

# The Coercive Contribution Conundrum

## (Case 1006)

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### The Case:

You recently received a degree in engineering from a school with an excellent reputation. Immediately after graduation you accepted a challenging job offer from Civil Works Engineering, Inc., a medium-sized firm in a large, expanding metropolitan city in the Midwest. The firm (CWE) has been quite successful and is held in high regard in the local construction and business community. It has a relatively broad base of experience in public works engineering projects, and specializes in the design of roads and bridges. Most of the firm's design contracts have been with city and county public works departments, although a few projects have been completed for various state agencies.

After working for only eight months for CWE, you found a bonus check for \$1,000 in your pay envelope last week. On the same day it was announced that the firm has been chosen for several new design contracts, and you are pleased that your efforts to date appear to have been appreciated. The following afternoon, you and two other of the younger engineers in the company were called together in a meeting with Charlie Oxx, the supervising engineer of your design group. In the meeting, Charlie explained that the firm owes certain members of the city council a considerable debt of gratitude for their endorsement of CWE in obtaining city road design contracts. He also indicated that the president of CWE, I. M. Smooth, has already demonstrated his appreciation to these city council members by contributing to each of their upcoming re-election campaign funds. Charlie mentioned that Mr. Smooth expects the same type of "loyalty" from his employees toward these council members.

You have thought about that meeting, and are uncertain what to do. You wonder if you do not contribute a total of at least \$1,000 to the council members' campaign funds, will that be looked upon by Charlie Oxx as an act of disloyalty. Also, you wonder what impact that would have on your longevity and future career advancement with CWE.

What do you do?

## Alternate Approaches and Survey Results for “The Coercive Contribution Conundrum” (Case 1006)

1. You have heard that it is not unusual for engineers to make individual contributions to the campaign funds for various political figures who have demonstrated support for the local engineering community being awarded city design contracts. On this basis, you make out checks totally \$1,150 to the council members suggested by Charlie Oxx, send the checks in the mail, and give a list of the contributions to Charlie for his information.  
Percentage of votes agreeing: 0%
2. You have heard that it is not unusual for engineers to make individual contributions to the campaign funds for various political figures who have demonstrated support for the local engineering community being awarded city design contracts. However, you realize that you will have to pay state and federal income tax on the \$1,000 bonus. As a result, you make out checks for the difference totaling \$765 to the council members suggested by Charlie Oxx, send the checks in the mail, and give a list of the contributions to Charlie for his information.  
Percentage of votes agreeing: 3%
3. While you understand that engineers often contribute to campaign funds for political figures who are supportive of the local engineering community in general, you are not certain that contributing to only the council members who have been directly supportive of CWE, as listed by Charlie Oxx, is appropriate. However, since you are relatively new in town and not familiar with the voting records of specific individuals on the city council, you decide to contribute \$1,000 to those suggested by Charlie.  
Percentage of votes agreeing: 5%
4. Make this a win-win situation. You decide to donate half of the bonus to the council members, as suggested by Charlie Oxx, and keep the rest of the bonus for yourself.  
Percentage of votes agreeing: 3%
5. You are not sure what to do, so you get together with the other younger engineers that were in the meeting to reach some consensus regarding the approach all of you should take to the issue.  
Percentage of votes agreeing: 17%
6. You are not sure what to do, so you approach several of the older engineers in the office to determine what has generally been done in the past. If the usual procedure is to contribute, then you will contribute as well.  
Percentage of votes agreeing: 8%
7. You are not comfortable about being told to contribute money to specific campaign funds, no matter whether these individual council members have

been instrumental in CWE obtaining projects from the city in the past or not. You decide not to contribute, and not to say anything one way or the other to Charlie Oxx.

Percentage of votes agreeing: 5%

8. You are not comfortable about being told to contribute money to specific campaign funds, no matter whether these individual council members have been instrumental in CWE obtaining projects from the city in the past or not. You decide not to contribute, and to tell Charlie Oxx of your decision and reason for it.

Percentage of votes agreeing: 33%

9. You can see no connection between the bonus check and the suggestion about making contributions to several selected campaign funds. The bonus was given to you because of the good work you have been doing. The suggestion to contribute to specific campaign funds was made because you and the other younger engineers in the meeting were not aware that this is a normal company practice, and it is good business. You decide to contribute \$1,000 to demonstrate your loyalty to the company.

Percentage of votes agreeing: 2%

10. You are not comfortable about being told to contribute money to specific campaign funds, no matter whether these individual council members have been instrumental in CWE obtaining projects from the city in the past or not. Instead, you take the bonus check, make arrangements to rent a Jaguar and spend a three-day weekend with your girlfriend/boyfriend at the fanciest ski resort in the state.

Percentage of votes agreeing: 3%

11. Return the bonus check and prepare to seek employment elsewhere with a company whose ideas are more in line with yours.

Percentage of votes agreeing: 13%

12. Mr. Smooth has gone too far. You are sure the election commission would love to hear about this. In order to get more information, you have a long chat with Charlie Oxx and find out what more you can about this in-house contribution system. Then an anonymous note to the election commission (with a copy to the state board of registration) should bring Mr. Smooth into line!

Percentage of votes agreeing: 8%

### **Forum Comments from Respondents**

1. This very thing happened to me twice in my professional career. Both times I did not contribute. The first time I was a summer employee of a Midwest state highway department in 1962. The governor wanted to use the contribution for his fund. I refused and kept my job. The second time I was

a consultant in an eastern state, and the firm was on a retainer for the city, for which we did all of their surveying. The mayor was having a \$100 per plate dinner and sent a collector to see how many tickets we wanted to buy. One partner and I said none. When the second partner came in at the end of the day he immediately called the mayor's office and ordered ten tickets. He was the "politically wise" one in the firm. We needed the work. Intellectually, I cannot agree to paying a "gift" for the right to do work. Sometimes you have to do it to meet the payroll...at least that was the way it was explained to me.

2. I know that in our area, if your firm actively works in the municipal or government market, the elected officials expect firm principals or employees will make individual contributions. Also, in government there are those elected officials who support the consulting industry and the QBS (Qualifications Based Selection) criteria, while there are those that have little respect for professional engineers. If, as a professional, one has strong feelings about being treated professionally, why would you not support a candidate who shares the same views? I think at times too many of us keep our head in the sand when we could be proactive and help our community. This is by no means an endorsement of political donations with the expectation of preferred treatment.
3. Bonus checks should be compensation for value added performance and yours to spend as you please. Suggest to Charlie Oxx that the firm form a PAC (Political Action Coalition) to collect funds for desirable political and other related contributions. Membership and contribution to the PAC is voluntary. At least this is an above-board way to encourage contributions.
4. The problem with PACs is that typically only federal (and sometimes state) level politicians will accept contributions from one. Local candidates usually only accept individual contributions.
5. Remain silent and do not contribute. If asked by your superiors about your contribution, explain you do feel it to be ethical to make a contribution because of the firm's contractual obligation with the city. If all goes well, you are commended for your ethical decision, you keep the bonus money, and you retain your job because of the good work you have done. If it turns out otherwise, brush up your resume and look for work elsewhere. After all, an ethical person would not want to work for an unethical company anyway!
6. The pressure from Charlie Oxx is clearly inappropriate and probably violates several campaign laws in addition to impinging on your freedom of speech rights under the Constitution. If you sit down with Charlie and ask him to confirm his intent, you will probably be seen as a "troublemaker", which will do your career at CWE no good at all. But who would want to work there? Your need to contribute will only grow as you advance through the ranks of

the politically corrupt. Since the election is probably a few months away, start looking for a new job now. If you believe in the causes espoused by the city council folk, and you would have given them a donation anyway, go ahead; otherwise, stick the bonus check into a good investment and hang onto it.

7. Confront Charlie Oxx and Mr. Smooth with the compromising situation created by their request coming so closely on the heels of the \$1,000 bonus award. Offer to pay back all or part of the bonus as a matter of principle. If the offer is accepted, pay. Resign or not depending on other factors. If the offer is declined, do nothing, or contribute...whatever seems appropriate; it doesn't matter ethically.
8. Divide the after tax money equally among all of the council members and contribute anonymously.
9. Talk with Charlie personally and tell him that if the bonus was given with the expectation that it would be used for a political contribution, you will give the bonus back. If he confirms that was the intent of the bonus, it would be in your best interest to search out new employment.
10. Consult with the other young engineers. Refuse to contribute to the council members. In the meantime, begin to seek out other employment.
11. The check in the mail for \$1,000 is too coincidental with the request for contributions to the city councilmen for the same amount. The method being used will put a lot of money into the hands of the select candidates favored by the company. This is unethical, if not illegal. To participate is to agree with the foul practice. I would return the check to the company with a note stating that I do not wish to be a party to this action because it appears to be unethical.
12. Confront Mr. Smooth and see if he'll change his point of view. If he doesn't relax his demands, get the backing of the entire office, if they feel the same way you do, and confront him as a unit.
13. Although the coercion intent is very evident, I would approach the older engineers to see how these situations have played out in the past. It could be that individuals have fared quite well in the company without making such contributions. The bonus is mine to do with as I please. I would consider Charlie's words as a cue to actively support politicians who actively support local industry and would avoid the impression of impropriety associated with rewarding specific council members. If the older engineers say that not contributing is punished, I would use the \$1,000 to finance a new job search.

14. We choose to consult an attorney as to the legality of the issue. We would not donate the money either way. If the action is illegal, then we would seek the attorney's advice on how to report the situation to the proper authorities. We would seek employment with another firm.
15. The ASCE Code of Ethics is clear on this issue. A guideline under Canon 5 states, "Engineers shall not give, solicit or receive, either directly or indirectly, any political contribution, gratuity, or unlawful consideration in order to secure work, exclusive of securing salaried positions through employment agencies." With this in mind there is no doubt that the contribution is inappropriate. I would explain to Mr. Oxx that I will not be contributing to the campaign funds, explaining why. I would offer to return the bonus if the intent was for me to pass this along in the form of a political contribution, and not based solely on my work. Needless to say, I would be making sure that my resume is up to date.
16. Ultimately you feel based on the NSPE Code of Ethics that no money should be given to the [selected] council members' campaign funds. If it is company policy to give bonus money to the council members' funds, then the money should be returned to Charlie Oxx. If it is not, then the money should be kept as a bonus.
17. I would tell Charlie Oxx that I only give contributions to political figures on the basis of how well they do their job. And I would not support any candidate that can be swayed by campaign contributions. Then I would tell Charlie Oxx that as an American that loves his country, I will have to let the election commission know about the transactions he had suggested. I would then keep the \$1,000 bonus, because I'll need it when I get fired!