

WAC 308-15-140 What are the rules of professional conduct?

These rules of professional conduct are applicable to all individuals that have been issued a license as a geologist or specialty geologist in accordance with chapter 18.220 RCW.

(1) What are the general responsibilities of a geologist?

(a) A geologist must undertake professional service or render expert opinion only when qualified by training or experience in the technical areas involved.

(b) When serving as an expert or technical witness before a court, commission, or other tribunal, a geologist must express only those opinions founded upon adequate professional knowledge of the matters at issue.

(c) A geologist must stamp, sign and date only professional work products prepared in the public practice of geology including, but not limited to, maps and reports for which the geologist has direct professional knowledge, and for which the geologist is in responsible charge.

(d) A geologist must not take credit for work conducted by others. When using the results of other geologists' work in the performance of the public practice of geology, a geologist must give due credit to the other geologists by citation or acknowledgment.

(e) A geologist must not make false statements or misrepresentations, or permit the publication or use of another geologist's name or geological work in association with fraudulent activities.

(f) A geologist must make full disclosure to identified affected parties of conflict of interest in projects or properties for which the geologist performs geological work.

(g) If a geologist is consulted and renders a professional opinion which is overruled or ignored, the geologist has a duty to inform the affected party where there is present or imminent threat to the public health, welfare, or property. The geologist must immediately notify the client or employer and document their best efforts to explain possible consequences. If the client or employer does not take action in a period of time consistent with the level of danger, the geologist must use best efforts to notify the apparent appropriate regulatory agency.

(h) A geologist must issue no statements, criticisms, or arguments on geological matters inspired or paid for by interested parties, unless the geologist indicates on whose behalf the statements are made.

(i) A geologist should continue professional development throughout their career, and should also provide opportunities for the professional development of others practicing under their supervision.

(2) What are the specific responsibilities of a geologist to a client or employer?

(a) A geologist must avoid conflicts of interest with a client or employer and must disclose the circumstances to the client or employer if a conflict is unavoidable.

(b) A geologist must not, during the time of the geologist's retention or employment by a client or employer, use information developed for, or the resources of, said client or employer for private gain or in any other manner that may conflict with the client's or employer's interest without the knowledge and consent of the client or employer, except as specified in subsection (1)(h) of this section. In the case of former clients or employers, a geologist must honor agreements with former clients or employers with regard to proprietary information, except as specified by subsection (1)(h) of this section.

(c) A geologist must either engage or advise a client or employer to engage other experts or specialists if the client's or employer's interests are best served by such service.

(d) A geologist has the right to withdraw from service without due notice if:

(i) The geologist knows or has reason to think that the client or employer is involved in illegal or fraudulent practices, or practices dangerous to the public welfare.

(ii) The geologist knows or has reason to think that the continued employment will result in illness or injury to the geologist or the geologist's dependents.

(e) A geologist must not accept compensation concurrently from more than one client or employer for the same work on a project, unless the circumstances of payment are fully disclosed and agreed to by all financially interested parties.

(f) A geologist must advise the geologist's clients or employers when, as a result of the geological work, the geologist considers a project will not be viable.

(g) A geologist must negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required.

(h) A geologist must not request, propose or accept professional compensation on a contingent basis under circumstances in which the geologist's professional judgment or ethics may be compromised.

(3) What are the specific responsibilities of a geologist to the board?

(a) A geologist must respond to formal requests of the board within the time frame and in the manner specified by the board in its request.

(b) A geologist, when requested by the board, must present information and assistance to the board in pursuing violations of laws and rules relating to the public practice of geology in Washington state.

(c) If a geologist has knowledge or reasonable cause to think an individual or another geologist is in violation of the laws governing the license or practice of geology contained in chapter 18.220 RCW, RCW 18.220.130, 18.235.130 or the related administrative rules, the geologist must present such information in writing to the board.

[Statutory Authority: RCW 18.220.040, 18.220.050, and 43.24.086. WSR 19-22-034, § 308-15-140, filed 10/31/19, effective 12/1/19. Statutory Authority: RCW 18.220.040, 18.220.050. WSR 05-01-174, § 308-15-140, filed 12/21/04, effective 1/21/05. Statutory Authority: RCW 18.220.040(1), 18.220.050(1). WSR 02-20-072, § 308-15-140, filed 9/30/02, effective 10/31/02.]