

Professional Ethics for the Surveyor

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Ethics are defined as*

The Science of Morals,
Moral Principles or Code

* Oxford English Dictionary

“Moral” - Defined as the
standard of conduct respected by
good men independently of
positive law and religion.

Many have attempted to define ethics in their own context whether business, organizational, political, personal or professional

We are going to talk about Professional Ethics

A good definition of professional ethics is: "giving of one's best to ensure that clients' interests are properly cared for, but in doing so the wider public interest is also recognized and respected"

- Howard Land FRICS

There are five basic assumptions that underpin the understanding of ethics often for professionals.

Professional Ethics is a Process

Ethics are not a fixed text to be learned once. It is a way of reviewing behavior against constantly changing standards. What may be ethical today, or in a particular society, may be viewed differently by others or at another time.

Human Behavior is Caused

There is a motive for all human behavior e.g., financial gain, power, compassion.

Actions Have Consequences

The equivalent of Newton's Third Law of Physics-"Every force has an equal and opposite reaction."

What is Ethical Depends on the Individual's Point of View

This is influenced by a variety of factors including published codes and statements.

Good Ethical Practice Rests on Mutual Vulnerability

We are each susceptible to the actions of others, and the way we are treated depends on how we treat others. Respect is not a right and must be earned.

Core Values of Professional Ethics

Act Honorably

Never put your own gain above the welfare of your clients or others to whom you have a professional responsibility. Always consider the wider interests of society in your judgments.

Act With Integrity

Be trustworthy in all that you do-never deliberately mislead, whether by withholding or distorting information.

Be Open and Transparent in Your Dealings

Share the full facts with your clients, making things as plain and intelligible as possible.

Be Accountable for Your Actions

Take full responsibility for your actions and don't blame others if things go wrong.

Know and Act Within Your Limitations

Be aware of the limits of your competence and don't be tempted to work beyond these. Never commit to more than you can deliver.

Be Objective At All Times

Give clear and appropriate advice. Never let sentiments or your own interests cloud your judgment.

Always Treat Others With Respect

Never discriminate against others.

Set A Good Example

Remember that both your public and private behavior could affect your own, and other surveyor's reputations.

Have the Courage to Make a Stand

Be prepared to act if you suspect a risk to safety or malpractice of any sort.

Comply With Relevant Laws and Regulations

Avoid any action, illegal or litigious, that may bring the profession into disrepute.

Avoid Conflicts of Interest

Declare any potential conflicts of interest, personal or professional, to all relevant parties.

Respect Confidentiality

Maintain the confidentiality of your clients' affairs. Never divulge information to others unless it is necessary.

Code of Wisconsin Professional and Ethical Conduct

Purpose/Intent

In order to establish and maintain a high standard of integrity, professional conduct and skill in the art and science of Land Surveying, and to better facilitate our obligation to promote the public health, safety and general welfare of the citizens of the State of Wisconsin, we hereby acknowledge and recognize the need to follow and consistently adhere to a set of guidelines beyond those minimal requirements prescribed by legal code or statutes.

Purpose/Intent (Cont'd)

Therefore, in order to establish and maintain the aforementioned guidelines, this Code of Professional and Ethical Conduct (the Code) shall be binding on every member of the Wisconsin Society of Land Surveyors (the Society) licensed to practice this profession in the State of Wisconsin, as well as their agents, employees, officers or partners.

Purpose/Intent (Cont'd)

The Code as set forth herein is specifically designed to safeguard the property and welfare of the citizens of Wisconsin and its enforcement shall be construed to be a reasonable exercise of the policies and by-laws vested in the Board of Directors of the Society.
Any Society member who holds a certificate of registration as a Land Surveyor from the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors is hereby charged with being knowledgeable of the existence of the Code and with understanding its provisions.

Responsibility to the Public, Clients and Society

The Land Surveyor in the course of his/her duty shall understand that the safety, health and welfare of the general public and their opinions of our profession, are dependent upon each Land Surveyor's actions and conduct in all matters relating to this profession.

Responsibility to the Public, Clients and Society (Cont'd)

Therefore:

- A Land Surveyor shall never purposely accept the minimum standards applicable to this profession as his/her highest standard.
- A Land Surveyor shall be governed by the highest standards of ethics and integrity in all relationships, including dealings with other professions, contractors and trades, and shall also act in a professional manner in dealing with his/her employee/employer.
- A Land Surveyor shall remember that the lands surveyed in the course of his/her professional services affect not only the valuable assets and interests of each owner/client, but also that of the abutting owners, both private and public.
- A Land Surveyor shall not sign, stamp, approve or leave the impression of such approval, any plat or other document related to the practice of Land Surveying that does not meet accepted standards.

Responsibility to the Public, Clients and Society (Cont'd)

- A Land Surveyor shall not allow others to sign, stamp, approve or leave the impression of such approval, any plat or other document related to the practice of Land Surveying with his/her name or seal.
- A Land Surveyor shall not sign, stamp, approve or leave the impression of such approval, any plat or other document related to the practice of surveying for anyone else, where the field work or particulars behind such a document are not derived from that Land Surveyor's personal knowledge, actions or direction.
- A Land Surveyor shall not allow others to sign, stamp, approve or leave the impression of such approval, any plat or other document related to the practice of Land Surveying where he/she knows or has good reason to suspect that the field work or particulars behind such a document were not derived from the personal knowledge, actions or direction of the claimant of same.

Responsibility to the Public, Clients and Society (Cont'd)

- A Land Surveyor, upon learning of a significant mistake or discrepancy in his/her services, shall immediately inform his/her client(s) and employer(s) of any potential consequences; and shall give notice, as appropriate, to all other proper authorities, agencies or individuals as the situation may warrant.
- A Land Surveyor shall not attempt to practice in any field of surveying in which he/she is not adequately qualified.
- A Land Surveyor shall not deviate from the rules and regulations set forth for Land Surveying and professional conduct in the State of Wisconsin nor for any other state or jurisdiction where he/she may legally practice Land Surveying, and endeavor always to remain current in said rules and regulations.
- A Land Surveyor shall recognize that the public interest requires that the cost of surveying services be fair and reasonable, but is not the controlling consideration in the selection of individuals or firms to provide these services.

Responsibility to the Public, Clients and Society (Cont'd)

- A Land Surveyor shall be truthful and straightforward in any professional report, statement or testimony, whether or not under oath, nor shall he/she knowingly omit relevant and pertinent information from such report, statement or testimony when the result of such omission would or reasonably could lead to a fallacious conclusion.
- A Land Surveyor shall not, as an expert witness before any court, commission or other tribunal, express any opinion, unless it is founded upon adequate knowledge of the facts at issue, and upon his/her honest conviction of the accuracy and propriety of his/her testimony. Under such circumstances, should his/her knowledge be inadequate, the Land Surveyor must so cite his/her lack of adequate knowledge of the facts.
- A Land Surveyor shall not issue statements, criticisms or arguments on surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless he/she has prefaced his/her comments by explicitly disclosing the identities of the party or parties on whose behalf he/she is speaking, and by revealing the existence of any pecuniary interest he/she may have in the matter.



Responsibility to the Profession

With an understanding that the results of a Land Surveyor's services are a testament to his/her professional competence, and that such results survive as witness to it a long time thereafter, not only as it concerns the public welfare, but for those present surveyors, and those yet to come along, who must "follow in their footsteps," it is therefore the Land Surveyor's obligation to the profession to promote, advance and aid the endeavors of all Land Surveyors by maintaining the highest levels of honesty, integrity, skill, education and professionalism.



Public Statements

Therefore:

- A Land Surveyor shall not engage in any public disputes, arguments or public controversy with another Land Surveyor over fees charged or over other professional practices, except as he/she may be required to testify before a court of law or hearing conducted by the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, or by the Ethics and Standards of Practice Committee of the Society.
- A Land Surveyor shall not publicly express an opinion on a Land Surveying subject unless he/she is fully informed as to all of the facts relating thereto and is competent to form a sound opinion thereof.
- A Land Surveyor shall not make any public statement about Land Surveying, Land Surveyors or surveying practice, when such statements would tend to bring discredit to the honor and dignity of the Land Surveying profession.



Conflict of Interest

- A Land Surveyor shall promptly inform his/her employers and/or clients of any business association, interests or circumstances which could influence his/her judgment or the quality of professional services.
- A Land Surveyor shall conscientiously avoid a conflict of interest with his/her employer, but if unavoidable shall forthwith disclose the circumstance before accepting any assignment.
- A Land Surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless there is full disclosure to any prior consent of all interested parties.

Conflict of Interest (Cont'd)

- A Land Surveyor's professional judgment shall not be influenced by accepting any gratuities directly or indirectly, from contractors, their agents or other parties dealing with his/her client or employer in connection with work for which he/she is responsible.
- A Land Surveyor or land surveying firm shall not solicit a professional contract from a government body on which that surveyor or a principal or officer of his/her organization serves as a member. Conversely, Land Surveyors serving as members, advisors or employees of a governmental 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 which they serve.

Personal Conduct

- A Land Surveyor shall conduct himself/herself in such a manner as the public has a reasonable right to expect and demand of a professional person charged with public responsibility.
- A Land Surveyor shall not act in a manner or engage in any practice which will bring discredit on the honor and dignity of the Land Surveying profession.
- A Land Surveyor shall not falsify or permit misrepresentation of his/her, or associates academic or professional qualification; nor shall he/she misrepresent or exaggerate the degree of responsibility nor the complexity of previous assignments.
- A Land Surveyor shall not offer, give, solicit or receive, either directly or indirectly, any commission or gift, or other valuable consideration in order to secure work, nor make any political contribution with the intent to influence the award of a contract by public authority.

Personal Conduct (Cont'd)

- A Land Surveyor shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of another Land Surveyor; nor indiscriminately criticize another Land Surveyor's work.
- A Land Surveyor shall not knowingly associate with, or permit the use of his/her name or firm name in a business venture by any person or firm which he/she knows or has reason to believe is engaged in a business or professional practices of a fraudulent or dishonest nature.

Personal Conduct (Cont'd)

- If any Land Surveyor having knowledge of, or adequate reason to believe, that another Land Surveyor or surveying firm is in violation of any of the above provisions, or of State Statutes or Administrative Codes, it shall be incumbent upon that Land Surveyor to take whatever appropriate action as necessary to uphold the integrity of the profession among his/her peers and with the public. Said action may include but is not limited to, submitting a complaint to either the Ethics and Standards of Practice Committee of the Society or the Wisconsin Department of Regulation and Licensing.
- A Land Surveyor shall keep current on professional matters, particularly those relating to laws and regulations.

Ethics Case Studies

“Ethical or Not”

Let's Examine Some Special Cases

Questions/Discussion

Thank You

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