

THE ASME CRITERIA FOR INTERPRETATION OF THE CANONS

The ASME criteria for interpretation of the Canons are guidelines and represent the objectives toward which members of the engineering profession should strive. They are principles which an engineer can reference in specific situations. In addition, they provide interpretive guidance to the ASME Ethics Committee on the Code of Ethics of Engineers.

1. Engineers shall hold paramount the safety, health and welfare of the public in the performance of their professional duties.
 - a. Engineers shall recognize that the lives, safety, health and welfare of the general public are dependent upon engineering judgments, decisions and practices incorporated into structures, machines, products, processes and devices.
 - b. Engineers shall not approve or seal plans and/or specifications that are not of a design safe to the public health and welfare and in conformity with accepted engineering standards.
 - c. Whenever the Engineers' professional judgments are over-ruled under circumstances where the safety, health, and welfare of the public are endangered, the Engineers shall inform their clients and/or employers of the possible consequences.
 - (1) Engineers shall endeavor to provide data such as published standards, test codes, and quality control procedures that will enable the users to understand safe use during life expectancy associated with the designs, products, or systems for which they are responsible.
 - (2) Engineers shall conduct reviews of the safety and reliability of the designs, products, or systems for which they are responsible before indicating preliminary acceptance and before giving their approval to the plans for the design.
 - (3) Whenever Engineers observe conditions, directly related to their employment, which they believe will endanger public safety or health, they shall inform

their supervisor and the proper authority of the situation.

- d. If engineers have knowledge of or reason to believe that another person or firm may be in violation of any of the provisions of these Canons, they shall present such information to the proper authority in writing and shall cooperate with the proper authority in furnishing such further information or assistance as may be required.
2. Engineers shall perform services only in the areas of their competence; they shall build their professional reputation on the merit of their services and shall not compete unfairly with others.
 - a. Engineers shall undertake responsible charge of engineering assignments only when qualified by education and/or experience in the specific technical field of engineering involved.
 - b. Engineers may accept an assignment requiring education and/or experience outside of their own fields of competence, so long as those aspects and phases of the project are under the supervision and review responsibility of qualified associates, consultants, or employees with responsible charge.
 - c. Engineers shall negotiate contracts for professional services on the basis of demonstrated competence and qualifications for the type of professional service required.
 - d. Engineers shall not request, propose, or accept professional commissions on a contingent basis if, under the circumstances, their professional judgments may be compromised.
 - e. Engineers shall not falsify or permit misrepresentation of their, or their associates, academic or professional qualification. They shall not misrepresent or exaggerate their degrees of responsibility in or for the subject matter of prior assignments. Brochures or other presentations used to solicit personal employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint venturers, or their accomplishments.

- f. Engineers shall prepare engineering and technical articles for the lay or technical press which are only factual and within the context of the engineer's competency and level of experience.
 - (1) Technical Communications for publication (theses, articles, papers, reports, etc.) which are based on research involving more than one individual (including students and supervising faculty, industrial supervisor/researcher, or other co-workers) must recognize all significant contributors. Co-authors listed on proposed and accepted publications should have entered the joint authorship arrangement by mutual consent prior to submittal of the document for publication and should have received written permission to use any unpublished work of others which serves as the major basis or key component of the publication.
 - (2) Technical Communications should adhere to clearly defined and appropriately disseminated guidelines on authorship. These guidelines should be promulgated and publicized in corporate, university or other employer's policies and should be in accord with professional and technical society's recommendations on ethical practice.
 - (3) Engineers may express publicly technical opinions that are founded upon knowledge of the facts and competence in the subject matter.
- g. Engineers shall not engage in plagiarism. The act of substantially using another's ideas or written materials without due credit and advance notification, is unethical.
- h. Engineers neither shall maliciously or falsely, directly or indirectly, injure the professional reputation, prospects, practice, or employment of another engineer, nor shall they indiscriminately criticize another's work. Engineers shall inform in advance another engineer whenever they plan to publicly criticize or critically comment upon another's work.
- i. Engineers shall not use equipment, supplies, and laboratory or office facilities of their employers to carry on outside

private practice without consent nor without offering reimbursement for employers' costs.

3. Engineers shall continue their professional development throughout their careers, and shall provide opportunities for the professional and ethical development of those engineers under their supervision.
 - a. Engineers should keep current in their specialty fields by engaging in professional practice, participating in continuing education courses, reading in the technical literature, and attending professional meetings and seminars.
4. Engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest or the appearance of conflicts of interest.
 - a. Engineers shall avoid all known conflicts of interest with their employers or clients and shall promptly inform their employers or clients of any business association, interests, or circumstances which could influence their judgment or the quality of their services.
 - b. Engineers shall not undertake knowingly any assignments which potentially would create a conflict of interest between themselves and their clients or their employers.
 - c. Engineers 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 the circumstances are agreed and fully disclosed to all interested parties.
 - d. Engineers shall neither solicit nor accept financial or other valuable considerations for specifying products or material or equipment suppliers without disclosure to their clients or employers.
 - e. Engineers shall neither solicit nor accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their clients or employers in connection with work for which they are responsible. Where official public policy or employers' policies tolerate acceptance of modest gratuities or gifts, engineers shall avoid a conflict of interest

by complying with appropriate policies and shall avoid the appearance of a conflict of interest.

- f. When in public service as members, advisors, or employees of a governmental body or department, engineers shall not participate in considerations or actions with respect to services provided by them or their organization(s) in product engineering or private practice.
- g. Engineers shall not solicit an engineering contract from a governmental body or other entity on which a principal, officer, or employee of their organization serves as a member without disclosing that relationship and removing themselves from any activity of the body which concerns their organization.
- h. Engineers working on codes, standards or governmental sanctioned rules and specifications shall exercise careful judgment in their determinations to ensure a balanced viewpoint, and avoid a conflict of interest.
- i. When, as a result of their studies, engineers believe a project will not be successful, they shall so advise their employer or client.
- j. Engineers shall treat information coming to them in the course of their assignments as confidential, and shall not use such information as a means of making personal profit if such action is adverse to the interests of their clients, their employers, or the public.
 - (1) They will not disclose confidential information concerning the business affairs or technical processes of any present or former employer or client or bidder under evaluation without consent, unless required by law or court order.
 - (2) They shall not reveal confidential information or finding of any commission or board of which they are members unless required by law or court order

- (3) Designs supplied to engineers by clients shall not be duplicated by the engineers for others without the express permission of the client(s).
 - k. Engineers shall act with fairness and justice to all parties when administering any contract.
 - l. Before undertaking work for others in which Engineers may make improvements, plans, designs, inventions, or other records which may justify seeking copyrights, patents, or proprietary rights, Engineers shall enter into positive agreements regarding the rights of respective parties.
 - m. Engineers shall admit their own errors when proven wrong and refrain from distorting or altering the facts to justify their mistakes or decisions.
 - n. Engineers shall not accept professional employment or assignments outside of their regular work without the knowledge of their employers.
 - o. Engineers shall not attempt to attract an employee from other employers or from the market place by false or misleading representations.
5. Engineers shall respect the proprietary information and intellectual property rights of others, including charitable organizations and professional societies in the engineering field.
- a. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.
 - b. Engineers shall not, without the consent of all interested parties, participate in or represent an adversary interest in connection with a specific project or proceeding in which the engineer has gained particular specialized knowledge on behalf of a former client or employer.
6. Engineers shall associate only with reputable persons or organizations.

- a. Engineers shall not knowingly associate with or permit the use of their names or their firm's names in business ventures by any person or firm which they know, or have reason to believe, are engaging in business or professional practices of a fraudulent or dishonest nature.
 - b. Engineers shall not use association with non-engineers, corporations, or partnerships to disguise unethical acts.
7. Engineers shall issue public statements only in an objective and truthful manner and shall avoid any conduct which brings discredit upon the profession.
 - a. Engineers shall endeavor to extend public knowledge, and to prevent misunderstandings of the achievements of engineering.
 - b. Engineers shall be completely objective and truthful in all professional reports, statements or testimony. They shall include all relevant and pertinent information in such reports, statements or testimony.
 - c. Engineers, when serving as expert or technical witnesses before any court, commission, or other tribunal, shall express an engineering opinion only when it is founded on their adequate knowledge of the facts in issue, their background of technical competence in the subject matter, and their belief in the accuracy and propriety of their testimony.
 - d. Engineers shall issue no statements, criticisms, or arguments on engineering matters which are inspired or paid for by any interested party, unless they preface their comments by identifying themselves, by disclosing the identities of the party or parties on whose behalf they are speaking, and by revealing the existence of any financial interest they may have in matters under discussion.
 - e. Engineers shall be truthful in explaining their work and merit, and shall avoid any act tending to promote their own interest at the expense of the integrity and honor of the profession or another individual.

8. Engineers shall consider environmental impact and sustainable development in the performance of their professional duties.
 - a. Engineers shall concern themselves with the impact of their plans and designs on the environment. When the impact is a clear threat to health or safety of the public, then the guidelines for this Canon revert to those of Canon 1.
 - b. Engineers shall consider development that meets the needs of the present without compromising the ability of future generations to meet their own needs. When the impact of the trade-off between economic, ecological, and social issues forms a clear threat to health or safety of the public, then the guidelines for this Canon revert to those of Canon 1.
 - c. "Sustainable development" is the challenge of meeting human needs for natural resources, industrial products, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development.
9. Engineers shall not seek ethical sanction against another engineer unless there is good reason to do so under the relevant codes, policies and procedures governing that engineer's ethical conduct.
 - a. Frivolous or malicious use of ethics complaints have occurred in the past. Any person who engages in such activity is subject to being charged with a violation of this ethics policy.
10. Engineers who are members of the Society shall endeavor to abide by the Constitution, By-Laws and Policies of the Society, and they shall disclose knowledge of any matter involving another member's alleged violation of this Code of Ethics or the Society's Conflicts of Interest Policy in a prompt, complete and truthful manner to the chair of the Ethics Committee.

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