

ethics and professional conduct

By M^e Martine Gervais

Lawyer,
Head of the
Inquiry Request
Management team
of the Office of the
Syndic

And Philippe-André
Ménard, Eng.
Assistant Syndic

THE CODE

OF ETHICS

OF ENGINEERS,

FROM THEN TO NOW

Texts are a reflection of their time, and the Code of Ethics of Engineers is no different in that regard. It is interesting to see how it has evolved in step with Québec society over the decades.

A FORERUNNER THAT DATES BACK ALMOST ONE HUNDRED YEARS

In March 1923, the first version of a code of ethics, whose aim was to regulate the professional conduct of engineers, was reviewed by the board of directors ("The Council") of the Corporation of Professional Engineers of Quebec.

Entitled *Code of Ethics and Method of Interpreting and Administrating the Code*, the text laid the initial groundwork for concepts such as duties toward humanity, professional independence, authentication of engineering documents and honourable conduct worthy of Corporation members.

When it was adopted by the general meeting of the Corporation in the spring of 1924, the *Code of ethics* became the first code of conduct for Québec engineers; it is forerunner

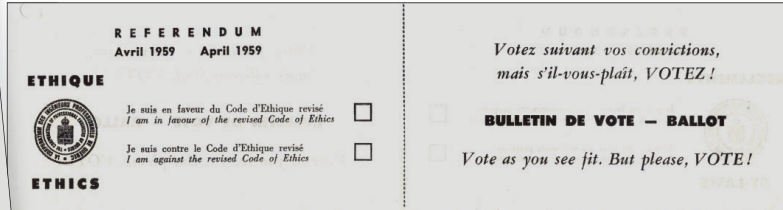
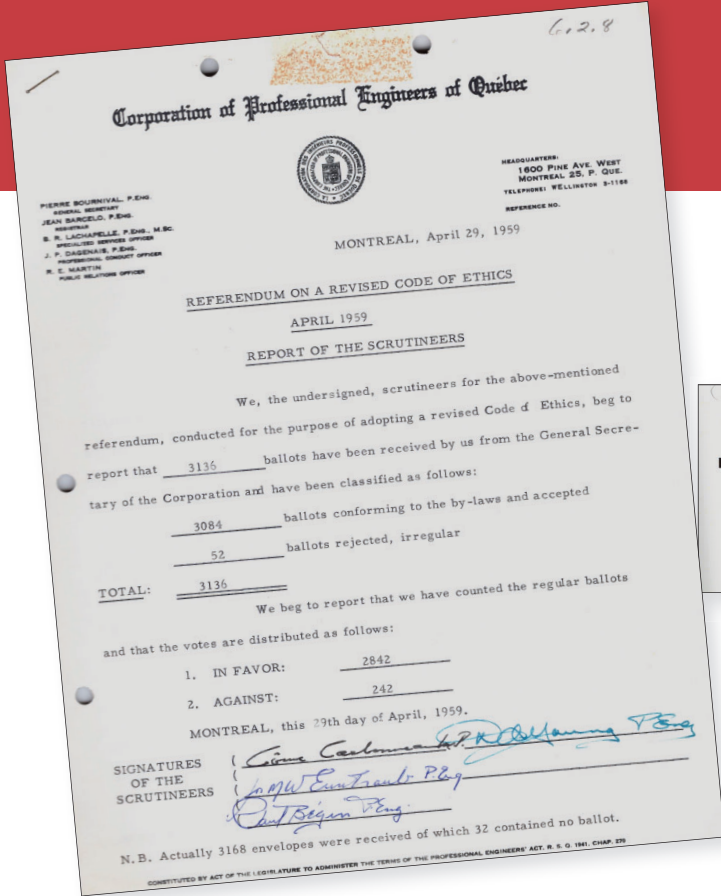
of the current Code of Ethics.

A REVEALING UPDATE

Thirty-five years later, in the spring of 1959, Corporation members adopted a revised code of ethics by referendum with a whopping majority (92%). Their revised code was not only broader in scope, but also had stronger provisions and was easier to apply.

It is worth noting, as a reflection of mentalities at the time, that this new version included a provision prohibiting engineers from unionizing :

"3.5 An engineer shall not agree to become a member of a labour union or participate as such in any form of union activity. He acknowledges that doing otherwise would mean that he supports a philosophy and the use of negotiating methods that are incompatible with true professionalism, such as strikes, etc."



◀ ▲ In the spring of 1959, the Corporation proposed a revised code of ethics to its members. Source: OIQ Archives

AND THEN CAME THE REVOLUTION!

In the summer of 1964, in the wake of the Quiet Revolution, the Québec government adopted the new Labour Code, which specifically granted all professionals the right to unionize and engage in collective bargaining.

In the months afterward, wanting to avoid a lengthy and costly legal debate, the Corporation amended its code of ethics and withdrew the anti-union provision. Nevertheless, in a letter addressed to its members, the Corporation expressed its disagreement with the unionization of engineers and recommended that they not resort to it.

Finally, the current version of the Code of Ethics of Engineers was adopted in 1981 and amended slightly in 1983, 1984 and 2002.

THE TIMES CHANGE, BUT...

This development reveals a noteworthy fact: The professional conduct of engineers has always been a central concern, first for the Corporation and, later, for the Ordre des ingénieurs du Québec. The concepts of honour, dignity and duties to humanity have always been present.

When reading these and many other documents, we realize that ethics evolves in step with society's

expectations. Conduct or practice that was once considered acceptable is not necessarily seen that way today. For example, the work of the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry (Charbonneau Commission) led to a profound change of perception of what is acceptable and unacceptable in terms of "business development" and obtaining public contracts in Québec.

Practices aimed at controlling the market or even making "gifts" of any nature (trips, meals at restaurants, tickets to shows, golf outings, political contributions, etc.) were once justifiable and simply described as favours, incentives or awards. Today, these same practices are seen as unacceptable and described as acts of collusion, corruption or misconduct.

... THE RESPONSIBILITIES REMAIN!

Ethics evolve and are always a reflection of their time. Each and every engineer is personally responsible for displaying professional conduct that embraces the values of modern society. To enjoy the privilege of holding a professional title, we must commit not only to maintaining a high degree of honour and dignity, but also to fulfilling our professional obligations with integrity. ■