**

Collegiality is the term that describes a work environment where responsibility and authority are shared among the colleagues. When Engineering codes of ethics mention collegiality, they generally cite acts that constitute disloyalty. The disloyalty of professionals towards an organization, reflects the attitude they have towards the work environment for the salaries they are paid and the trust the company has for them.

The National Society of Professional Engineers (**NSPE**) Code, for example, states that “Engineers shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of other engineers. Engineers who believe others are guilty of unethical or illegal practice shall present such information to the proper authority for action”.



The main factors that help in maintain harmony among members at a workplace is –

- Respect
- Commitment
- Connectedness

In detail, the colleagues are to be respected for their work and contribution towards the organizational goals and should be valued for their professional expertise and their dedication towards the social goods promoted by the profession. Commitment observed in the sense of sharing a devotion to the moral ideals inherent in one's profession. The coordination among all the members at a workplace or the awareness of participating in cooperative projects based on shared commitments and mutual support, also encourages the quality of the work.

#### Respect for Authority

In order to meet the organizational goals, the professionals should possess respect for authority. The levels of authority maintained by the organization provides a means for identifying areas of personal responsibility and accountability.

Following are the major types of authority –

- **Executive Authority** – The corporate or institutional right given to a person to exercise power based on the resources of an organization.
- **Expert Authority** – This is the possession of special knowledge, skill or competence to perform a particular task or to give sound advice.

According to the goals of the company, the hierarchical authority is distributed. A service oriented or engineer-oriented company concentrates on the quality of the products which are decided by the engineers as they are the subject matter experts. Whereas a company when it is customer-oriented company, focuses primarily on the satisfaction of the customers. Hence the goal of the company decides the power between a General Manager and a Technical Manager or an Engineer.

### Collective Bargaining

It is the responsibility of an organization to look into the welfare of the section of people working in it. Their issues need to be discussed. When we discuss issues, there can be issues which need to be discussed among the employees themselves and resolutions can be found for the same. However, there can be issues which might require the intervention of the management. In order to deal with such complex situations, an Employee Union is formed wherein, each employee becomes a member and a leader is elected to represent the group whenever needed.

At the time of conflicts or arguments, there will arise the need for negotiation between the parties. Conflicting situations which call for negotiation might occur on areas related to pay scales, working hours, training, health and safety, overtime, grievance mechanisms, rights in work places or company affairs, etc. The process of voluntary negotiations between the employers and a group of employees to resolve the conflicts is called **Collective Bargaining**.

The parties often refer to the result of the negotiation as a **Collective Bargaining Agreement (CBA)** or as a **Collective Employment Agreement (CEA)**.



The underlying idea of collective bargaining is that the employer and employee relations should not be decided unilaterally or with the intervention of any third party. Both the parties must reconcile their differences voluntarily through negotiations, yielding some concessions and making sacrifices in the process. Both should bargain from a position of strength. There should be no attempt to exploit the weaknesses or vulnerability of one party.

With such an awareness, the necessity of formation of Unions was observed in all the organizations and the idea was strengthened to form larger labor unions. Both parties have, more or less, realized the importance of peaceful co-existence for mutual benefit and continued progress.

### **Types of Collective Bargaining**

Let us now discuss the types of collective bargaining. There are four main types of collective bargaining –

- **Distributive Bargaining** – In this, one party's gain is another party's loss. **Example** – Wages
- **Integrative bargaining** – In this, both the parties may gain or none of the parties may face a loss. **Example** – Better training programs
- **Attitudinal Structuring** – When there is backlog of bitterness between both the parties then attitudinal structuring is required to make smooth industrial relations.
- **Intra-organizational Bargaining** – There can be conflicting groups in both management and unions also. So, there is need to achieve consensus in these groups.