

# Whatcha Gonna Do?

## The Situation

Things were great in Pleasantville. The prosperity-driven “ring of activity” for landscape architects was expanding rapidly, so the several small- to mid-size firms were clicking along with full workloads and increasing profits. Hungary Associates, headed by Getmoor Jobs and Needsum Staff, wanted to grow to a twenty-five-or-more-person firm, and were successful in gaining the projects to sustain the increased size.

Qualified landscape architects are hard to come by in a good economic climate, and the firm’s need was immediate. The ASLA chapter newsletter had just gone to print, so an advertisement for help through the newsletter was too far away to fill its staff needs. Needsum Staff created an enticing job opportunity letter, touting high pay, three weeks vacation per year with additional days off, comprehensive health care and dental coverage (paid in full by the employer), as well as the opportunity for responsible roles in exciting, career-expanding, creative projects. How best to find the limited potential workforce? The employee lists—from the several other local firms—fit the bill, and letters were addressed to all area landscape architects at their place of employment.

When Happy Here received the proselytizing offer, he shared it with his employer, Leska Pacity, who hit the roof. In an irate phone call, she demanded that Needsum Staff not stir up discontent within her firm by coming there by mail to raid her personnel and destroy her ability to meet her contractual agreements. If her employees wished to respond to a job search offer in a newspaper, or newsletter, or the ASLA Web site,

that was fine, but it was inappropriate to try to break up her team by coming directly into her office space to do it.

## Whatcha Gonna Do?

What should Leska Pacity do? Should she E-mail Needsum Staff’s employees and attempt to rebuild her staff? Offer to sell some of her projects to Hungary Associates, which now has the capacity to produce them? Raise her prices, which would serve to reduce her workload in the competitive marketplace while yielding her a higher profit with lower overhead? Or should she file a complaint with the Ethics Committee?

What about Hungary Associates? Should he refrain from interviewing any candidates who responded to the letter of invitation that Needsum Staff wrote, if that letter influenced their decision to seek new employment? Should Needsum Staff allow the new employees to moonlight for Leska Pacity during the first six months of their employment? Should Needsum Staff offer Leska Pacity a coposition as an associate on the project, so that the firms can perform the work with a combined staff?



VAN L. COX, FASLA

## The Recommendation of the Ethics Committee

The Ethics Committee, after examining all sides, concluded that Hungary Associates had gone behind the backs of the area firms, and had not treated them with the “honesty, dignity, and integrity” required of a member of ASLA, a profession that espouses and grows in stature and public perception by adherence to the highest ethical standards. The matter was referred to the Executive Committee with a recommendation for a Letter of Admonition.

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*Editor’s Note: One of the objectives of the ASLA Ethics Committee is to educate members about the ASLA Code and Guidelines for Professional Conduct. The code contains important principles relating to duties to clients and to members of the Society.*

*Readers are invited to send their comments on cases appearing in LAND to Managing Editor, 636 Eye Street NW, Washington DC 20001-3736 or E-mail to bwelsh@asla.org. Members are invited to submit questions regarding ethical matters along with supporting data to Allen Hixon, FASLA, Ethics Committee Chair, c/o ASLA, 636 Eye Street NW, Washington DC 20001-3736.*