

ETHICS COMMITTEE UPDATE

By Pete Nottleson

Over the past several years, the Ethics Committee of RCI has been working on two major initiatives. The first initiative involved a review of the existing Code of Ethics with an eye toward making recommendations regarding any necessary changes. After a rather lengthy review process, the Committee arrived at the consensus opinion that the intent of the document was both clear and relevant and that only minor wordsmithing was required to clarify some of the items. One of the primary focus areas during the review was to ensure there is a strong and relevant code that clearly defines the "who" and "what" while continuing to maintain the "big tent" concept RCI has had since its inception. The committee believes the revisions achieve this goal. I hope members will agree.

The second initiative was a bit more challenging. The RCI Board of Directors asked the committee to develop an official complaint process for ethical issues for their review. The process needed to include timelines and clearly delineated responsibilities for all involved parties. After several months of work and numerous revisions, the Board adopted the procedure.

It is important to note that the primary role of the Ethics Committee in this process is that of initially screening complaints. Other than an early dismissal, the Board takes all official action.

From the very beginning, a strong emphasis has been placed on confidentiality. The process has been set up to limit the number of people involved, while maintaining a reasonable amount of oversight and accountability to ensure the integrity of the process. Unless and until any disciplinary action has been taken, no information pertaining to a claim or claimant will be released by any of the involved parties.

The accompanying flowchart is intended to serve as a visual description of the process. The committee endeavored to make the process relatively straightforward and as streamlined as possible.

One significant issue that the flowchart does not cover (but that is important to understand) is the level of detail required to review a complaint. There is an obvious need for a certain level of backup documentation to support the claim of unethical behavior in order to review a claim. For example, at one time we

received a complaint related to a professional member who left a company to start his own firm. Representatives of his previous employer alleged unethical behavior relating to client departures, some financial issues, and a number of other items, and filed a complaint with the committee. The claims made against the member were certainly serious, but no supporting documentation was provided. When asked by the committee for supporting documentation, the complainant elected to not pursue the charges and the complaint was subsequently dropped.

One additional item to keep in mind is that the ethics review process is just that – a review of ethical behavior. The committee had the opportunity to review a complaint filed by a client of two RCI members. The members, from different firms, conducted separate evaluations and made recommendations regarding a roof at a facility owned by the complainant. The two members came to different conclusions regarding the condition of the roof, as well as the remedial steps that should be taken. The claim, in this instance, wound up being one of quality, not ethics, and the claimant was so notified.

I would be remiss if I did not take time to thank Bob Martin, former committee chairman, for his efforts on these two initiatives. I think it is fair to say he wound up doing the lion's share of the work, and the fact these tasks were completed in a relatively short timeframe was primarily the result of his diligence.

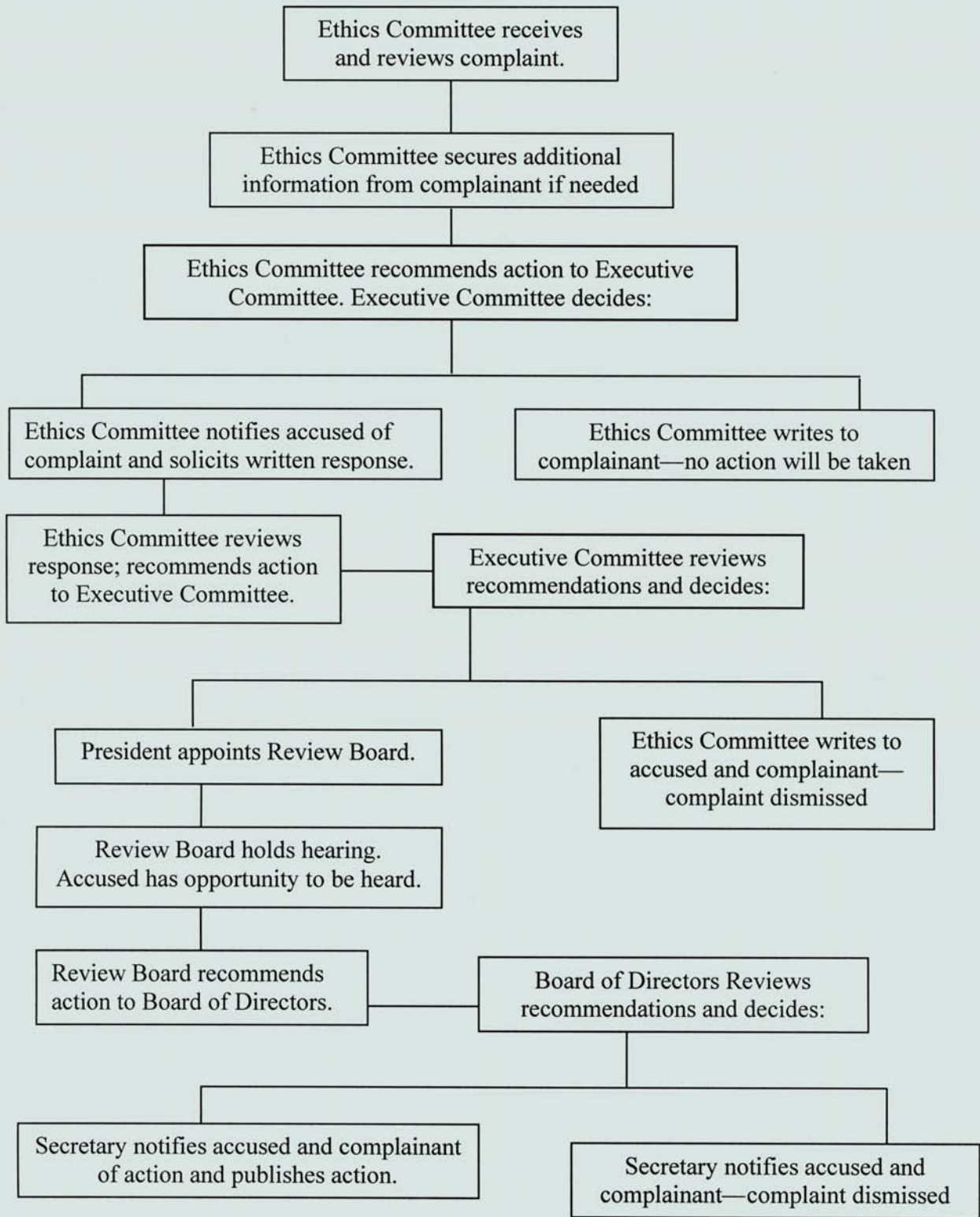
ABOUT THE AUTHOR

Pete Nottleson is the manager of INSPEC Inc.'s Milwaukee, WI office. He is a Professional member of RCI and currently serves as Chairman of the Roof Consultants Institute's Ethics Committee. Pete may be reached at 414-744-6962 or via e-mail at pnottleson@inspec.com.



PETE NOTTLESON

ETHICS REVIEW PROCESS



CODE OF ETHICS

The Roof Consultants Institute

Adopted April 19, 2001

Introduction: The standards contained in this Code of Ethics are statements of ethical principles having broad applicability to members and registrants of the Roof Consultants Institute. However, the enumeration of particular duties and the proscription of certain conduct do not negate the existence of other obligations logically flowing from such principles. Conduct deemed unethical may be construed to include lesser offenses, such as aiding-and-abetting.

Members and registrants of the Roof Consultants Institute should also recognize that their profession and their practice may be governed by various laws and regulations regarding professional registration and the conduct of trade. It is their responsibility, therefore, to be familiar with those laws and regulations and to conduct themselves accordingly.

General Obligations: Members and registrants shall maintain and further their knowledge of the science and profession of roof consulting and shall maintain the highest possible standard of professional judgement and conduct in their practice of roof consulting.

Obligation to the Public: Members and registrants should uphold the letter and spirit of the ethical standards governing their professional affairs and should consider the full impact of their actions on the community at large. Thus, a member or registrant shall:

- I. Engage only in accurate, appropriate, and truthful promotion of his or her practice;
- II. Be respectful of the rights of others in obtaining professional work or employment; and
- III. Make only accurate, truthful, and appropriate statements or claims about his or her professional qualifications, experiences, or performance.

Obligations to the Client: Members and registrants shall conduct themselves in a fashion that brings credit to themselves, their employers, and their profession. In addition to upholding the behavioral standards described above, a member or registrant:

- I. Shall preserve the confidence of his or her client or employer and serve each in a professional and competent manner;
- II. Shall exercise unprejudiced and unbiased judgment when performing all professional services;
- III. Shall practice only in his or her area of competence;
- IV. Shall decline any activity or employment, avoid any significant financial or other interest, and decline any contribution if it would reasonably appear that such activity, employment, interest, or contribution could compromise his or her professional judgment or conduct, or prevent him or her from serving the best interest of his or her client or employer, without making full disclosure to the client and obtaining the client's consent thereto;
- V. Shall neither offer nor make any payment or gift to any public official, private client, or industry representative with the intent of influencing that person's judgment or decision in connection with an existing or prospective project in which the member and registrant or member is interested; and
- VI. May contribute his services or anything of value to those endeavors that the member deems worthy. Further, a member or registrant has the right to participate in the political process and to contribute time and money to political campaigns.

Obligations to the Profession and Building Industry: Members and registrants shall:

- I. Recognize the value and contributions of others engaged in the design and construction process, refrain from making false statements about the work of others, and shall not maliciously injure or attempt to injure the prospects, practice, or employment position of others; and
- II. Encourage professional education and research, as well as the development and dissemination of information relating to the design and construction of roofing and waterproofing systems.

Further, the following practices are not in themselves unethical, unprofessional, or contrary to any policy of the Roof Consultants Institute, and RCI members and registrants are free to decide for themselves whether to engage in any of these practices:

- I. Submitting competitive bids or price quotations, including in circumstances where price is the sole or principle consideration in the selection of a roof consultant;
- II. Providing discounts; or
- III. Providing free services.

I have read and agree to abide by the Standards of Ethical Practice for the Roof Consultants Institute.

Signature of Applicant