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# Boundary Between Professional Engineering Society and State Licensing Board

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## Description

The New Wyoming State Board of Professional Engineers performs regulatory functions (e.g., licensing of engineers) for the state. Members of the Board are appointed by the state governor. Most of the Board members are also members of the New Wyoming Society of Professional Engineers (NWSPE), a voluntary umbrella organization of professional engineers in New Wyoming. Membership in NWSPE is controlled by its own board and is not subject to approval by the State Board.

## Abstract

This case is one of thirty-two cases which address a wide range of ethical issues that can arise in engineering practice provided by the Center For the Study of Ethics in Society, Western Michigan University.

## Body

## I

The New Wyoming State Board of Professional Engineers performs regulatory functions (e.g., licensing of engineers) for the state. Members of the Board are appointed by the state governor. Most of the Board members are also members of the New Wyoming Society of Professional Engineers (NWSPE), a voluntary umbrella organization of professional engineers in New Wyoming. Membership in NWSPE is controlled by its own board and is not subject to approval by the State Board.

NWSPE holds annual meetings at pleasant resort area in New Wyoming. This year the NWSPE meeting will begin the day after one of the State Board meetings. Since they share many common concerns about the engineering profession, the Executive Committee of NWSPE has recently expressed a strong interest in improving communication between NWSPE and the State Board. Ordinarily the State Board meets in the State Capitol Building. Because the NWSPE annual meeting and the State Board meeting will occur so close together--and most of the Board members will be attending the NWSPE meeting anyway--the NWSPE Executive Committee extends an invitation to the State Board to hold its meeting at the resort area. The Board is invited to stay on for the NWSPE meeting, and an NWSPE session is planned for the Board to conduct a roundtable discussion of State Board activities and concerns. NWSPE offers to pay the travel and lodging expenses of State Board members.

Should the State Board accept the invitation?

1. Yes, the Board should accept the invitation. [Comment.]
2. No, the Board should not accept the invitation. [Comment.]

## II

The State Board accepts the invitation, agreeing that this would be a good opportunity to improve communication with NWSPE. Several days later Brian Simpson begins to have second thoughts. A new appointee to the Board, and the only Board member who does not belong to NWSPE, Brian wonders if the Board has set itself up for a conflict of interest situation. Although he knows of no instances in

which the Board has directly ruled on any NWSPE activities, it occurs to him that NWSPE and its members come within the purview of the Board's regulatory functions. Finally, Brian writes to Harold Brock, Chair of the State Board:

Dear Mr. Brock:

I have some serious reservations regarding our acceptance of the hospitality offered by NWSPE to hold our August meeting at the Lakeshore Resort. While I agree about the desirability for communication between the Board and NWSPE, it is inappropriate for us as a regulatory body to accept anything of substantial value from the organization representing those whose profession we regulate. Acceptance of hospitality in the form of lodging and meals creates the appearance of a conflict of interest. Therefore, it is my intention to pay any expenses not otherwise covered by the State of New Wyoming.

Sincerely,

Brian Simpson, P.E.

Before sending the letter, Brian shows it to you. He discusses his concerns with you and asks your advice about the letter.

You advise:

1. Send the letter as is.
2. Send the letter, but with the following revisions. [Explain.]
3. Don't send the letter. Just drop the matter. [Explain.]
4. Other.



Brian sends the letter as is. When Harold Brock receives the letter, he must decide what to do next. Should he:

1. Share the letter with other Board members, inviting each to decide for himself or herself whether to follow Brian's example.
2. Call a special Board meeting to discuss the matter.
3. Decide, on behalf of the Board, to withdraw acceptance of the hospitality.

4. Other.

## IV

Harold sends the letter to the other Board members, inviting them to decide for themselves whether to follow Brian's example. One other member, Ellen Price, agrees with Brian and indicates that she, too, will pay her own expenses. None of the others, including Harold Brock, think the issue raised by Brian warrants refusal of the hospitality. Should Brian and Ellen do anything further, or should they simply quietly continue their rejection of the offer of hospitality?

1. They should simply quietly continue their rejection of the offer.
2. Other.

## V

Brian and Ellen do not press the issue further but continue to insist that they will pay their own expenses. During the panel discussion at the NWSPE meeting, an engineer in the audience asks: "It seems like everyone is talking about ethics these days. What kinds of ethical questions does your Board have to deal with?" Should either Brian or Ellen mention their concerns about a conflict of interest?

## VI

Brian and Ellen do not press the issue further but continue to insist that they will pay their own expenses. While the annual NWSPE meeting is taking place, a resort area reporter learns (not through Brian or Ellen) that NWSPE is hosting the State Board. Like Brian and Ellen, the reporter thinks this might create a conflict of interest. She attempts to interview members of the Board about how they see the situation. She approaches Brian and Ellen. What should they say?

### Notes

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