Young Professionals Sustainability Imbizo 2025

13th CESA YOUNG PROFESSIONALS SUSTAINABILITY IMBIZO 2025

20 – 21 AUGUST
PREMIER HOTEL, MIDRAND

YPF Young Professionals Forum

Client-pleasing behaviour – the death of Engineering Professionalism?

Elandri Boshoff Pr.Eng; Senior Manager, Surbana Jurong AMEP Legal

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WHAT IS CLIENT-PLEASING BEHAVIOUR?

✓Pressures from a client

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- ✓Pressures from a client
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- ✓while knowing that this change may have a detrimental impact on the
  - ✓the health, safety or interest of the public; or
  - ✓the environment

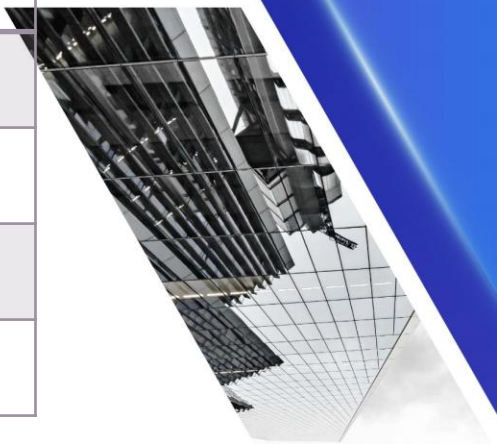
CLIENT-PLEASING BEHAVIOUR EXAMPLE 1

Design of a new hospital complex to replace a nearby dilapidated public hospital

CLIENT-PLEASING BEHAVIOUR EXAMPLE 1

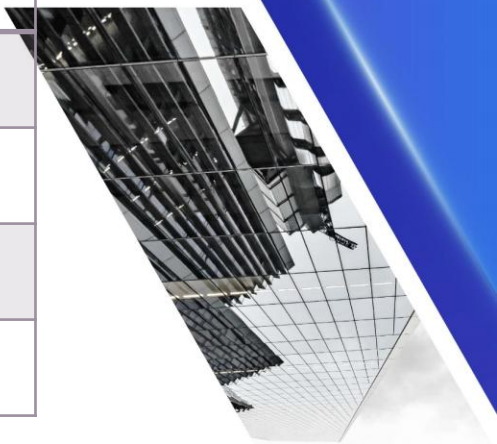
CLIENT-PLEASING BEHAVIOUR EXAMPLE 1

	AADD (litres / bed / day)
Company design	500



CLIENT-PLEASING BEHAVIOUR EXAMPLE 1

	AADD (litres / bed / day)
Company design	500
Dilapidated public hospital	650 (current / actual use)



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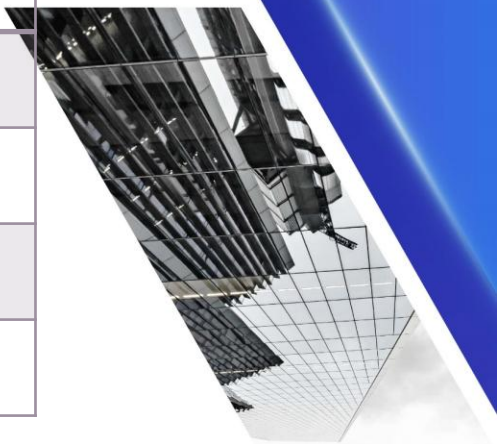
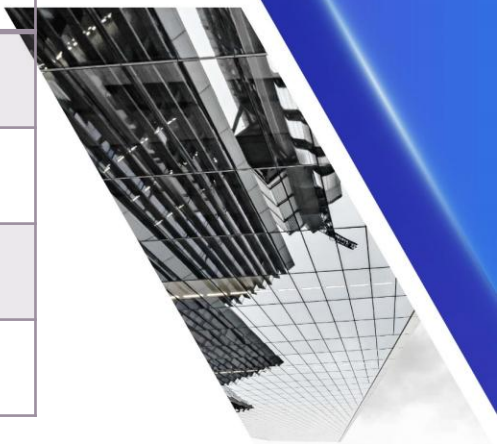
Nearby private hospital	> 500 (current / actual use)



CLIENT-PLEASING BEHAVIOUR EXAMPLE 1

	AADD (litres / bed / day)
Company design	500
Dilapidated public hospital	650 (current / actual use)
Nearby private hospital	> 500 (current / actual use)
Client requirement	300



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It does not matter what your contract says… you are liable to the public!

CLIENT-PLEASING BEHAVIOUR EXAMPLE 1

My advice:

The Engineer's duty to the public is of utmost importance. It is more important than the Engineer's responsibility towards the client.

It does not matter what your contract says… you are liable to the public!

The Engineer has a duty to the poor old lady seeking treatment at the hospital.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

Collapse at the Kolonnade shopping centre on 20 December 2001

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

Additions were made to the Kolonnade shopping centre.

The additional portion of the mall opened-up in time for the Christmas shopping rush.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

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2. Design-spec required full penetration welds at joints
3. Design Engineer only appointed to do construction monitoring for 4 hours every 2 weeks.
4. The Design Engineer needed to rely on the roofing sub-contractor's structural engineer's evidence regarding the weld-joints
5. Both the sub-contractor's engineer and the Design Engineer had concerns regarding the weld joints.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

The subcontractor’s engineer:

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✓Inspected the welding when done, for visual defects.

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- ✓**Had concerns** about the lattice beam welding.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

The subcontractor's engineer:

- ✓Inspected the welding when done, for visual defects.
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- ✓Suggested at site meetings, the addition of gusset plates at the joints.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

The subcontractor's engineer:

- ✓Inspected the welding when done, for visual defects.
- ✓Was unable to verify the number of weld runs.
- ✓**Had concerns** about the lattice beam welding.
- ✓Suggested at site meetings, the addition of gusset plates at the joints.
- ✓**Gusset plate request was not acted upon.**

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

The Design Engineer:

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The Design Engineer:

✓Urged the Client to approve that a load test be carried out on this part of the structure.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

The Design Engineer:

- ✓Urged the Client to approve that a load test be carried out on this part of the structure.
- ✓The Client refused the load test, because of extra time and costs involved.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

The Design Engineer:

- ✓Urged the Client to approve that a load test be carried out on this part of the structure
- ✓The Client refused the load test, because of extra time and costs involved.
- ✓The Client put pressure on the Engineer to sign-off the construction works as complete.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

The Design Engineer:

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The Design Engineer:

- ✓Eventually buckled under the pressure and signed the local Municipality's structural integrity certificate.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

The Design Engineer:

- ✓Eventually buckled under the pressure and signed the local Municipality's structural integrity certificate.
- ✓That portion of the mall was allowed to open.

CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

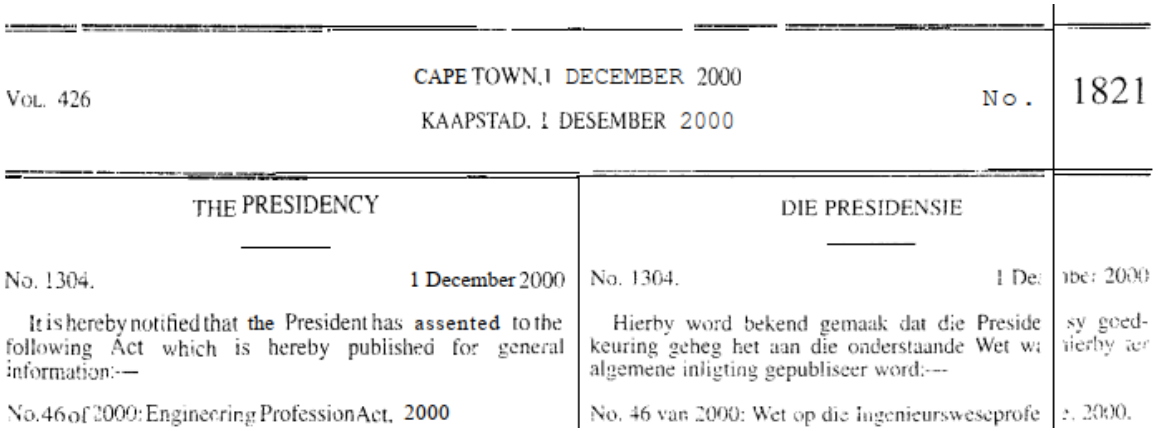
CLIENT-PLEASING BEHAVIOUR EXAMPLE 2

In the case study, published on ECSA's website, they wrote:

"It is conceivable that a load test could have indicated the deficiencies in the construction of the lattice beam and **a collapse could have been averted**."

THE ENGINEER'S ETHICAL OBLIGATIONS

The Engineering Profession Act (46 of 2000)



VOL. 426 CAPE TOWN, 1 DECEMBER 2000 KAAPSTAD, 1 DESEMBER 2000 No. 1821

THE PRESIDENCY

No. 1304. 1 December 2000

It is hereby notified that the President has assented to the following Act which is hereby published for general information:—

No. 46 of 2000: Engineering Profession Act, 2000

DIE PRESIDENSIE

No. 1304. 1 De: ıbe: 2000

Hierby word bekend gemaak dat die Preside sy goed-keuring geheg het aan die onderstaande Wet wi hierby ter algemene inligting gepubliseer word:—

No. 46 van 2000: Wet op die Ingenieursweseprofe : 2000.

To provide for the **establishment** of a juristic person to be known as the Engineering Council of South Africa; to provide for the registration of professionals, candidates and specified categories in the engineering profession; to provide for the regulation of the relationship between the Engineering Council of South Africa and the Council for the Built Environment; and to provide for matters connected therewith.

THE ENGINEER'S ETHICAL OBLIGATIONS

The Engineering Profession Act (46 of 2000)

Section 27 (3):

"All registered persons
must comply with the code of conduct
and the code of practice and
failure to do so constitutes improper conduct"

THE ENGINEER'S ETHICAL OBLIGATIONS

In other words:

As a result of Section 27 (3) of the Act, a Professionally Registered Person (Engineer, Technologist, Technician) **is required by law**, to comply with the ECSA Code of Conduct.

THE ENGINEER'S ETHICAL OBLIGATIONS

ECSA Code of Conduct

BOARD NOTICE 41 OF 2017

ENGINEERING COUNCIL OF SOUTH AFRICA

ECSA

Code of Conduct for Registered Persons:
Engineering Profession Act, 2000
(Act No. 46 of 2000)

THE ENGINEER'S ETHICAL OBLIGATIONS

ECSA Code of Conduct

3.3 Public Interest

Registered Persons: -

(a) must at all times have due regard for and give priority to the health, safety and interest of the public.

THE ENGINEER'S ETHICAL OBLIGATIONS

ECSA Code of Conduct

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Registered Persons: -

(a) must at all times have due regard for and give priority to the health, safety and interest of the public.

This is a requirement all around the world.

HOW TO HANDLE CLIENT-PRESSURE ETHICALLY

What should you do when a Client rejects your Professional advice?

HOW TO HANDLE CLIENT-PRESSURE ETHICALLY

ECSA Code of Conduct

3.3 Public Interest

Registered Persons: -

(a) must at all times have due regard for and give priority to the health, safety and interest of the public.

(b) must when providing professional advice to a client or employer, and such advice is not accepted, inform such client or employer of any consequences which may be detrimental to the health, safety or interests of the public and at the same time inform the Council of their action.

THE ENGINEER'S ETHICAL OBLIGATIONS

CLOSING REMARKS

YPF
Young Professionals Forum

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As is the case for Doctors, isn’t it just as important for Engineers to take an oath?

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The infrastructure that you are designing now…

- that road,
- that bridge
- the water reticulation system

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The infrastructure that you are designing now…

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will be used by the public…

CLOSING REMARKS

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Think of the public as your end client.

The infrastructure that you are designing now…

- that road,
- that bridge
- the water reticulation system

will be used by the public…
including your friends and family.

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