

ENGINEER 4A03 Assignment 2

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Fact Scenario A

Ethical Issues

There is a conflict on interest. Lois was hired to do a job for the local developer, Lex Luthor Inc., while representing the client, the Town of Smallville. Lois has additionally failed to inform both of her employees in this scenario, Lex Luthor Inc. and the Town of Smallville, of the conflict of interest.

Rules of Professional Misconduct

The following Rules of Professional Misconduct apply to this fact scenario:

72.2.i failure to make prompt, voluntary and complete disclosure of an interest, direct or indirect... Lois fails to disclose her interest in the client of Lex Luthor Inc., the Town of Smallville. She is submitting designs that will be used and paid for by the client, the Town of Smallville, while also being employed by the client.

Codes of Ethics

The following Codes of Ethics apply to this fact scenario:

77.1.i It is the duty of a practitioner to the public, to the practitioner's employer, to the practitioner's clients, to other members of the practitioner's profession, and to the practitioner to act at all times with, fairness and loyalty to the practitioner's associates, employer, clients, subordinates and employees. Lois does not display fairness or loyalty to her employer, or clients by failing to inform both of the conflict of interest.

77.1.iii It is the duty of a practitioner to the public, to the practitioner's employer, to the practitioner's clients, to other members of the practitioner's profession, and to the practitioner to act at all times with, devotion to high

ideals of personal honour and professional integrity. Lois fails demonstrate high ideals of professional integrity as she knowingly participates in work where a conflict of interest exists.

77.3 A practitioner shall act in professional engineering matters for the practitioner's employer as a faithful agent or trustee and shall regard as confidential information obtained by the practitioner as to the business affairs, technical methods or processes of an employer and avoid or disclose a conflict of interest that might influence the practitioner's actions or judgment. Lois fails to regard confidential information obtained by the practitioner as to the business affairs of the employer by voting on proposal on behalf of the client. Lois also fails to avoid or disclose a conflict of interest.

77.4 A practitioner must disclose immediately to the practitioner's client any interest, direct or indirect, that might be construed as prejudicial in any way to the professional judgment of the practitioner in rendering service to the client. Lois fails to disclose immediately to the practitioner's client her interest in both parties.

Decision Making Options and Solutions

Possible decision making options and solutions that were available to Lois include:

1. Inform both parties (Town of Smallville and Lex Luthor Inc.) of the conflict of interest and allow them to come to a resolution for this situation. This would address any ethical issues that arise due to violating Rules of Professional Misconduct and Codes of Ethics pertaining to avoidance or disclosure of interest.
2. Lois should not have accepted the job by Lex Luthor Inc. due to the conflict of interest. This would address any ethical issues that arise due to violating Rules of Professional Misconduct and Codes of Ethics pertaining to avoidance or disclosure of interest.

3. Lois should have abstained from the town council vote due to the conflict of interest.

This would address any ethical issues that arise due to violating Rules of Professional Misconduct and Codes of Ethics pertaining to avoidance or disclosure of interest.

Fact Scenario B

Ethical Issues

As an engineer, you should have reported to your employer/client about this safety issue first instead of going to the designer. As an engineer, you reviewed another engineer's work that is employed by the same client. The chief engineer at Delta Designs did not verify concerns with their drawings.

Rules of Professional Misconduct

The following Rules of Professional Misconduct apply to this fact scenario:

72.2.a negligence. The chief engineer at Delta Designs displays negligence by refusing to review concerns about the safety and specifications of the gearbox.

72.2.b failure to make reasonable provision for the safeguarding of life, health or property of a person who may be affected by the work for which the practitioner is responsible. The chief engineer at Delta Designs refuses to make reasonable provision when reasonable concerns about their work is raised.

72.2.f failure of a practitioner to present clearly to the practitioner's employer the consequences to be expected from a deviation proposed in work, if the professional engineering judgment of the practitioner is overruled by non-technical authority in cases where the practitioner is responsible for the technical adequacy of professional engineering work. You failed to inform your employer/client about the concerns about the design.

Codes of Ethics

The following Codes of Ethics apply to this fact scenario:

77.7.ii A practitioner shall, not accept an engagement to review the work of another practitioner for the same employer except with the knowledge of the other practitioner or except where the connection of the other practitioner with the work has been terminated. You have reviewed the designs of Delta Designs without the knowledge of the engineers at Delta.

Decision Making Options and Solutions

Possible decision making options and solutions that were available to you include:

1. Do not directly reach out to Delta Designs and instead inform your client of the situation first, and wait to hear back from your client on what to do. In the meantime, do not manufacture the gearboxes due to the potential safety risk. This would address any ethical issues that arise due to violating Rules of Professional Misconduct and Codes of Ethics which require you to inform your client/employer about deviations in work, and for violations for reviewing another practitioner's work without their knowledge. Informing your client first is also the recommended under the Engineer's Duty to Report guidelines in Professional Engineers Ontario's Professional Engineering Practice Guideline.

Possible decision making options and solutions that were available to the chief engineer at Delta Designs include:

1. Investigate the concerns raised by you about the design of the gearboxes.

Works Cited

Professional Engineers Act. R.R.O. 1990, Reg. 941.

Professional Engineers Ontario. *Professional Engineering Practice Guideline*. November 2020. *Professional Engineers Ontario*, https://www.peo.on.ca/sites/default/files/2020-12/PEPGuideline_Nov2020.pdf