

Ecor 4995 professional practice essay #1 winter 2012

Profession



Professional Practice - ECOR 4995 To practice as a Professional Engineer a Certificate of Authorization must be issued by Professional Engineers Ontario, by accepting this certificate you agree to abide by the legal and ethical responsibilities of a professional practice. The Professional Engineers Ontario Code of Ethics (PEO, 1990) outlines the regulations and responsibilities of a practicing engineer. In the case study based on NSPE #88-6, Ms Simpson has been placed in a challenging position as a professional engineer. She faces the conflicts of: adhering to her obligation of public safety; maintaining the public's trust in her profession; and having an opposing view from her supervisor. Overall, Ms Simpson has an ethical and legal obligation to uphold public safety in her role as a professional engineer. This obligation overrides the request of the City Manager who requested she do nothing until an incident occurs. I will discuss the challenges Ms Simpson is currently facing, as well as the recommended course of action she should pursue to resolve the issues. As the Director of Public Works, it is Ms Simpson's job to act with due diligence to prevent harm to the public and the public's trust in her employer. Her reputation as an engineer is what gives the public confidence in her skills, abilities and decisions. For this reason, it is important for engineers to protect their professional reputations. In this case, her employer is the Department of Public Works, which has a duty to represent the City as a whole. When the City Manager disregards her report that the City manufacturing plant expansion calls for an increased disposal system, it is her obligation, as a professional engineer to act in the public's interest. An incident involving an overflow of domestic and industrial waste materials would result in a

negative physical impact on the surrounding environment and potential human health implications over both the short and long term. Her first course of action should have been to discuss the issue further with the City Manager. Often opinion based disputes will incur when one party is not as informed as the other. It's possible the City Managers reaction is due to a lack of information or training on the potential adverse effects. Ms Simpson must do her best to reinforce her professional opinion with supporting evidence and documentation to help illustrate to the City Manager the dangers in ignoring her professional opinion. If the manager continues to disregard her professional advice, it is her responsibility to raise the issue to the City Manager's direct superior, in this case the City Council. As best as possible, Ms Simpson should try to resolve the issue discreetly, in order to maintain her reputation as an employee and a professional. Only in extreme cases, where both the City Manager and the City Council ignore her professional opinion and there is clear evidence that an incident would result in serious damage should Ms Simpson involve the public directly. One of Ms Simpson's toughest decisions comes when she receives direct verbal harassment from her superior, who threatens her job security if she continues to pursue the issue with others. At this point, she has exhausted all options in trying to communicate her professional opinion to the City Manager and must hold her duty to the public above her personal career. If an incident were to occur, the investigators from the Association of Professional Engineers Ontario could hold her responsible for not pursuing the issue further. The best course of action would be to inform the City Manager that she has an ethical and legal obligation to continue to pursue

the issue until it is resolved. If this discussion does not help change the City Manager's opinion, Ms Simpson could request that an exterior engineering firm give their professional opinion on what the best course of action would be. As a professional it is important to view the problem from every point of view possible. While Ms Simpson's solution to the problem is valid, there are likely other mitigative measures that could be implemented to minimize the potential adverse effects while also limiting the associated costs. This approach is favourable as it can maintain the trust of the public in the cities decisions, maintain the public's safety and give her additional supporting evidence of the hazards and appropriate resolutions. If the City Manager ignores this proposed course of action and still does not attempt to resolve the issue, she must raise the issue to the City Council and present them the possible solutions identified. The kind of threat issued by the City Manager to Ms Simpson involving her future career within the city if she disobeyed him should not be taken lightly. Ms Simpson has a duty to her current and future employees to report this harassment to the appropriate authorities. Within the Ontario municipal city structure it is likely that the Human Resources or Security departments would be the ideal recipients of her report. While the issue has yet to be resolved, it is important to act discreetly and respectfully to avoid further embarrassment on either employees' parts and allow the disciplinary system to handle the confrontation appropriately. Along with this report Ms Simpson must also inform Mr Watson that as a technician he does not have the right to inherit her job should the City Manager remove her from the case. The City Manager does not have the authority to permit a technician to practice Professional Engineering, and should be informed that

this request places Mr Watson in position which he is not qualified. Under the Professional Engineers Act the practice of professional engineering is defined as “ any act of planning, designing, composing, evaluating, advising, reporting, directing or supervising that requires the application of engineering principles and concerns the safeguarding of life, health, property, economic interests, the public welfare or the environment, or the managing of any such act;”. Under this Act, Mr Watson cannot legally perform the duties the City Manager has requested of him. The decision on how to proceed is important for the continued operation of the manufacturing plant and the quality of life for the City’s citizens. A negative image of the manufacturing plant or the city’s relations with the plant could have greater repercussions for the future development of the city. Ms Simpson’s actions must also consider the impact on future projects, if the expansion to the plant costs tax payers within the city a substantial portion of their taxes, public support for the plant and future infrastructure projects may decrease. On the other hand, if Ms Simpson does nothing and an incident occurs, the plant as well as future projects could be jeopardized. For these reasons, it is imperative that Ms Simpsons seek guidance either from a mentor or the PEO in order to ensure that she comprehends the perspectives of all those involved. In the event the City Manager removes Ms Simpson from her position as Director of Public Works, she would have a case to file a legal action of wrongful dismissal. Although this course of action is in place to protect employees, it should only be used when all other reasoning with the employer has failed. Future employees may be wary to hire someone who has taken legal action against their previous employers. This reaction is

human nature, as it is unlikely that future companies will be properly informed on both sides of the disagreement the employee faced. As a professional engineer, Ms Simpson's goals should be to exceed legislated technical requirements in matters of safety. Legislation dictates the minimum acceptable standard which, typically increases over time as technology and understanding improve. To avoid future costs to the organization, Engineers should plan to exceed legislated requirements wherever possible while maintain a budget of profitability within their organisation. If the city imposed fees on the manufacturing plants for its waste production to offset the cost of the waste treatment plant and exceeds the plants profit margin it is likely the plant will close or reduce its operational capacity. This could hurt the small cities economy if this manufacturing plant is a major source of revenue for its residents. The future growth of the city may also be tied to this decision, as the reduction in profit for one company would likely cause others to select different locations for their operation. In conclusion, I find that Ms Simpson's current actions have all been appropriate. Ms Simpson has numerous potential approaches available to help her resolve this dispute. It is her duty to consider all courses of action, as well as the opinions of everyone involved to make the most informed decision possible. Her actions will not only reflect her reputation but also those of Public Works and therefore, she must act as a faithful public servant. Her duty to the public is critical in her decision making and must be the most influential factor on how she proceeds. With strong supporting evidence and good communications skills, her message outlining the required course of action should be easier for the City Manager to accept. As

a Professional, it is her responsibility to educate her employer who will ultimately make the decisions. References " PEO Code of Ethics."

Professional Engineers Ontario. PEO, 1990. Web. 1 Feb 2012. . " Professional Engineers Act." Service Ontario, 2009. Web. 1 Feb 2012. .