

Striving for Ethics in Transportation Engineering

TRANSPORTATION PROFESSIONALS FACE DIFFERENT ETHICAL CHALLENGES DEPENDING ON WHETHER THEY WORK FOR THE PUBLIC OR PRIVATE SECTOR OR AS EXPERT WITNESSES. IN ADDITION, THERE ARE GRAY AREAS WHERE CODES DO NOT SEEM TO APPLY. IN THIS FEATURE, THE ITE TASK FORCE ON ETHICS PROVIDES INSIGHT TO HELP EDUCATE PROFESSIONALS TO RECOGNIZE AND PROPERLY RESPOND TO UNETHICAL BEHAVIOR.

BY W. HIBBETT NEEL, P.E.

WE ALL WANT TO BE REGARDED as moral, ethical, honest professionals with integrity. These words are synonymous, relating to the principles or values by which we should live.

From the moment we join the Institute of Transportation Engineers (ITE), we should be familiar with and committed to the Canons of Ethics for Members. The articles clearly outline the rules, which are unique to ITE.¹

The Preamble states: “The ITE Member, to uphold and advance the honor and dignity of the profession and in keeping with high standards of ethical conduct, will:

- Use professional knowledge and skill for the advancement of human welfare;
- Be honest and impartial in dealing with employer, clients and the public;
- Strive to increase the competence and prestige of the profession.”

Section 1 states: “The member will have due regard for the safety, health and welfare of the public in the performance of professional duties.” Although the Canons of Ethics apply to all ITE members, how we apply them depends greatly on where we work.

PUBLIC SECTOR PROFESSIONALS

Transportation professionals often face situations that pressure them to compromise their position. ITE Ethics Task Force member Chris Fornal, P.E. (F), of Milwaukee, WI, USA, cites the developer who wishes to locate a driveway too close to an intersection or the elected official who insists on an unwarranted traffic control device. According to Fornal, “Where development is good for the tax base, we must always protect the public’s best interest.”

Public sector professionals have a duty to educate officials on the merits of safe and efficient roadways. We cannot

take for granted that elected officials understand the merits of applying transportation engineering principles. We have a duty to provide continuing education to policy-makers who are not members of ITE. Usually, elected officials will support the position of professionals whose only job is to protect the public interest.

Unfortunately, there are too many cases of transportation engineers who lose their jobs because they will not compromise their ethics. A city transportation engineer recently was not reappointed by the new administration because of his requirement that all developers adhere to accepted standards. Surely, he will have no trouble finding another job, thanks to the respect he gained by standing up for his principles.

CONSULTANTS

Consultants face different ethical challenges. Ethics Task Force Chairman Jeffrey Arey, P.E. (F), of Jacksonville, FL, USA, mentions how consultants always are asked for political contributions. Section 15 of the ITE Canons of Ethics clearly states: “The member will not offer to or pay either directly or indirectly any commission, political contribution, or fee, or other consideration in order to secure or retain work, exclusive of securing salaried positions through employment agencies.”

How much can a consultant contribute to a campaign and remain ethical? Some would argue that it is ethical to contribute as much as the law allows; others would argue that any contributions to an official who could influence selection are unethical.

Gifts to professionals also can become an issue. Although it is a generally accepted practice to take an official to lunch, gifts of significant value, lavish dinners, or trips paid for by consultants usually are considered unethical.

Consultants must always base their opinions on adequate knowledge and honest conviction. Consultants should never produce a report or plan that compromises principles by exaggerating or falsifying conclusions on behalf of a developer to obtain approval and/or funding for a particular project.

Those who hire businesses to provide materials or services should not assume that all businesses are committed to ethical practices. In fact, some would argue that business ethics is a misnomer because only illegal activities can cause a business to lose its license.

However, a business can engage in unethical activities that are not illegal. This is a good argument for all member organizations of the ITE Consultants Council and ITE Industry Council to subscribe to the ITE Canons of Ethics. However, even that does not prohibit employers from being greedy or not treating all employees with the respect and dignity they deserve.

EXPERT WITNESSES

Transportation engineers who testify as expert witnesses express frustration with opposing experts who will justify in favor of any position as long as the attorney keeps paying.

Sections 3 and 12 of the ITE Canons of Ethics state: "The member will not practice, market, or promote in a false, misleading, or deceptive manner... The member will undertake only those professional assignments for which the member is qualified. The employer or client will be advised to engage specialists and the member will cooperate with them whenever the employer's or client's interests are served best by such an arrangement."

According to ITE Ethics Task Force member James Pline, P.E., PTOE (H), of Boise, ID, USA, "You have a responsibility to communicate your discovery of a discrepancy in a fellow professional's practice. It is important that this responsibility be taken seriously because unethical practice reflects badly on the engineering profession and ITE."

Unfortunately, courts sometimes allow testimony from individuals who are not bound by the Canons of Ethics.

FROM THE MOMENT

WE JOIN THE INSTITUTE

OF TRANSPORTATION

ENGINEERS, WE SHOULD

BE FAMILIAR WITH

AND COMMITTED TO

THE CANONS OF ETHICS

FOR MEMBERS.

THE NEED FOR CONTINUING ETHICAL EDUCATION

Our ethics education begins with morals instilled during childhood. This education is reinforced during our college years, as we are bound by codes of conduct that prohibit cheating and plagiarism, for example. These codes prescribe consequences for violations.

Ethics Task Force member Robert Maki, Ph.D., P.E. (F), city traffic engineer for the City of Surprise, AZ, USA, suggests that professionals face certain ethical dilemmas on a daily basis. Professionals need to be trained to recognize these dilemmas, evaluate them in some rational manner and, then, make the correct decision.

Codes of ethics certainly can be helpful in promoting ethical conduct but, unless the dilemma is recognized, codes are of little use. In addition, there are many gray areas where codes do not seem to apply. These facts, too, point to the need for education and training in ethical engineering behavior. (Dr. Maki has submitted an article to *ITE Journal* on this subject.)

WHAT IS THE LITMUS TEST FOR ETHICAL BEHAVIOR?

Ethics Task Force member Jenny Grote, P.E., PTOE (F), offers some thoughts from her ethics training at the City of Phoenix, AZ: "Ethics is more than doing what is legal, it is doing what is right." The City of Phoenix uses a four-step checklist:

- Is it legal?
- Is it a win/win situation?
- Does it feel okay?
- Would you do the same thing if a loved one, friend, or boss were watching?

We could also add:

- How would you feel if it were tomorrow's news headline?

Finally, when in doubt, do not do it.

OTHER CODES OF ETHICS

In addition to the ITE Canons of Ethics, we are bound by the ethics codes of other professional organizations to which we may belong, such as state boards of registration and the National Society of Professional Engineers.

Although all codes espouse the highest standards of honesty and integrity, some provisions allow certain practices in some states but expressly prohibit them in others. One state may allow certain individuals to practice without a license. Another state may allow for the bidding of engineering services. Still another state may allow services to be provided on a "contingency" basis.

Members should become aware of all the provisions of the codes that apply to their professional organizations. Even if the code is silent on an issue, it is our responsibility to do the right thing.

Ethics Task Force member Carlton Robinson, P.E., (H), of Bethesda, MD, USA, reminds us that we cannot legislate morality. We owe our responsibility to the general public. Anything that is illegal is unethical, but the reverse is not always true. He notes a classic case: A public employee knows of an unsafe bridge, but funds are not available to fix it. Although the employee's lack of action may not be illegal, the employee has an ethical duty to alert the responsible public official.

Robinson asks, "Does the public good include the public purse?" Section 11 of the ITE Canons of Ethics states: "The member will guard against conditions that are dangerous or threatening to life, limb, or property on work for which the member is responsible, or, if not responsible, will promptly call such conditions to the attention of those who are responsible." The challenge lies in how we work through these issues.

THE ROLE OF ITE IN ETHICS AWARENESS

- ITE members should become familiar with the ITE Canons of Ethics. They should be copied, posted and discussed regularly among members.
- ITE develops technical standards so that its members can be objective and can express technical opinions that are founded upon knowledge of facts and competence in subject matter.
- The ITE Task Force on Ethics, chaired by Jeffrey Arey, P.E. (F),

continues to increase ethical awareness by sponsoring sessions and publishing articles. ITE developed an "Engineering Ethics" CD in August 2001 that is available to all members. (Contact Philip Caruso at ITE Headquarters.)

- ITE councils publish articles in *ITE Journal* and sponsor seminars to develop skills that will help members educate officials and the public about transportation engineering principles.

We must be deeply committed to the ITE Canons of Ethics. Ultimately, it is how we live our lives and the actions we choose that measure whether or not we are moral, ethical, honest professionals with integrity—worthy of self-respect and the respect of our peers. ■

References

1. "Institute of Transportation Engineers Canons of Ethics for Members." Accessible via www.ite.org/aboutite/ethics.pdf.



W. HIBBETT NEEL, P.E.,

is president of Neel-Schaffer Inc. in Jackson, MS, USA. He served as chairman of the ITE Task Force on Ethics from 1998 to

2002. He has served ITE in leadership roles including past president of the Southern Section and founder/past president of the Deep South Division. He holds a bachelor of science in civil engineering from Vanderbilt University and a master of science in civil engineering from Georgia Institute of Technology. He is a life fellow of ITE.

Speed/Classifier
\$369.00
INCLUDES FREE SOFTWARE

introducing the
ROAD RUNNER

Volume Counter
\$298.00
INCLUDES FREE SOFTWARE

ROADWAY DATA

- Easy to use
- Maintenance free
- Includes software
- No batteries to change
- Completely submersible
- Time stamp or interval count
- Full featured high performance
- Machined from aircraft aluminum
- Compact size weighing a total of 1lb

call
(503) 706-7404
or email
sales@roadwaydata.com

www.roadwaydata.com