

CODE OF ETHICS

In order to establish and maintain a high standard of integrity, skills, and practice in the profession of land surveying, the following code of ethics promulgated in accordance with NDSPLS By-Law V, Section 3, and hereafter referred to as the Rules of Professional Conduct, shall be binding upon every person holding a membership in the NDSPLS.

The rules as set forth herein are specifically designed to further safeguard the life, health, property, and public welfare of the citizens of the State of North Dakota, and shall be construed to be a reasonable exercise of the police power vested in the NDSPLS by virtue of the By-Laws of the NDSPLS. NDSPLS can establish conduct, policy, and practices to be adopted in keeping with the powers hereinabove stated.

All members of the NDSPLS are charged with having knowledge of the existence of the reasonable rules and regulations hereinafter provided for his/her professional conduct as a surveyor, and also shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of land surveying is a privilege as opposed to a right, and the Surveyor shall be forthright and candid in his/her statements or written responses to the Society or its representatives on matters pertaining to professional conduct.

STANDARDS OF INTEGRITY

The member shall be guided in all his/her professional relations by the highest standards of integrity, and shall act in professional matters for each client or employer as a faithful agent or trustee.

RULES OF PROFESSIONAL CONDUCT

(SECTION 1) - THE MEMBER WILL BE GUIDED IN ALL HIS/HER PROFESSIONAL RELATIONS BY THE HIGHEST STANDARDS OF INTEGRITY, AND WILL ACT IN PROFESSIONAL MATTERS FOR EACH CLIENT OR EMPLOYER AS A FAITHFUL AGENT OR TRUSTEE.

- a. He/she will be realistic and honest in all estimates, reports, statements, and testimony.
- b. He/she will admit and accept his/her own errors when proven obviously wrong and refrain from distorting or altering the facts in an attempt to justify his/her decision.
- c. He/she will advise his/her client or employer when he/she believes a project will not be feasible.
- d. He/she will not accept outside employment to the detriment of his/her regular work or interest, or without the consent of his/her employer.

(SECTION 2) - THE MEMBER SHALL STEADFASTLY PROTECT THE SAFETY, HEALTH, AND WELFARE OF THE PUBLIC IN THE PERFORMANCE OF HIS/HER PROFESSIONAL DUTIES. IF HIS/HER JUDGEMENT IS OVERRULED BY NONTECHNICAL AUTHORITY, HE/SHE WILL CLEARLY POINT OUT THE CONSEQUENCES, HE/SHE WILL NOTIFY THE PROPER AUTHORITY OF ANY OBSERVED CONDITIONS WHICH ENDANGER PUBLIC SAFETY AND HEALTH.

- a. He/she will regard his/her duty to the public welfare as paramount.
- b. He/she shall seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health, and well-being of his/her community.
- c. He/she will not complete, sign, or seal documents which are not in the best interests of the public's health and welfare and in conformity with accepted standards. If the client or employer insists on such unprofessional conduct, he/she shall notify the proper authorities and withdraw from further service on the project.

(SECTION 3) - THE MEMBER WILL NOT ADVERTISE HIS/HER WORK OR MERIT IN A SELF-LAUDATORY MANNER, AND WILL AVOID ALL CONDUCT OR PRACTICE LIKELY TO DISCREDIT OR UNFAVORABLY REFLECT UPON THE DIGNITY OR HONOR OF THE PROFESSION.

- a. It shall be considered unprofessional and inconsistent with honorable and dignified bearing for any surveyor to advertise his/her work or merit in a self-laudatory language, or in any manner derogatory to the dignity of the profession. Professional work should come to the member by virtue of his/her experience, competence, and reputation. Solicitation of employment, criticism of competitors, or self-laudation is degrading to the professions, and is unethical. All advertising shall be in good taste, relating only the experience and the surveyor's availability to perform professional services for which he/she is qualified; and so done in a restrained manner that perpetuates the dignity of the profession.

(SECTION 4) - THE MEMBER WILL ENDEAVOR TO EXTEND PUBLIC KNOWLEDGE AND APPRECIATION OF THE SURVEYING PROFESSION AND TO PROTECT THE PROFESSION FROM MISREPRESENTATION AND MISUNDERSTANDING.

- a. He/she shall not issue statements, criticisms, or arguments on matters connected with public policy which are inspired or paid for by private interest, unless he/she indicates on whose behalf he/she is making the statement.

(SECTION 5) - THE MEMBER WILL EXPRESS AN OPINION ON SURVEYING SUBJECTS ONLY WHEN FOUNDED ON ADEQUATE KNOWLEDGE AND HONEST CONVICTION.

- a. The member will insist on the use of facts in reference to a surveying project on a group discussion, public forum, or publication of articles.

(SECTION 6) - THE MEMBER WILL UNDERTAKE ASSIGNMENTS FOR WHICH HE/SHE WILL BE RESPONSIBLE ONLY WHEN QUALIFIED BY TRAINING OR EXPERIENCE AND HE/SHE WILL ENGAGE, OR ADVISE ENGAGING, EXPERTS AND SPECIALISTS WHENEVER THE CLIENT'S OR EMPLOYER'S INTERESTS ARE BEST SERVED BY SUCH SERVICE.

(SECTION 7) - THE MEMBER WILL NOT DISCLOSE CONFIDENTIAL INFORMATION CONCERNING THE BUSINESS AFFAIRS OR TECHNICAL PROCESSES OF ANY PRESENT OR FORMER CLIENT OR EMPLOYER WITHOUT HIS/HER CONSENT.

- a. While in the employ of others, he/she will not enter promotional efforts or negotiations for work or make arrangements for other employment as a principal or to practice in

connection with a specific project for which he/she has gained particular and specialized knowledge without the consent of all interested parties.

(SECTION 8) - THE MEMBER WILL ENDEAVOR TO AVOID A CONFLICT OF INTEREST WITH HIS/HER EMPLOYER OR CLIENT, BUT WHEN UNAVOIDABLE, SHALL FULLY DISCLOSE THE CIRCUMSTANCES TO HIS/HER EMPLOYER OR CLIENT.

- a. The member will inform his/her client or employer of any business connections, interests, or circumstances which may be deemed as influencing his/her judgment or the quality of his/her services to his/her client or employer.
- b. When in public service as a member, advisor, or employee of a governmental body or department, the member shall not participate in considerations or actions with respect to services provided by him/her or his/her organization.
- c. The member shall not solicit or accept a contract from a governmental body on which a principal or officer of his/her organization serves as a member.

(SECTION 9) - THE MEMBER WILL UPHOLD THE PRINCIPLE OF APPROPRIATE AND ADEQUATE COMPENSATION FOR THOSE ENGAGED IN SURVEYING SERVICES.

- a. He/she will not undertake or agree to perform any surveying services on a free basis, except for civic, charitable, religious, eleemosynary nonprofit organizations when the professional services are advisory in nature.
- b. The member shall not compete with another member for potential work on the basis of charges by reducing his/her normal fees after having been informed of the charges proposed by the other; nor undertake any work at a price that will not permit a satisfactory professional performance.
- c. He/she will not accept remuneration from either an employee or an employment agency for giving employment.
- d. When hiring other surveyors, he/she shall offer a salary according to the surveyor's qualifications and the recognized standards in the particular geographical area.
- e. When employed as a sales representative, he/she will not offer or give consultation, or advice other than specifically applying to the equipment being sold.

(SECTION 10) - THE MEMBER WILL NOT ACCEPT COMPENSATION, FINANCIAL OR OTHERWISE, FROM MORE THAN ONE INTERESTED PARTY FOR THE SAME SERVICE,

OR FOR SERVICES PERTAINING TO THE SAME WORK, UNLESS THERE IS FULL DISCLOSURE TO AND CONSENT OF ALL INTERESTED PARTIES.

- a. He/she will not accept commissions or allowances, directly or indirectly from contractors or their parties dealing with his/her clients or employer in connection with work for which he/she is responsible.

(SECTION 11) - THE MEMBER WILL NOT COMPETE UNFAIRLY WITH ANOTHER BY ATTEMPTING TO OBTAIN EMPLOYMENT OR ADVANCEMENT OR PROFESSIONAL

ENGAGEMENTS, BY TAKING ADVANTAGE OF A SALARIED POSITION, BY CRITICIZING OTHER MEMBERS OR BY OTHER IMPROPER OR QUESTIONABLE METHODS.

- a. The member will not attempt to supplant another member in a particular employment after becoming aware that definite steps have been taken toward the other's employment.
- b. He/she will not offer to pay, either directly or indirectly any commission, gift, political contribution, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies. Contributions made to, or on behalf of any particular candidate or political party, either directly or indirectly, should be in a limited amount, and made only after most serious considerations.
- c. He/she shall not solicit or accept any engagements on a contingent fee basis if payment depends on a finding of economic feasibility, or other conclusions by the member.
- d. While in either a private or governmental position, he/she will not accept part-time surveying services without specific consent of his/her employer or government department superior.
- e. The member will not use equipment, supplies, or office facilities of his/her employer to carry on outside private practice without consent.

(SECTION 12) - THE MEMBER WILL NOT ATTEMPT TO INJURE, MALICIOUSLY OR FALSELY, DIRECTLY OR INDIRECTLY, THE PROFESSIONAL REPUTATIONS, PROSPECTS, OR PRACTICE OF ANOTHER MEMBER, NOR WILL HE/SHE INDISCRIMINATELY CRITICIZE ANOTHER MEMBER'S WORK IN PUBLIC. IF HE/SHE BELIEVES THAT ANOTHER MEMBER IS GUILTY OF UNETHICAL OR ILLEGAL PRACTICE, HE/SHE SHALL PRESENT SUCH INFORMATION TO THE PROPER AUTHORITY OR ACTION.

- a. The member in private practice will not review the work of another member for the same client, except with the knowledge of such member, or unless the connection of such member's services have been terminated.
- b. The member in governmental, industrial, or educational employ is entitled to review and evaluate the work of other members when so required by his/her employment duties.

(SECTION 13) - THE MEMBER WILL NOT ASSOCIATE WITH OR ALLOW THE USE OF HIS/HER NAME BY AN ENTERPRISE OF QUESTIONABLE CHARACTER, NOR WILL HE/SHE BECOME PROFESSIONALLY ASSOCIATED WITH MEMBERS WHO DO NOT CONFORM TO ETHICAL PRACTICES, OR WITH PERSONS NOT LEGALLY QUALIFIED TO RENDER THE PROFESSIONAL SERVICES FOR WHICH THE ASSOCIATION IS INTENDED.

- a. He/she will conform with registration laws in his/her practice of surveying.
- b. He/she will not use association with a non-surveyor, a corporation, or partnership, as a "cloak" for unethical acts, but must accept personal responsibility for his/her professional act.

(SECTION 14) - THE MEMBER WILL GIVE CREDIT FOR WORK TO THOSE TO WHOM CREDIT IS DUE, AND WILL RECOGNIZE THE PROPRIETARY INTERESTS OF OTHERS.

- a. Wherever possible, he/she will name the person or persons who may be individually responsible for services, technical papers, or other accomplishments.
- b. When a member uses information supplied to him/her by a client, the information remains the property of the client by the member for others without express permission.
- c. Data, records, and notes made by a member and referring exclusively to his/her employer's work are his/her employer's property.

(SECTION 15) - THE MEMBER WILL COOPERATE IN EXTENDING THE EFFECTIVENESS OF THE PROFESSION BY INTERCHANGING INFORMATION AND EXPERIENCE WITH OTHERS, AND WILL ENDEAVOR TO PROVIDE OPPORTUNITY FOR THE PROFESSIONAL DEVELOPMENT AND ADVANCEMENT OF THE PERSONNEL UNDER HIS/HER SUPERVISION.

- a. He/she will encourage his/her employees' efforts to improve their education.
- b. He/she will encourage his/her employees to attend and present papers at professional and technical society meetings.
- c. He/she will urge his/her employees to become registered at the earliest possible date.
- d. He/she will assign duties of a nature to utilize his/her full training and experience. He/she will provide a prospective employee with complete information on working conditions and his/her proposed status of employment, and after employment will keep him/her informed of any changes in them.