

Member Censured for Violating AIA Code of Ethics

AIA member Robert V. Gerber, AIA, NCARB, has been censured by the National Ethics Council (“Council”) for violating Rule 1.401 of the AIA’s 2020 Code of Ethics and Professional Conduct (“Code of Ethics”).

Rule 1.401 states:

Members shall not engage in harassment or discrimination in their professional activities on the basis of race, religion, national origin, age, disability, caregiver status, gender, gender identity, or sexual orientation.

Commentary: Harassment may include, but is not limited to, offensive jokes, slurs, epithets, or name calling, unwelcome physical contact, or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of violation of this Rule.

The person who filed the Complaint (“Complainant”) was employed by Mr. Gerber, who is the President at GJS Architecture, LLC in North Charleston, SC. The facts of the case establish that Mr. Gerber referred to Complainant, a subordinate employee and an intern, as a “hooker” in a conversation at the workplace during a conversation about Complainant’s hair color.

Although Mr. Gerber claimed he thought Complainant said “hooker” herself when describing her appearance and that he only repeated what she said, the NEC found the evidence did not support his contention.

The NEC underscores that in no instance would it be acceptable for any employer to refer to an employee using a gender-based, derogatory term like “hooker.” In this case, Mr. Gerber’s conduct was all the more egregious, considering his position and that the Complainant was an intern.

Rule 1.401 specifically addresses harassment through “slurs, epithets, or name-calling” which is what occurred here. The National Ethics Council thus found that Mr. Gerber had violated Rule 1.401.

The National Ethics Council imposed the penalty of censure on Mr. Gerber.