

Ethics for Surveyors

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What are Ethics?

Your client contracts you to survey his property and set his four corners. He specifies that he wants concrete monuments.

During the survey, you set 3 monuments. On the fourth corner, you find a 1" Iron Pipe that is within 0.03' of the calculated position.

What do you do?

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What are Ethics?

- A. Tell your client it is illegal to replace the iron pipe.
- B. Replace the iron pipe with a concrete monument and note the change on your drawing.
- C. Other

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What are Ethics?

Black's Law Dictionary says:

Directives based on one's ethics and morality. How one lives with others. The foremost concepts and principles of proper human conduct. Socially, it is the collective of universal values, treating each human equally, acknowledging human and natural rights, obeying the law of land, showing health and safety concerns, caring for natural environment.

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What are Morals?

Black's Law Dictionary says:

1. Pertaining or relating to the conscience or moral sense or to the general principles of right conduct.
2. Cognizable or enforceable only by the conscience or by the principles of right conduct, as distinguished from positive law.
3. Depending upon or resulting from probability; raising a belief or conviction in the mind independent of strict or logical proof.
4. Involving or affecting the moral sense; as in the phrase "moral insanity."

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ETHICAL DELIMA #1 – Supplanting Another Surveyor.

A potential client approaches you and states that XYZ survey has been staking out a subdivision for him, but he is unhappy with their work. He wants to hire you to complete the job.

What do you do?

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ETHICAL DELIMA #2 – Sealing Someone Else's Work

A crew chief that worked for you drops by your office. He has been offered a job by a construction company to stake houses. The company also wants him to provide an as-built survey plat for each house. He is not licensed and would like for you to sign and seal his plats. You know him, and he does good work, plus he is offering you \$50 per plat.

What do you do?

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ETHICAL DELIMA #3 – Enhancing Your Advertisement

Your website is not generating much business. You go and speak to the salesman at the hosting company about this issue. He tells you that your site is dull and boring, not much there to excite potential clients. He suggest "beefing it up" with some exciting new past projects. You tell him that your firm did not do these projects. He says "That's ok, everyone exaggerates on the internet, that's how you drive business."

What do you do?

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ETHICAL DELIMA #4 – Expanding the Services You Offer

Times are slow, not much work is coming in. A contractor calls you and asks if you can stake out a proposed sewer line for him. You have never done construction staking before, but you need the work. How hard can it be? It's just a sewer line, and we are know which way stuff goes.

What do you do?

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ETHICAL DELIMA #5 – Bidding Work

A potential client calls and says she is getting prices to survey a five acre tract in your county. She wants to know how much you will charge.

What do you do?

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225 ILCS 330/5 Sec 5

(m) Offering or soliciting to perform any of the services set forth in this Section.

In the performance of any of the foregoing functions, a licensee shall adhere to the standards of professional conduct enumerated in 68 Ill. Adm. Code 1270.57. Nothing contained in this Section imposes upon a person licensed under this Act the responsibility for the performance of any of the foregoing functions unless such person specifically contracts to perform such functions.

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Ill. Admin. Code tit. 68 § 1270.57

STANDARDS OF PROFESSIONAL CONDUCT

To safeguard the health, safety, and welfare of the public and to maintain integrity and high standards of skill and practice of professional land surveying, the following standards of professional conduct shall be binding on every licensee and on all Professional Design Firms authorized to offer or perform professional land surveying services in Illinois

a) Licensee's Obligation

- 1) Licensees shall be cognizant that their first and foremost responsibility is to safeguard the health, safety, and welfare of the public when performing services for clients and employers.
- 2) Licensees shall sign and seal only those plans, surveys and other documents that conform to accepted professional land surveying standards and that safeguard the health, safety, and welfare of the public.
- 3) Licensees shall notify their employer or client and such other authority as may be appropriate when their professional judgment is overruled when the health, safety, or welfare of the public endangered.
- 4) Licensees shall, to the best of their knowledge, include all relevant and pertinent information in an objective and truthful manner within all professional documents, statements, and testimony.

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III. Admin. Code tit. 68 § 1270.57

STANDARDS OF PROFESSIONAL CONDUCT

a) Licensee's Obligation

- 5) Licensees shall express a professional opinion publicly only when it is founded upon an adequate knowledge of the facts and a competent evaluation of the subject matter.
- 6) Licensees shall issue no statements, criticisms, or arguments on professional land surveying matters that are inspired or paid for by interest parties, unless they explicitly identify the interest parties on whose behalf they are speaking and reveal any interest they have in the matters.
- 7) Licensees shall not partner, practice, or offer to practice with any person or firm that they know is engaged in fraudulent or dishonest business or professional practices.
- 8) Licensees who have knowledge or reason to believe that any person or firm has violated any rules or laws applying to the practice of professional land surveying shall report it to the Division, may report it to appropriate legal authorities, and shall cooperate with the Division and those authorities as requested.
- 9) Licensees shall not knowingly provide false or incomplete information regarding an applicant in obtaining licensure.
- 10) Licensees shall comply with the licensing laws and rules governing professional land surveying profession in each of the jurisdictions in which they practice

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III. Admin. Code tit. 68 § 1270.57

STANDARDS OF PROFESSIONAL CONDUCT

b) Licensee's Obligation to Employer and Clients

- 1) Licensees shall undertake assignments only when qualified by education or experience in the specific technical field of professional land surveying involved.
- 2) Licensees shall not affix their signatures or seals to any plans, specifications, or other documents dealing with subject matter in which they lack competence, nor to any such plans, specifications, or other documents not prepared under their direct supervisory control.
- 3) Licensees may accept assignments and assume responsibility for coordination of an assignment outside of their field of competence if each technical segment is signed and sealed by the licensee responsible for preparation of that technical segment.
- 4) Licensees shall not reveal facts, data, or information obtained in a professional capacity without the prior consent of the client, employer, or public body on which they serve except as authorized or required by law or rules.
- 5) Licensees shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties in connection with work for employers or clients.

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III. Admin. Code tit. 68 § 1270.57

STANDARDS OF PROFESSIONAL CONDUCT

b) Licensee's Obligation to Employer and Clients

- 6) Licensees shall disclose to their employers or clients all known or potential conflicts of interest or other circumstances that could influence or appear to influence their judgment or the quality of their professional service or engagement.
- 7) Licensees shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to in writing by all interested parties.
- 8) Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member. Conversely, licensees serving as members, advisors, or employees of a government body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services offered or provided by said concern to the governmental body that they serve.
- 9) Licensees shall not use confidential information received in the course of their assignments as a means of making personal profit without the consent of the party from whom the information was obtained.

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III. Admin. Code tit. 68 § 1270.57

STANDARDS OF PROFESSIONAL CONDUCT

c) Licensee's Obligation to Other Licensees

- 1) Licensees shall not falsify or permit misrepresentations of their, or their firm's professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in prior assignments nor the complexity of said assignments. Presentations incidental to the solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments.
- 2) Licensees shall not offer, give, solicit, or receive, either directly or indirectly, any commission, or gift, or other valuable consideration in order to secure work, and shall not make any political contribution with the intent to influence the award of a contract by public authority.
- 3) Licensees shall not injure or attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other licensees, nor indiscriminately criticize other licensees' work.
- 4) Licensees shall make a reasonable effort to inform another licensee whose work is believed to contain a material discrepancy, error, or omission that may impact the health, safety, or welfare of the public, unless such reporting is legally prohibited.

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NSPS Creed and Canons

I pledge:

To give the utmost of performance;

To participate in none but honest enterprise;

To live and work according to the laws of humankind and the highest standards of professional conduct;

To place service before profit, honor and standing of the profession before personal advantage, and the public welfare above all other considerations;

In humility and with need for Divine Guidance, I make this pledge.

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NSPS Creed and Canons

Canon 1. A Professional Surveyor should refrain from conduct that is detrimental to the public.

Canon 2. A Professional Surveyor should abide by the rules and regulations pertaining to the practice of surveying within the licensing jurisdiction.

Canon 3.
A Professional Surveyor should accept assignments only in one's area of professional competence and expertise.

Canon 4.
A Professional Surveyor should develop and communicate a professional analysis and opinion without bias or personal interest.

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NSPS Creed and Canons

Canon 5.
A Professional Surveyor should maintain the confidential nature of the surveyor-client relationship.

Canon 6.
A Professional Surveyor should use care to avoid advertising or solicitation that is misleading or otherwise contrary to the public interest.

Canon 7.
A Professional Surveyor should maintain professional integrity when dealing with members of other professions.

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