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## PROFESSIONAL STANDARDS POLICY

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<b>Title:</b>	CODE OF ETHICS AND PROFESSIONAL CONDUCT		
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<b>Written by:</b>	C. Wilson, R. Anderson, M. Goldsmith, A. Black	<b>Approved by:</b>	BOD
<b>Notes:</b>	Code of Ethics and Conduct for all Applicants, Candidates, Staff, and Certified Professionals		

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## **Policy Statement**

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EnviroCert International, Inc. (ECI), through its family of certifications, serves the public trust by providing programs that certify qualified environmental professionals in a variety of fields. To ensure that individuals certified by ECI maintain a sufficient level of ethical and professional conduct within their respective professions, ECI requires its certificate holders to adhere to a uniform ECI Code of Ethics and Professional Conduct.

### **BACKGROUND**

ECI in the past, has provided certificate holders with a Code of Conduct and Ethics for each certification. These documents, though similar, had differences. The ECI Board of Directors (BOD) requested that these be updated and incorporated into a uniform document for all current and future certifications offered by ECI.

### **PURPOSE**

To provide ECI certificate holders a standard ECI Code of Ethics and Professional Conduct.

### **APPLICABILITY**

This policy applies to all current and future ECI certification programs.

- CPESC® - Certified Professional In Erosion and Sediment Control™
- CPSWQ® - Certified Professional In Stormwater Quality™
- CESSWI™ - Certified Erosion, Sediment and Stormwater Inspector™
- CPMSM™ - Certified Professional in Municipal Stormwater Management™ (formerly CMS4S)
- CPISM™ - Certified Professional in Industrial Stormwater Management™

### **DEFINITIONS**

Please see Appendix 1 – ECI Code of Ethics and Professional Conduct

### **RESPONSIBILITY**

The ECI Professional Standards Committee (PSC) is responsible for establishing and maintaining this policy including the following actions:

- Recommending revisions and updates to the ECI Code of Ethics and Professional Conduct on a bi-annual basis.
- Appointing an Ethics Advisory Panel to receive, hear, and process complaints, following the complaint procedure as outlined in Appendix 2

Certificate holders are responsible for:

- Maintaining a sufficient level of ethical and professional conduct within their respective professions.
- Informing the ECI Ethics Advisory Panel via formal complaint of any ECI Code of Ethics and Professional Conduct violations by other certificate holders or persons or entities violating the policy in such a way as to harm ECI or one of its certificate holders, and shall cooperate in furnishing such further information or assistance as may be required.

## History and Updates

This policy should be reviewed every three (3) years by the PSC and revised as necessary.

## Website Address

[www.envirocert.org](http://www.envirocert.org)

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## Procedures

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Any complaints shall be filed with the ECI Ethics Advisory Panel following the complaint procedures found in Appendix 2.

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## **Related Documents**

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ECI Documents:

Other Documents:

Related Links:

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## **Appendices**

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Appendix 1 – ECI Code of Ethics and Professional Conduct

Appendix 2 – ECI Code of Ethics and Professional Conduct Complaint Procedures & Flow Chart

Appendix 3 - ECI Code of Ethics and Professional Conduct Complaint Forms

## APPENDIX 1

# EnviroCert International, Inc.

## Code of Ethics and Professional Conduct

*Integrity – Objectivity – Confidentiality – Competence – Professionalism*

### PREAMBLE

Certified Professionals/Individuals have certain fundamental obligations to society, to clients, to the profession, and to peers and colleagues. The cornerstone of ethics and professional conduct for EnviroCert International, Inc. (ECI) are built on the following five (5) fundamental principles:

**Integrity** – All ECI Certified Professionals/Individuals, employees and volunteers are held in a position of trust by the public at large. The preservation of that trust is dependent on exhibiting the highest degree of integrity.

**Objectivity** – ECI Certified Professionals/Individuals shall perform their work with integrity, objectivity, and avoid subordination of their judgment.

**Confidentiality** – ECI Certified Professionals/Individuals, employees, and volunteers shall maintain all confidential information that they are provided or become aware of. This confidential principle does not extend to such actions that include violations of the law, violation of administration rules or regulations, or that may be hazardous to the environment as outlined in this Code of Ethics and Professional Conduct.

**Competence** – ECI Certified Professionals/Individuals shall only perform services within their demonstrated expertise. It is essential that all Certified Professionals/Individuals commit to continual learning and professional development, and shall perform Professional Development Hours (PDHs) to reinforce and expand their knowledge base.

**Professionalism** – ECI Certified Professionals/Individuals shall represent their respective professions responsibly and in a manner that maintains and enhances the professions and organization's public image and reputation.

The Code of Ethics and Professional Conduct states guidelines and rules for the conduct of Certified Professionals/Individuals in fulfilling those obligations. The Code is arranged in three tiers of statements: Canons, Ethical Standards, and Rules of Conduct.

**Canons** are broad principles of Ethics and Conduct.

**Ethical Standards** are more specific goals to which ECI Certified Professionals/Individuals should aspire in professional performance and behavior.

**Rules of Conduct** (Rule) are mandatory. Rules, in some instances, implement more than one canon or ethical standard. Violation of a Rule is grounds for disciplinary action, up to and including, revocation of certification.

The Code applies to the professional activities of all categories of EnviroCert International, Inc. Certified Professionals/Individuals. Certification through one, or more, of the EnviroCert International, Inc. certifications is voluntary. By accepting certification, submitting proof of required Professional Development Hours and paying annual dues, Certified Professionals/Individuals assume an obligation of self-discipline above and beyond the requirements of laws and regulations.

Compliance with the Code, as with all laws and rules in an open society, depends primarily upon understanding and voluntary compliance, secondarily upon reinforcement by peer and public scrutiny, and finally, when necessary, upon enforcement through disciplinary action against certified individuals who fail to comply with the Rules. The Code does not however, exhaust the moral and ethical considerations that should inform Certified Professionals/Individuals, for no worthwhile human activity can be completely defined by laws or rules. Even so, the Code is wholly concerned with ethical constraints for professionalism; the Rules are not compromised by elements concerning social agendas or activism, but simply provide a moral and rational framework for the ethical conduct of Certified Professionals/Individuals.

Where it appears, commentary is meant to clarify or elaborate the intent of a rule. The commentary is not part of the Code, and is included to assist those seeking to conform their conduct to the Code.

This Code is intended to promote the highest quality of practice, and to strengthen public confidence in the profession. Toward that end, EnviroCert International, Inc. sets forth the following:

## **SECTION 1: GENERAL OBLIGATIONS**

### **CANON 1:**

ECI Certified Professionals/Individuals should maintain and advance their knowledge of the art, craft, and science of the practice, and contribute to its growth. Certified Professionals/Individuals should exercise learned and uncompromised professional judgment over any other motive in the pursuit of the art, craft, and science of the practice, even at the expense of personal advantage.

#### **ETHICAL STANDARD 1.1: KNOWLEDGE AND SKILL**

ECI Certified Professionals/Individuals should strive to improve their professional and technical knowledge and skill.

**RULE 1.11:**

In practicing design, Certified Professionals/Individuals shall demonstrate a consistent pattern of reasonable care and competence. At a minimum, apply the professional and technical knowledge and skill, which is ordinarily applied by Certified Professionals/Individuals of good standing, practicing in the same locality.

**ETHICAL STANDARD 1.2: STANDARDS OF EXCELLENCE**

ECI Certified Professionals/Individuals should continually seek to raise the standards of functional excellence, education, research, training, practice, and professional excellence.

**ETHICAL STANDARD 1.3: HUMAN RIGHTS**

ECI Certified Professionals/Individuals should uphold human rights in all their professional endeavors.

**RULE 1.31:**

ECI Certified Professionals/Individuals shall refuse to engage in or support discrimination against individuals on the basis of race, sex, age, religion, national origin, sexual orientation, or disability.

**ETHICAL STANDARD 1.4: PROMOTION OF THE CERTIFICATIONS**

ECI Certified Professionals/Individuals should promote the profession and contribute to the knowledge and capability of the EnviroCert International, Inc. certifications as a whole.

## **SECTION 2: OBLIGATIONS TO THE PUBLIC**

**CANON 2:**

ECI Certified Professionals/Individuals should embrace the spirit and letter of the law governing their professional affairs and should promote and serve the public interest in their professional activities.

**ETHICAL STANDARD 2.1: CONDUCT**

ECI Certified Professionals/Individuals should uphold the law in the conduct of their professional activities.

**RULE 2.11:**

ECI Certified Professionals/Individuals shall not, in the conduct of their professional practice, knowingly or unknowingly violate the law.

*Commentary: As ignorance of the law offers no mitigation of offense or punishment under the law. Therefore, ignorance offers no mitigation of this rule.*

**RULE 2.12:**

ECI Certified Professionals/Individuals shall neither offer nor make any payment or gift to a public official with the intent of influencing the official's judgment in connection with an existing or prospective project, in which Certified Professionals/Individuals are interested.

*Commentary: This rule does not prohibit campaign contributions made in conformity with applicable campaign financing laws.*

**RULE 2.13:**

ECI Certified Professionals/Individuals serving in a public capacity shall not accept payments or gifts, which are intended to influence their judgment.

**RULE 2.14:**

ECI Certified Professionals/Individuals shall not knowingly engage in work where the aim or result is misleading, deceptive, or false by intent or substance.

**RULE 2.15:**

ECI Certified Professionals/Individuals shall not engage in conduct involving fraud or wanton disregard of the rights of others.

*Commentary: This rule addresses serious misconduct, whether or not related to Certified Professionals/Individuals professional practices.*

**RULE 2.16:**

If, in the course of their work on a project, ECI Certified Professionals/Individuals become aware of a decision exercised or prescribed by their employer or client that is fraudulent or violates any law or regulation, Certified Professionals/Individuals shall: (1) advise their employer or client against the decision, (2) refuse to consent to the decision, and (3) report the decision to the appropriate authority, unless the Certified Professionals/Individuals are able to cause the matter to be satisfactorily resolved by other means, and (4) if the above mentioned exercise or prescribed decision involves another ECI Certified Professional / Individual, an Ethics Complaint should be filed with ECI.

**RULE 2.17:**

ECI Certified Professionals/Individuals shall not counsel or assist a client in conduct that Certified Professionals/Individuals know, or reasonably should know, is fraudulent or illegal.

**ETHICAL STANDARD 2.2: CIVIC RESPONSIBILITY**

ECI Certified Professionals/Individuals should be involved in civic activities as citizens and professionals, and should strive to improve public appreciation and understanding of design and the functions and responsibilities of Certified Professionals/Individuals.



**RULE 2.21:**

ECI Certified Professionals/Individuals making public statements on design issues shall disclose when they are being compensated for making such statements or when they have an economic interest in the issue.

**RULE 2.22:**

ECI Certified Professionals/Individuals, while engaged in the practice or instruction of design, shall not knowingly do anything that constitutes a deliberate or reckless disregard for the health and safety of the communities in which they live and practice or the privacy of the individuals and businesses therein.

**RULE 2.23:**

ECI Certified Professionals/Individuals shall consider environmental, economic, and cultural implications of their work and endeavor to minimize the adverse impacts.

**RULE 2.24:**

ECI Certified Professionals/Individuals shall not knowingly make use of goods or services offered by manufacturers, suppliers, or contractors that are accompanied by an obligation that is substantively detrimental to the best interests of their client, other individuals, or the environment.

## **SECTION 3: OBLIGATIONS TO CLIENTS**

**CANON 3:**

ECI Certified Professionals/Individuals should serve their clients in a competent and professional manner and shall otherwise act in the client's best interest within the limits of professional responsibility.

**ETHICAL STANDARD 3.1: COMPETENCE**

ECI Certified Professionals/Individuals should serve their clients in a timely, lawful, and competent manner.

**RULE 3.11:**

In performing professional services, ECI Certified Professionals/Individuals shall take into account applicable laws and regulations. Certified Professionals/Individuals may rely on the advice of other qualified persons as to the intent and meaning of such regulations.

**RULE 3.12:**

ECI Certified Professionals/Individuals shall undertake to perform professional services only when they, together with those whom they may engage as consultants, are qualified by education, training, or experience in the specific technical areas involved.

**RULE 3.13:**

When generally recognized standards do not exist with respect to an emerging area of practice, Certified Professionals/Individuals shall exercise careful judgment and take responsible steps (including appropriate education, research, training consultation, and supervision) to ensure the competence of their work and to protect clients from harm.

**Rule 3.14:**

ECI Certified Professionals/Individuals have a duty and responsibility, to be knowledgeable in laws, ordinances, rules, regulations, etc. for the specific country, region, state, or locality in which they practice.

**ETHICAL STANDARD 3.2: CONTRACTS, FEES & BILLING**

Project contracts should embody clarity and be functionally comprehensive, and project estimates should be reasonably specific and accurate.

**RULE 3.21:**

ECI Certified Professionals/Individuals shall in the conduct of professional practice, produce work only as clearly described in a mutually executed contract(s) that accounts for the project's scope, deliverables, costs, terms, and the relevant obligations of all involved parties.

*Commentary: This rule is intended to require that all professionally contracted work be performed according to a binding scope of responsibilities, rather than with mere verbal agreements or undefined elements. In short, all professional design work must be accomplished under clearly defined legal, and mutual constraints.*

**RULE 3.22:**

ECI Certified Professionals/Individuals shall not materially alter the contractually defined scope, objectives, or catalog of deliverable components of a project without the client's consent.

**ETHICAL STANDARD 3.3: CONFLICT OF INTEREST**

ECI Certified Professionals/Individuals should avoid conflicts of interest in their professional practices and fully disclose all unavoidable conflicts as they arise.

**RULE 3.31:**

ECI Certified Professionals/Individuals shall not render professional services if their judgment or quality of performance could be affected by responsibilities to another project or person, or by their own interests, unless all those who rely on the Certified Professional's/Individual's judgment consent after full disclosure.

*Commentary: This rule is intended to embrace the full range of situations that may present Certified Professionals/Individuals with a conflict between their interests or responsibilities and the interest of others. Those who are entitled to disclosure may include a client, owner, employer, contractor, supplier, or others who rely on or are affected by the Certified Professional's/Individual's professional decisions. A Certified Professional/Individual who cannot appropriately communicate about a conflict directly with an affected person must take steps to ensure that disclosure is made by other means.*

### **ETHICAL STANDARD 3.4: CANDOR AND TRUTHFULNESS**

ECI Certified Professionals/Individuals should be candid and truthful in their professional communications and keep their clients reasonably informed about the client's projects.

#### **RULE 3.41:**

ECI Certified Professionals/Individuals shall not intentionally or recklessly mislead existing or prospective clients about the results that can be achieved through the use of the Certified Professional's/Individual's services, nor shall Certified Professionals/Individuals state that they can achieve results by means that violate applicable law or this Code.

### **ETHICAL STANDARD 3.5: SECURITY**

ECI Certified Professionals/Individuals should employ reasonable safeguards in systems and practices to protect the confidentiality of project materials—both analog and digital.

### **ETHICAL STANDARD 3.6: CONFIDENTIALITY**

ECI Certified Professionals/Individuals should safeguard the trust placed in them by their clients.

#### **RULE 3.61:**

ECI Certified Professionals/Individuals shall not knowingly disclose information that would adversely affect their client or that they have been asked to maintain in confidence, including all knowledge of a client's intentions, production methods, and or business organization, except as otherwise allowed or required by this Code or applicable law. Details of all work in progress prior to the completion of a project shall likewise be kept in confidence except as allowed by the consent of the client.

*Commentary: To encourage the full and open exchange of information necessary for a successful professional project relationship, Certified Professionals/Individuals must recognize and respect the sensitive nature of confidential client communications. Because the law does not recognize a Certified Professional/Individual-client privilege; however, the rule permits a Certified Professional/Individual to reveal a confidence when a failure to do so would be unlawful or contrary to another ethical duty imposed by this Code.*

### **ETHICAL STANDARD 3.7: INTEGRITY**

ECI Certified Professionals/Individuals should uncompromisingly maintain their integrity.

#### **RULE 3.71:**

A client or employer issuing instructions that involve violation of this Code should be corrected by the Certified Professional/Individual, or the Certified Professional/Individual should refuse the assignment.

## **SECTION 4: OBLIGATIONS TO THE PROFESSION**

### **CANON 4:**

ECI Certified Professionals/Individuals should uphold the integrity and dignity of the profession.

#### **ETHICAL STANDARD 4.1: COMPENSATION**

ECI Certified Professionals/Individuals should uphold the fundamental morality of profit, free from destructive interests or conflicts of interest.

#### **RULE 4.11:**

ECI Certified Professionals/Individuals shall work only for a fee, royalty, salary, or other agreed-upon ethical form of compensation.

*Commentary: This rule is meant to preclude Certified Professionals/Individuals from retaining any kickbacks, hidden discounts, commission, allowances, or payment in kind from contractors or suppliers.*

#### **RULE 4.12:**

ECI Certified Professionals/Individuals shall not participate in work that, in aim or substance, denies or works to deny the inherent value of design, the value of an individual's genius, effort, or creation, or the value of an individual's property.

*Commentary: This rule is intended compel Certified Professionals/Individuals to carefully evaluate pitch invitations and preclude their engagement in any form of spec work.*

#### **RULE 4.13:**

Independent Certified Professionals/Individuals shall not be party to a contract or engage in work that compromises the integrity of their copyright ownership.

*Commentary: This rule is meant to prohibit Certified Professionals/Individuals engagement in work for hire or other schemes that compromise a Certified Professional's/Individual's legal property rights.*

**RULE 4.14:**

ECI Certified Professionals/Individuals speaking or writing in a professional capacity shall not knowingly make false statements of material fact.

*Commentary: This rule applies to statements made in all professional contexts, including communications with clients, employers, employees, in instructive articles and white papers, or while speaking to individuals or groups.*

**ETHICAL STANDARD 4.2: DIGNITY AND INTEGRITY**

ECI Certified Professionals/Individuals should strive, through their actions, to promote the dignity and integrity of the profession, and to ensure that their representatives and employees conform their conduct to this Code.

**RULE 4.21:**

ECI Certified Professionals/Individuals shall not make misleading, deceptive, or false statements or claims about their professional qualifications, experience, or performance.

**RULE 4.22:**

ECI Certified Professionals/Individuals shall make reasonable efforts to ensure that those whom they have supervisory authority over conform their conduct to this Code.

**SECTION 5: OBLIGATIONS TO PEERS AND COLLEAGUES**

**CANON 5:**

ECI Certified Professionals/Individuals should respect the rights and acknowledge the professional aspirations and contributions of their colleagues.

**ETHICAL STANDARD 5.1: PROFESSIONAL ENVIRONMENT**

ECI Certified Professionals/Individuals should provide their associates and employees with a suitable working environment, compensate them fairly, and facilitate their professional development.

**ETHICAL STANDARD 5.2: PROFESSIONAL DEVELOPMENT**

ECI Certified Professionals/Individuals should recognize and fulfill their obligation to nurture fellow Certified Professionals/Individuals as they progress through all stages of their career.

**ETHICAL STANDARD 5.3: PROFESSIONAL RECOGNITION**

ECI Certified Professionals/Individuals should build their professional reputations on the merits of their own service and performance, and should recognize and give credit to others for the professional work they have performed.

**RULE 5.31:**

ECI Certified Professionals/Individuals shall recognize and respect the professional contributions of their employees, employers, professional colleagues, and business associates. When not the sole author of a design, the Certified Professional/Individual shall accurately state the scope and nature of his/her responsibilities in connection with work for which he/she is claiming credit.

**RULE 5.32:**

ECI Certified Professionals/Individuals leaving an agency shall not, without the permission of their employer or partner, take designs, drawings, data, reports, notes, or other materials relating to the agency's work, whether or not created by the Certified Professional/Individual.

**RULE 5.33:**

ECI Certified Professionals/Individuals shall not unreasonably withhold permission from a departing employee or partner to take copies of designs, drawings, data, reports, notes, or other materials relating to work performed by the employee or partner that are not confidential.

**ETHICAL STANDARD 5.4: HONESTY & COURTESY**

ECI Certified Professionals/Individuals should pursue their professional activities with honesty and courtesy.

**RULE 5.41:**

In the course of pursuing business opportunities, ECI Certified Professionals/Individuals shall not seek advantage by criticizing another Certified Professional/Individual or agency or attempt, directly or indirectly, to supplant or compete with another Certified Professional/Individual or agency by means of unethical inducements.

**RULE 5.42:**

ECI Certified Professionals/Individuals shall be objective in publicly criticizing another Certified Professional's/Individual's work and shall not baselessly denigrate the work or reputation of a fellow Certified Professional/Individual.

**RULE 5.43:**

ECI Certified Professionals/Individuals shall not accept instructions from a client or employer that involve infringement of another person's property rights without permission, or consciously act in any manner involving any such infringement.