

# Engineering Codes: Ethics or Law?

Continuing Ed workshop by Richard Skeirik, PE

## Practice of Engineering Exercise

**Title 24 Chapter 28 §2803.** 25. 'Practice of engineering' or 'to practice engineering' includes any [dotting my own]

- professional service such as consultation, investigation, evaluation, planning, design, or responsible supervision of construction or operation
  - performed for the general public
  - in connection with any public or private buildings, structures, utilities, machines, equipment, processes, works, or projects
  - wherein the public welfare or the safeguarding of life, health or property is concerned or involved when
  - such professional service requires the application of engineering principles and data,
- but it does not include
- the work ordinarily performed by persons who operate or maintain machinery or equipment, neither does it include
  - engineering services performed by an employee of a firm or corporation that does not offer professional engineering services to the general public.

**Title 24 Chapter 28 §2816.** Code of Ethics.

(a) The Council shall prepare and publish a code of ethics designed for the protection of the public.

(b) All applicants, members, associate members, affiliate members, adjunct members, holders of certificate of authorization and permittees **must subscribe to and follow this code of ethics in the practice of professional engineering,**

or in seeking to register as a professional engineer or seeking certification as an Engineer Intern.

(c) The Code of Ethics is available on the Delaware Association of Professional Engineers' website.

### **Part 1:**

You are hired by a small consulting firm. The firm was started by 2 former employees of DuPont and only does business with DuPont via pre-existing professional relationships. The firm makes no offer of services outside this.

Are you engaged in the "practice of engineering"?

You are a DE licensed PE. Are you bound by the DAPE Code of Ethics in your work in this job?

### **Part 2:**

After a long employment working in advanced process control of large chemical processes, you leave in a downsizing and, using your contacts in industry, seek consulting work doing process optimization design and implementation with large companies operating large processing plants in DE. Are you seeking to "practice engineering"?

### **Part 3:**

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After a long industrial career in which you learned about building structures and foundations, you start advertising in community publications offering consultation on problems in home and building foundations. Does this work require PE licensure?

## **Part 4:**

“General public” is used in the DE Prof Engr’s Act, but never defined. What does it mean? How might an engineering firm get a clear definition of this term?

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