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# **UNIT IV**

## **RESPONSIBILITIES AND RIGHTS**

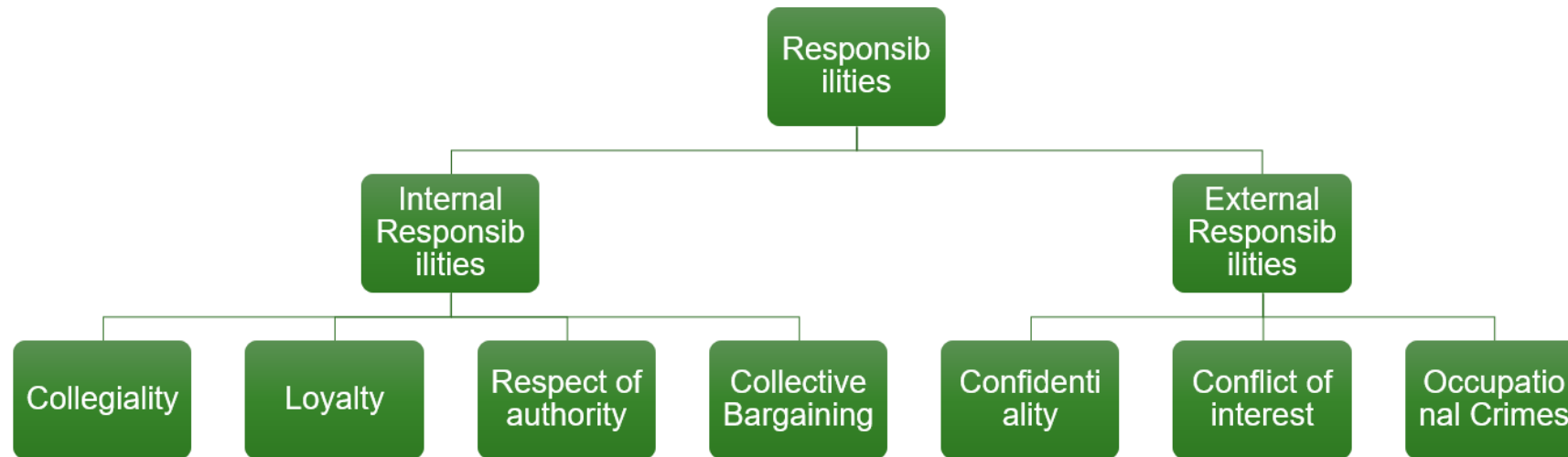
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## Unit IV

- ❖ **Responsibilities of Engineers**
    - ❖ Collegiality and Loyalty
    - ❖ Respect for Authority
    - ❖ Collective Bargaining
    - ❖ Confidentiality
    - ❖ Conflicts of Interest
    - ❖ Occupational Crime
  - ❖ **Rights of Engineers**
    - ❖ Professional Rights
    - ❖ Employee Rights
    - ❖ Intellectual Property Rights (IPR)
    - ❖ Discrimination
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# Responsibilities of Engineers



## **Internal Responsibilities:**

Responsibilities of an engineer towards an employer, that the Responsibilities within an organization

## **External Responsibilities :**

Responsibilities of an engineer towards outside world, that the Responsibilities outside organization

# Collegiality

- It is the tendency to support and cooperate with the colleagues
- According to NSPE (National Society of Professional Engineer) , the collegiality should include following characteristics
  1. Engineers should not attempt to injure, unkindly or falsely directly or indirectly, the professional reputation, prospects, practice or employment of other engineers
  2. Engineers should not untruthfully criticize other engineer's work.
  3. Engineers should bring unethical or illegal practice of other engineers to the proper

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# Collegiality

- According to Craig Ihara – “A kind of **connectedness** grounded in **respect** for professional expertise and in **commitment** to the goals and values of the profession
  - Elements of Collegiality
    - Respect
    - Commitment
    - Connectedness
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# Elements of Collegiality

- Respect:
    - In general Means valuing one's colleague for their professional skill and their devotion to the social goods promoted by the profession
    - For engineering : It means affirming the worth of other engineers engaged in producing socially useful and safe products
    - Collegial respect Vs Friendship:
      - Collegial respect is Reciprocal like friendship
      - But not necessarily develops personal affection like friendship
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# Elements of Collegiality

- **Commitment:**
    - Sharing devotion to the moral ideals essential in the practice of engineering
    - Even when there is cut-throat competition b/w engineers, there should be a feeling that all engineers share a concern for overall good to the society
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# Elements of Collegiality

- Connectedness:

- Awareness of being part of a cooperative undertaking created by sharing commitments and skill
  - It means the sense of utility among engineers that includes cooperation and mutual support
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# Why is collegiality a virtue

- Collegiality should be encouraged among engineers and other professionals because
  - **From the point of view of society**, collegiality is the influential value to promote the aims of professions.
  - It supports personal efforts act responsibly in concert with colleagues
  - It strengthen ones motivation to live up to professional standards
  - **From the point of professionals**, collegiality is more valuable as many individuals jointly working for the goodness of the public and society

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# Negative aspects of collegiality

- Collegiality may be **misused and distorted**.
    - Ex: colleagues appeal to be silent about corporate corruption
  - It may **degenerate more group of self-interest**, rather than shared devotion to the public
  - Because of heavy competitions among engineers, collegiality may focus on the corporate goal of maximizing profit at the expense of public good
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# Loyalty

- The quality of **being true and faithful** in one's support
  - It is more a function of attitudes, emotions and a sense of identity
  - Senses of loyalty
    - Agency Loyalty
    - Identification Loyalty
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# Agency Loyalty

- It is fulfill one's prescribed duties to an employer
  - The contractual duties may include particular task for which one is paid, general activities of cooperating with colleagues, and following lawful authority with the organization
  - It concerns with the matter of actions, whatever it motives. It is motivated by identification with the group to which one is loyal.
  - Example:
    - People may not like the job they do hate their employer, but still they would perform their duty as long as they are employees. This sense of loyalty is agency loyalty
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# Identification loyalty

- It is much concerned with attitudes, emotions, and a sense of personal identity as it does with action
  - Employee should meet his moral duties to the organization willingly with personal attachment and affirmation.
  - Some of the duties of loyal employees are,
    - To avoid conflicts of interest
    - To protect confidential information
    - To be honest in making estimates
    - To admit one's error
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# Is loyalty obligatory(responsibility)

- Agency loyalty to employers is an obligation within proper limits
  - According to John H. Fielder, identification of loyalty is obligatory, only when the two conditions are met.
    - **Employees must be treated fairly**, they should be given their share of benefits and burdens
    - **Employees must see that their goals are achieved by and through a group** in which they participate
    - **Identification loyalty is reciprocal in nature**. That is employees can be expected to be loyal to employers only when employers show strong commitments to them
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# Professionalism and Loyalty

- Acting on professional *commitments to the public is more effective to serve a company than just following* company orders.
  - *Loyalty to employers may not mean obeying one's immediate supervisor.*
  - Professional obligations to **both an employer and to the public might strengthen rather than contradict** each other.
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# Respect for Authority

- It is right to make decisions, the right to direct the work, and the right to give orders.
  - It is crucial factor in organization, since engineers and employees must be authorized to carryout the jobs assigned to them.
  - Authority can be defined as the legal right to command action by others to enforce compliance
  - Clear lines of authority *identifies areas of* personal responsibility and *accountability*.
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# Sources of authority

- Authority derives from the several sources. They are the persons position or rank, and personal attitudes such as charisma, knowledge and expertise

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# Institutional authority

- ❑ It can be defined as the institutional right given to a person to exercise power based on the resource of institution
  - ❑ It is an **authority given by institution to the qualified individuals to meet their industries objectives**
  - ❑ This authority is exercised by making policy, allocating resources, issuing orders, carrying out actions, giving recommendations etc..
  - ❑ **Limitations:**
    - It is given by **owners**. In practice sometime, it is given to ineffective persons. They are unable to exercise their authorities effectively in order to meet company's objectives.
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# Experts Authority

- It is the possession of special knowledge skill, competencies to perform some task or to give sound advice.
  - It proved that leaders with expertise can be more effectively guide and motivate others than the conventional leaders. This concept is referred as “**authority of leadership**”
  - In today's organization, the staff engineers, advisors, and consultants are given expert authority, while the institutional authority is assigned to the line managers
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# Authority Vs Power

Sl. no	Authority	Power
1	It is the legal rights to superior, which compel his subordinates to perform certain acts	It is the ability of the person to influence others to perform an act. It may not have legal sanction
2	It is delegated to an individual by his supervisor	It is earned by an individual through his own efforts
3	It is mostly well defined and finite	It is undefined and infinite
4	It lies in the position held and the authority change in position	It resets in the individual. Even when the position has changed, his power remains with him

# Morally Justified authority

- the institutional authority assigned to employee may ensure in achieving the institutional objectives. But those **institutional rights should necessarily be morally justified** institutional rights and duties
- The institutional authority is said to be morally justified when:
  - The goals of the institution are morally permissible or morally desirable
  - The way of implementation should not violate basic moral duties.

# Accepting authority

- Employees accept their employers authority by accepting the guidance and obeying the directives issued by the employer.
- According to Herbert Simon, “ a subordinate is said to accept authority whenever he permits his behavior to be guided by the decision of superior, without independently examining the merits of that decision”
- All he employers have the limits on ‘zone of acceptance’ in which they are willing to accept the authority
- Generally employees are not interested to make an issue of every incident of questionable morality, because of fear of losing their job.
- Therefore the ‘zone of acceptance’ can be used as a measure of the lack of individual moral integrity

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# Paramount Obligations

- The engineers paramount obligation is **to protect the public health, safety, and welfare**, rather than the obligations of loyalty and faithful service to employers
  - The engineers have obligations to accept their employers institutional authority. But it does not mean that they have to obey obligations blindly.
  - Engineers must weigh their obligations to the public, their employers, their colleagues, and others.
  - **\*Obligation – responsibility**
  - **Paramount- supreme**
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# Collective bargaining.

- International Labor Organization (ILO) define it as :  
Negotiation about working conditions and terms of employment between employer and one or more representative employee's with a view to reaching the agreement
- The term bargaining refers to evolving agreement using methods like negotiation, discussion, exchange of facts and ideas rather than confrontation.
- \* confrontation- battle.

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# Process of collective bargaining

- Presenting character of demands by the union on behalf of constituent elements
  - Compromise at bargaining table
  - Reaching the agreement
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# Unionism & Professionalism

- Legally, any organization employing more than 20 employees could have a union. In a organization more than one union is permitted
- They employers from unions to safeguard the interests of employees and to prevent exploitation of employees
- According to john kemper, the unionism and professionalism are conflicting with each other. Professionalism offers Paramount importance to the importance to the interest of society and their employers. But unions are collective bargaining agents.
- Many professional societies indirectly instruct the engineers should not become members of the unions.
- Collective bargaining is ethical or unethical only on the basis of the given situation

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# Arguments over Unions

- Arguments in favor of unions
    - It play vital role in achieving high salaries and improved standard of living organization
    - Employees get greater sense of participation in organization decision
    - Ensure job security
    - Unions maintain stability by providing an effective grievance procedure for employee complaints
    - Unions can act as counterforce to any political movement that exploits the employees
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# Arguments over Unions

- Arguments against unions
    - Unions destroys the economy of a country
    - Unions remove person to person negotiation between employers and employees
    - Unions encourage conflict and stressed relations between employees and employee
    - Unions prevents employer from rewarding individuals for their personal achievements
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# External Responsibilities

- Responsibilities of an engineer towards outside world, that the Responsibilities outside organization
  - It include
    - Confidentiality
    - Conflict of interest
    - Occupational crimes
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## Types Of Crime

### ***Domestic crime***

Non-accidental crime committed *by members* of the family

### ***Professional Crime***

When crime is *pursued as a profession* or day to day occupation

*Blue collar crime (or) Street crime*

Crime *against person, property* (theft, assault on a person, rape)

### **Victimless crime**

Person *who commits* the crime *is the victim* of the crime. E.g.

Drug addiction

### ***Hate crime***

Crime done on the banner of religion,  
community, linguistics

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# Occupational crimes

- ❑ Occupational crimes are *illegal acts made possible through one's lawful employment.*
- ❑ It is the *secretive violation of laws* regulating work activities.
- ❑ When committed by office workers or professionals, occupational crime is called “*white collar crime* “
- ❑ *Most of occupational crimes are special instances of conflicts of interests.*
- ❑ *These crimes are motivated by personal greed, corporate ambition, misguided company loyalty*
- ❑ **Examples:**
  - ❑ Price Fixing
  - ❑ Endangering lives
  - ❑ Industrial espionage



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# Occupational crime of price fixing

- While fixing price for any product or service sometimes all competitors come together and jointly set up the price to be charged. These are called pricing cartels.
  - This is unfair and unethical practice
  - Example: 1983, Washington power bids
  - Laws are enforced which forbids companies from jointly fixing
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# Endangering lives

- Some companies employ workers without disclosing them harmful health effects and safety hazards about the working environment
  - This is kind of occupational crimes
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# Industrial Espionage(spying)

- Industrial spying
  - Espionage refers secret gathering of information in order to influence relationships between two entities
  - The vital information's are secretly gathered through espionage agents for economic gains
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# Conflicts of Interest

- In general conflicts of interest means individuals as two or more desires that all interests cannot be satisfied given circumstance.
  - Professional conflicts of interest are situations where professionals have an interest, if pursued , could keep from meeting one of their obligations to their employers
  - Example:
  - Employee working in a company serving as a consultant for a competitor's company
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# Types of conflicts of interest

- Actual conflicts of interests
  - Potential conflicts of interests
  - Apparent conflicts of interests
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# Confidentiality or confidential information

- Information considered desirable to be kept secret.
  - Any information that the employer or client would like to have kept secret in order to compete effectively against business rivals.
  - This information includes *how business is run, its products, and suppliers*, which directly affects the ability of the company to compete in the market place
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## **Privileged information:**

- Information available only on the *basis of special privilege*“ such as granted to an employee working on a special assignment.

## **Proprietary information:**

- Information that a company *owns or is the proprietor of*.
  - This is primarily used in *legal sense*.
  - Also called *Trade Secret*. A trade secret can be virtually any type of information that has *not become public* and which an employer has *taken steps to keep secret*.
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## *Patents*

- *Differ* from trade secrets.
  - *Legally protect specific products* from being manufactured and sold by competitors *without* the *express permission of the patent holder*.
  - They have the *drawback of being public* and competitors may *easily work around them* by creating alternate designs
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# Obligation of Confidentiality

Based on ordinary moral considerations:

## I. *Respect for autonomy:*

- *Recognizing the legitimate control* over private information (individuals or corporations).
  - This control is required *to maintain their privacy* and protect their self-interest.
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## ***Respect for Promise***

- Respecting promises in terms of *employment contracts* not to divulge certain information considered sensitive by the employer

## ***Regard for public well being***

- Only when there is a *confidence* that the physician *will not reveal* information, the patient will have the *trust to confide* in him.
  - Similarly *only when companies maintain* some degree of *confidentiality* concerning their products, the benefits of *competitiveness* within a free market are *promoted*.
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# Effect of Change of Job on Confidentiality

- Employees are *obliged* to protect confidential information regarding former employment, *after a change of job*.
  - The *confidentiality trust* between employer and employee *continues beyond* the period of employment.
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# Conflict of Interest

Conflict of Interest arises when two conditions are met

- The professional is in a relationship or a role that requires exercising good judgment on behalf of the interests of an employer or client and
  - The professional has some additional or side interest that could threaten good judgment in serving the interests of the employee or client. E.g. When an engineer is paid based on a percentage of the cost of the design and there is no incentive for him to cut costs- The distrust caused by this situation compromises the engineer's ability to cut costs and calls into question his judgment.
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# Conflict of Interest created by Interest in other companies

- When one works actually for the competitor or subcontractor as an employee or consultant.
  - Having partial ownership or substantial stock holdings in the competitor's business.
  - It may not arise by merely having a spouse working for sub-contractor to one's company, but it will arise if one's job also includes granting contracts to that subcontractor
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# Conflicts of Interest created by Insider information

- Using inside information to set-up a business opportunity for oneself or family or friends.
  - Buying stock in the company for which one works is not objectionable but it should be based on the same information available to the public.
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# Avoiding Conflicts Of Interests

- Taking guidance from Company Policy
  - In the absence of such a policy taking a second opinion from a coworker or manager. This gives an impression that there no intension on the part of the engineer to hide anything
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# People Committing Occupational Crimes

- Usually have high standard of education
  - From a non-criminal family background
  - Middle class male around 27 years of age (70% of the time) with no previous history
  - No involvement in drug or alcohol abuse
  - Those who had troublesome life experience in the childhood (Blum)
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