



Commentary

by the NSPE Board of Ethical Review on the Winning Entry
by Ethan W. Skaggs

In his Conclusions, Mr. Skaggs recommends that Engineer A notify Owner Y and, if necessary, proper public authorities of the potential safety issues which he/she observed. In contrast, the Board of Ethical Review, in its own analysis of the case, concluded that Engineer A had no obligation to report his/her concerns outside his/her own company ES Consulting. In so concluding, the Board had made the assumption based on the stated facts of the case that the potential safety issues observed did not pose an imminent danger. Although there could occur specific circumstances in which Engineer A would be obligated to report his/her concerns to Owner Y and/or public authorities, the lack of a circumstance of imminent danger was a key factor in the Board's Conclusions. In the absence of imminent danger, the Board members believe that such reporting by Engineer A, especially if Engineer A reports his/her concerns in writing, could raise potential liability issues for Engineer A and ES Consulting.