



Online Ethics Center  
FOR ENGINEERING AND SCIENCE

## The Mirage Referral

### Year

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### Description

In this scenario submitted by a visitor to the Online Ethics Center, one engineer deceptively recruits another engineer to work as a subcontractor. Ethics Center Advisors give comments.

### Body

You are starting out as a consulting engineer. Seeking to establish a professional network, you respond to a notice in the newsletter of the local chapter of an engineering society asking for volunteers to help organize a consultants' network. The society officer tells you that you are the first to respond and asks you to organize the network as others express interest. You accept the task. Sometime later the same officer calls to ask if you will look at an engineering problem. You go to his office expecting to get the particulars of a referral, as members of the developing network are in the habit of giving one another referrals. It seems a bit odd to you that the society officer accompanies you to the potential client's office but, being still relatively new at this, you do not question him on the point. In the middle of the exposition of the problem, the client asks about the contractual relationship. The society officer replies that you will subcontract to him. You are uncomfortable with this arrangement, as the client's entire problem is the one that you would be engaged to solve. What should you do at this point? Is there any danger of appearing to interfere with the society officer's relationship with the potential client? What factors would be relevant to assessing this danger? If there is

a danger, how do you avoid such interference? How should you evaluate the society officer's actions toward you? Would it be fair to the officer to tell other members of the network about the officer's actions? Is it your responsibility to do so?

- Comments from:
  - [Stephen Unger](#)
  - [Aarne Vesilind](#)
  - [Arthur Schwartz](#)

## **Stephen Unger, Department of Computer Science and Electrical Engineering, Columbia University**

It certainly seems that the officer is acting improperly, exploiting his position to profit from the work of another engineer, who he has recruited under false pretenses. My inclination would be to withdraw from the immediate situation. I think it would be proper to inform other network members about what happened. Since I have been recruiting people into this network, I believe I may have an obligation to tell others about what happened. It might even be appropriate to notify other society officers about the situation, particularly if this network is formally sanctioned by the society.

## **Aarne Vesilind, Department of Civil Engineering, Duke University**

I believe the young engineer has a responsibility to confront the society officer directly and in private, in order to tell this person that the action was inappropriate and unethical because it was deceitful. I would tell this person that this cannot happen again and that if it does I will go public with it to other engineers in the society. In all likelihood, the officer was not aware of the unethical nature of the action and would first be offended and then thankful for the action I took. The end

result will be that all will benefit.

## **Arthur Schwartz, General Counsel for the National Society of Professional Engineers (NSPE)**

I assume from the facts that the engineer/officer who accompanies the engineer has some ongoing relationship with the client in question. It sounds like the engineer/officer has brought the second engineer in because that engineer might have a particular knowledge/expertise/etc. which the engineer/officer believes would be an important feature in providing services to the client. As there appears to be a misunderstanding between the engineer and the engineer/officer, I think it would be appropriate for them to have a discussion immediately following the meeting with the client, in order to clarify any misunderstanding that might exist in connection with this project. The engineer may assume that he/she is providing all of the services in question, but from the facts, it appears that the actual scope of work has not been fully developed with the client and until this happens, the engineer should not assume that he/she is doing it all. The engineer might want to ask the engineer/officer what he sees as his role in connection with the project, what types of services does he expect to provide to the client, etc. The engineer/officer may have a role as project manager/project coordinator/prime design professional/construction manager/etc., depending upon the size of the project. It may also be that the client has asked the engineer/officer to identify the appropriate firms that are potential candidates to perform the work and that down the road, the engineer/officer has greater involvement on the project. In other words, the engineer needs more information before he/she can make a determination. However, if the engineer determines that the engineer/officer is merely attempting to get paid for doing nothing and is attempting to mislead the client, then the engineer should indicate to the engineer/officer that under the circumstances, he/she cannot proceed with this project because it would be improper. In sum, I believe the engineer has an obligation to find out as many facts as possible and, if concerns remain, to have a frank discussion with the engineer/officer.

### **Rights**

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