

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

070 STATE BOARD OF CERTIFICATION FOR GEOLOGISTS AND SOIL
SCIENTISTS

Chapter 3: CODE OF ETHICS

Summary: Whereas the Board for Certification of Geologists and Soil Scientists was constituted to ensure that Certificate holders have and hold high ethical standards in their practice, the Board has promulgated this Code of Ethics to assist in the protection of the public welfare and to safeguard life, health, property, and environment in the practices of Geology and Soil Science. Certificate holders are expected to place these protections and safeguards first in their consideration when practicing their profession. The Code sets forth the principles and practices necessary for the ethical conduct of Geologists and Soil Scientists.

1. GENERAL PRINCIPLES.

- A. When the geological or soil sciences are practiced as a profession, the privilege of practice requires professional ethical conduct and professional responsibility, as well as scientific knowledge on the part of the practitioner.
- B. Each certified geologist or soil scientist is to be guided by the highest standards of ethics, personal honor, and professional conduct.

2. RELATIONS OF PROFESSIONAL GEOLOGISTS AND SOIL SCIENTISTS TO THE PUBLIC.

- A. A geologist or soil scientist shall avoid and discourage sensational, exaggerated and unwarranted statements regarding his or her work or the product of his or her work.
- B. A geologist or soil scientist shall not knowingly permit the publication of his or her reports, maps or other documents for any unsound or illegitimate undertaking.
- C. A geologist or soil scientist having or expecting to have a beneficial interest in a property on which the geologist or soil scientist is reporting must state in the report the existence of such interest or expected interest.
- D. A geologist or soil scientist shall not give a professional opinion or submit a report without being as thoroughly informed as might be reasonably

expected, considering the purpose for which the opinion or report is requested.

- E. A geologist or soil scientist shall not engage in false or deceptive advertising, or make false, misleading or deceptive representations or claims in regard to the profession of geology or soil science or in regard to others in the practice of the profession of geology or soil science, or which concern his or her own professional qualifications or abilities.
- F. A geologist or soil scientist shall not make a false statement or issue false information even though directed to do so by an employer or client.

3. RELATION OF PROFESSIONAL GEOLOGISTS AND SOIL SCIENTISTS TO EMPLOYER AND CLIENT.

- A. A geologist or soil scientist shall protect, to the fullest possible extent, the interest of his or her employer or client so far as is consistent with the law and the geologist's and soil scientist's professional obligations and ethics.
- B. A geologist or soil scientist who finds that his or her obligations to an employer or client conflict with his or her professional standards or ethics should have such objectionable employment conditions corrected or resign.
- C. A geologist or soil scientist shall disclose to any prospective employer or client the existence of any owned or controlled mineral or other interest which may either directly or indirectly, have a pertinent bearing on such employment.
- D. A geologist or soil scientist shall not use, directly or indirectly, any employer's or client's information in any way which is competitive, adverse or detrimental to the interest of that employer or client.
- E. A geologist or soil scientist retained by one client shall not accept, without both clients' written consent, an engagement by another if the interest of the two are in any manner conflicting.
- F. A geologist or soil scientist who has made an investigation for an employer or client shall not seek to profit economically from the information gained, unless written permission to do so is granted, or until it is clear that there can no longer be a conflict of interest with the original employer or client.
- G. A geologist or soil scientist shall not divulge information given in confidence.

- H. A geologist or soil scientist shall engage, or advise an employer or client to engage, and cooperate with, other experts and specialists whenever the employer's or client's interest would be best served by such service.
 - I. A geologist or soil scientist shall not accept referral fees from another certificate holder to whom a person is referred; however, nothing herein shall prohibit a certificate holder from being compensated for consultation.
 - J. A geologist or soil scientist shall make an effort to issue professional advice primarily within the geologist's or soil scientist's expertise. An employer or client shall be notified if any professional advice outside the geologist's or soil scientist's expertise is issued.
 - K. A geologist or soil scientist shall not affix his or her signature to any document or map dealing with subject matter in which they either lack competence or are not duly certified.
4. RELATIONS OF PROFESSIONAL GEOLOGISTS AND SOIL SCIENTISTS TO EACH OTHER.
- A. A geologist or soil scientist shall not falsely or maliciously attempt to injure the reputation or business of another.
 - B. A geologist or soil scientist shall freely give credit for work done by others and shall refrain from plagiarism in oral and written communications, and not knowingly accept credit rightfully due another.
 - C. A geologist or soil scientist who is an employee shall not use his or her employer's resources for private gain without the prior knowledge and consent of his or her employer.
 - D. A geologist or soil scientist shall endeavor to cooperate with others in the profession and encourage the ethical dissemination of geological and soil science knowledge.
5. DUTY TO THE PROFESSIONS OF GEOLOGY AND SOIL SCIENCE.
- A. Every certified geologist or soil scientist shall seek to prevent the certification of those who have not followed these standards of ethics, or who do not have the required education and experience.
 - B. It shall be the duty and professional responsibility of every certified geologist and soil scientist not only to uphold these standards of ethics by

precept and example but also, where necessary, to encourage by counsel and advise other certified geologists and soil scientists, to adhere to such standards.

- C. It shall be the obligation of any certified geologist and soil scientist having positive knowledge of a departure from these standards by another certified geologist or soil scientist, to bring substantiated evidence of such departure to the attention of the Board of Certification, so that it can inform the certified geologist or soil scientist of the problem and suggest compliance with these written standards.
- D. By applying for or continuing certification, every geologist and soil scientist agrees to uphold the ethical standards set out in this Code of Ethics.

STATUTORY AUTHORITY: 32 M.R.S.A. Section 4908

EFFECTIVE DATE: June 5, 1979

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REPEALED AND REPLACED: March 9, 1997

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