



**engineering  
new zealand**  
te ao rangahau

# AVOIDING COMPLAINTS

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# COMPLAINTS: CAUSES, REACTIONS AND RESOLUTION

Of the complaints received by Engineering New Zealand, relatively few are for serious technical issues. Your work as an engineer, and that of your colleagues, is generally of a good standard. Globally, the public perception of engineers is positive. In 2019, The World Economic Forum reported on a survey conducted in 35 countries by The Varkey Foundation, an education charity in the United Kingdom. The survey sought opinions from 1,000 respondents in each country to determine the most respected professions: Doctors, lawyers and engineers made up the top three, ahead of teachers and nurses.<sup>1</sup>

However, no profession is immune from some degree of dissatisfaction for one reason or another. For example, your technical engineering skills may be good, but a lack of soft skills may undermine your technical proficiency. Soft skills are essentially people skills – personal and interpersonal attributes that help get the job done. The American Society of Mechanical Engineers suggests the following soft skills can advance an engineering career, and we'll look at them in greater depth in the relevant sections below:

Communication	"The most important skill to pick up for a successful career. Practice being more social."
Presentation	"Avoid jargon. Work on simplifying and crisply explaining concepts so that anyone can understand them."
Self Confidence	"It's all about showing what you're capable of doing."
Humility	"Overconfidence could sink an engineer."
Resilience	"Don't give in when something negative happens."
Empathy	"Be in tune with customers' needs and understand what they want."
Brand Identity	"Figuring out a personal identity and creating a brand around it is important. Don't just be an engineer." <sup>2</sup>

In our experience, communication is a particularly important soft skill to develop. Many of the complaints that come into Engineering New Zealand are categorised in the following ways:

1. substandard communication
2. contract issues
3. difficult and unreasonable clients.

With many concerns like the above that are linked to poor communication, it's an area that should be addressed. That being said, a certain number of complaints are inevitable, and only some are based on communication problems.

Engineers, like all professionals, can take a two-pronged approach: make every effort to reduce the potential for complaints to be made in the first place, and resolve current concerns promptly and thoroughly.

In 2023, Engineering New Zealand presented a webinar on preventing complaints. It is available on the [managing complaints](#) page of the website.

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1 [www.weforum.org/agenda/2019/01/most-respected-professions-in-the-world/](http://www.weforum.org/agenda/2019/01/most-respected-professions-in-the-world/)

2 [www.asme.org/topics-resources/content/infographic-7-soft-skills-to-advance-your-engineering-career](http://www.asme.org/topics-resources/content/infographic-7-soft-skills-to-advance-your-engineering-career)

# COMPLAINT PREVENTION

People make mistakes in every profession. However, you can take steps to reduce errors, and are less likely to make them within your area of specialisation. Concentrate on what you're good at, and if you have questions or want guidance on undertaking a project that involves skills or subject matter you're unfamiliar with, reach out to another engineer before you begin the design. Engineering New Zealand's local branch and technical group events are an excellent way to get to know other engineers who may help in areas outside your expertise. Engineering New Zealand is also proactive in organising courses and training events.<sup>3</sup>

In many cases, if you make a mistake, the client just wants it fixed. A cooperative attitude and willingness to resolve the issue can de-escalate the situation and prevent a formal complaint from being lodged.

## Tips to prevent complaints

1. Ensure you're working within your **bounds of competence**. Join technical groups and Engineering New Zealand local branches to establish a network of people you can reach out to when you need to check ideas and situations.
2. Establish a quality control system and follow it. It's much easier to fix a potential issue before you send the job out. **Practice Note 14** provides an example of a process that can be adapted for any engineering discipline.
3. Respond proactively when a client comes to you with a problem. Remember that many clients are engaging an engineer for the first time and are unfamiliar with processes – so be patient, and take the time to clearly explain how things work. Don't ignore calls and emails.

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<sup>3</sup> [www.engineeringnz.org/courses-events/courses/](http://www.engineeringnz.org/courses-events/courses/)

# COMMUNICATION, SOFT SKILLS, CONTRACTS, AND DIFFICULT CLIENTS

## Communication

Communication is a root cause for over 60 percent of the complaints we receive. For example, when Engineering New Zealand receives concerns, one of the first questions is whether the complainant has tried to resolve the issue directly with the engineer involved.

Sadly, a common response is that the engineer has refused to engage or brushed them off without explaining themselves. In rare cases, an engineer has refused to respond to concerns raised with Engineering New Zealand. This type of communication breakdown can draw out the complaints process and make resolving it more challenging than if the engineer engages with us from the outset.

Poor communication as grounds for complaint is not limited to the engineering profession. The New Zealand Law Society states on its website that the following are valid reasons for a complaint within their field.<sup>4</sup>

- Not doing what they said they would do.
- Involved you in unreasonable delays.
- Given you wrong or incomplete information.
- Failed to reply to phone calls and letters.
- Not kept you informed about the work they are doing for you.

Inadequate communication in any field leads to issues that, in turn, become causes of concern and complaints. For example, ambiguous language can create vague expectations, with one party taking an entirely different view than the other about what has been agreed.

It's also possible for unrealistic preconceptions or expectations to be held by a client or stakeholder from the outset, before you've even spoken to them, so it's important to try to fully understand what they expect or hope to achieve, and to clarify exactly what is and isn't possible as early in the process as you can.

Of course, not everyone is born with the ability to converse with strangers comfortably. However, excellent lines of communication must exist if you're going to build strong relationships with clients or colleagues. The better the relationship, the less likely complaints will be made, because the messaging will be clear and concise with little room for misinterpretation and any potential disagreements can be easily resolved through honest discussion.

Fortunately, it is possible for anyone to become a more effective communicator in every aspect, from conversation and public speaking to interacting with others through email and telephone.

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<sup>4</sup> NZLS | Grounds for complaint ([lawsociety.org.nz](https://lawsociety.org.nz))

## Conversation – making small talk

Communication always starts with the first word, and this often takes the form of small talk. Many people, including engineers and other professionals, struggle with this. However, it is possible to teach yourself to more easily “break the ice” and start a positive dialogue with colleagues and clients. Books like *The Fine Art of Small Talk* by Debra Fine<sup>5</sup> provide highly readable, fun ways to develop conversation skills. Meanwhile, the Real Simple lifestyle website has several tips<sup>6</sup> to help you become a more effective “small talker”. Some of the more salient points are below.

**Arrive with questions.** If you know you will be interacting with strangers at an event or meeting, come prepared with questions to ask them. This is an effective way to begin a conversation, and the questions can be simple, eg “What projects have you been involved with lately?”, “If you weren’t an engineer, what do you think you’d be doing?”, “I’m from out of town, do you have a good restaurant you can recommend?”

**Talk about topics from the news.** Newsworthy events are excellent conversation starters, although current affairs surrounding politics or religion are best avoided. Safer topics include sports, pop culture, science and technology and human-interest stories – basically anything that isn’t likely to be controversial.

**Focus on learning names.** Learning someone’s name, and referring to them by name during your conversation, will boost their esteem and help get your relationship off to an excellent start. Dale Carnegie rightly said, “Remember that a person’s name is to that person the sweetest and most important sound in any language.”

**Listen more than you talk.** People love to talk about themselves, so you’ll make a positive first impression and come across as the ideal conversationalist by being an avid and engaged listener. This is where your pre-prepared questions will be useful. Ask a good question and allow them to take the floor – then pay attention to what they say and ask some relevant follow-up questions.

## Public speaking

If public speaking is part of your role as an engineer, it could be a facet of the job you dread. You’re certainly not alone. A fear of public speaking is widely reported and affects people in all sorts of professions. However, if you have technical or complex ideas to explain to a group of any size, it’s important that you convey these messages clearly and with confidence.

Misunderstandings are the basis of many complaints, so it’s vital that you deliver concepts with as much clarity as you can and leave no room for others to doubt what you are talking about. An organisation like [Toastmasters New Zealand](#) can equip you with better-than-average public speaking skills, and with 240 clubs throughout the country it’s likely there is one near you.

Preparation is key. If you need to speak publicly about your plans, practice will make it clear and understandable. Rehearsing in front of a family member or friend might seem like a nerve-racking proposition, but it’s worth doing. It will increase your confidence before the main event, with the bonus that your rehearsal audience can provide feedback. Rehearsing with a trusted colleague may be even better, as they can critique along more technical lines and help you adjust your words to avoid potential confusion or misunderstandings.

## Communicating via email

Email, telephone, and face-to-face interactions require different skills. Emails have largely replaced business letters as both formal and informal ways to stay in touch with clients and colleagues, and global career website [Monster](#) recommends paying particular attention to these five essential elements when composing your next email<sup>7</sup>

1. **A concise, direct subject line.** A short but descriptive subject line will help recipients evaluate the priority they should give to the email. By short, we mean a preferred limit of seven words and 40 to 50 characters. With many people now checking emails on their mobile devices, this limit means the full meaning of the subject line won’t be missed. Don’t be too clever, cryptic, or vague with the subject line; get to the point.

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<sup>5</sup> [www.debrafine.com](http://www.debrafine.com)

<sup>6</sup> [www.realsimple.com/work-life/work-life-etiquette/manners/10-big-rules-small-talk](http://www.realsimple.com/work-life/work-life-etiquette/manners/10-big-rules-small-talk)

<sup>7</sup> [www.monster.com/career-advice/article/five-elements-of-effective-business-emails-hot-jobs](http://www.monster.com/career-advice/article/five-elements-of-effective-business-emails-hot-jobs)



As a guide, consider the main message or action you want the reader to take from the email and incorporate this into the subject line. For example, “Revised plans for your approval” will create a greater sense of urgency than “What do you think of this?”. Likewise, “Proposed solution for structural issue” is more likely to be read promptly than a cursory “FYI”, which gives no indication of what is in the email and, as a result, will become a low priority for a busy recipient.

Surprisingly, “FYI” is one of the most used subject lines, and even flagging it for urgent reading is unlikely to work. Monster cautions against over-reliance on the “Importance: High” flag, which is now so overused that “its impact has diminished.”

2. **A full greeting.** It’s surprisingly common to eliminate greetings in emails or use a generic “Hi all” as an opening acknowledgement. However, a full greeting that includes names will allow the recipients to work out to whom the message is directed, especially with cc’ing and replying-all being the norm.

Using names means the email is more likely to be read by those you most wish to communicate with. A generic “Hello, everyone” might see the intended recipient leave it to someone else to read the email. Besides, it is good manners to address someone by name, be it in email, phone calls or face-to-face conversations.

3. **Correct grammar and spelling.** The abbreviated language we associate with text messaging is creeping into email communications. To promote clarity and professionalism, and reduce misunderstandings, avoid shortcuts in favour of complete English. Shortcuts like LMK (Let me know), AFAIK (As far as I know), CID (Consider it done) or NLT (No later than) will be understood by some, but not all.

Avoid confusion by using full words and phrases. As for spelling and grammar, invest in online tools like Grammarly, Wordtune or ProWritingAid. These platforms usually offer free versions for basic spelling and grammar checks, but paid versions allow you to produce even better emails.

For example, a Grammarly subscription lets you set “goals” which tailor your writing based on your audience, formality, domain (eg Academic, Business, Email, Casual) and Intent (eg Inform, Describe, Convince, Tell A Story).

4. **Focus on essential information.** While you can “humanise” your connection with clients and colleagues with personal chit-chat, don’t overdo it. An icebreaker can be useful in an email, along the same lines as small talk in a face-to-face conversation, but overdoing it can hide more critical points. It is vital to state your most salient points as soon as possible. This will mean the recipient reads essential information, and you won’t be accused of not being open and honest in your messaging.

- ✓ **Here’s a good example** of the beginning of an email that uses the recipient’s name and takes an interest in their welfare, yet keeps things concise before getting down to business:

*Good morning Mary,*

*I read about the huge storm in your area last night. I hope you’ve come through it unscathed.*

*I wanted to check in to advise you that we’ve made significant progress with your project in several key areas.*

- ✗ **A poor example** might feature a generic greeting, a lack of empathy with excessive self-absorption, and a rambling and overlong introductory paragraph that is of no interest or relevance to the reader:

*Hi, sounds like you had quite a storm last night. When I lived in Queensland, we had storms almost every night in summer. It was quite an experience to sit on the deck of my beachside holiday home with a cold beer in hand and a bucket of fresh prawns and watch the lightning in the distance. It was a bit of a thrill, although I was always glad I wasn’t out on my boat with my team of fellow engineers trying to reel in a big one in those conditions. Having said that, I do miss Queensland, especially my thirty-foot boat, which was more of a launch than anything.*

*We are getting somewhere with the project. Please call my PA and sort out a time to chat...*

- ✗ **Another poor example** would be the opposite extreme – something that lacks any kind of greeting and is overly blunt and brief:

*The following progress has been made on your project:*

5. **A clear closing.** You should leave the recipient without doubt about what the next steps will be, who is responsible for actioning them, and when. This will reduce the chances you will be accused of so-called “radio silence”, which is a relatively common complaint, and will allow communication channels to remain open throughout the project. A brief sign-off of some kind is also appropriate.
- ✓ **Here’s a good example** of a well-written closing to an email that clarifies what will happen next, including timing and who is responsible for what:

*Please get back to me by Friday so that we can get this on next month’s schedule. Just let me know if you’re happy with the above plan, have any questions or need us to make any changes.*

*Once we’re all happy with the details, I will let the contractors know and Brian will reach out to you to organise a suitable start date.*

*Thanks again for your patience while we figured this out.*

- ✗ **A poor example** of a closing would be something open-ended and vague, that leaves the recipient unsure of what happens next, does not clarify important dates, and doesn’t make it clear that a response is required of them:

*Just need to confirm the details and we can get started.*



Telephone and face-to-face interaction are related but separate skills. Like email messaging, there are areas you can pay attention to and improve.

## Speaking on the telephone

**Speak slowly and clearly and avoid jargon.** Without seeing the caller, you'll miss the visual cues that indicate they understand, so keep complex and technical language to a minimum.

**Focus on the call** without distraction from other tasks, such as checking emails. Take notes, as this will ensure you have crucial information. It can be useful to record calls for future reference, but remember to get permission to do so first.

**Double-check important information.** Check that the other party is clear on what you have told them and express your willingness to help. Use phrases like: "Please feel free to ask questions at any time", "I am happy to clarify any point", and "Don't hesitate to let me know if I need to explain anything in further detail."

Don't be afraid to ask questions or seek clarification yourself. It's better to seek information and be clear on what you're discussing rather than discover you or the client had something wrong at a much later date, when key decisions may have already been made. For example: "Can I please seek some clarification around that last point?", "Sorry to interrupt, but can I please double-check that I have this right?" or "I just have a quick question about what you've just raised."

**Use a positive tone of voice**, as this will reassure a client, especially during a lengthy and complicated project. Try not to let your voice get higher-pitched than normal, as it may convey anxiety and uncertainty. Instead, try to keep your voice in the deeper end of your natural register and speak in an even and unrushed tone to give a sense of calm authority.

If you can, start recording your calls, but you **MUST** tell the person on the other end that you intend to do so. Ask their permission and advise if you're doing it for training or to be transcribed later. This will allow you to listen back to your calls and pay attention to your tone of voice. If you hear areas for improvement, eg your voice could be lower, or the conveyance of key messages could be smoother, take time to practice.

If you have an important call, rehearse the key messaging beforehand. Ask people you trust to listen to the calls and seek their opinion on how you sound. To help further, be prepared for your call and know as much as possible about the topics you'll discuss. This will make you more fluent and convincing.

Another way to assure a client you're in control is to invite them to ask questions – this indicates to them that you are confident in your ability to recall key facts and information.

**Be an active listener** by repeating information back to them and by giving audible feedback such as "I understand" or even a simple "Yes" or "Okay". Another way to show you're actively engaged in the conversation is to ask questions about what you've heard – but don't overdo it, as this can impede the information flow vital to any productive discussion.

**End the call with a clear understanding of the next steps.** Take notes and summarise them, eg "Thank you for your time, John. The points we discussed regarding completion dates make it clear that 16 April is the next deadline. Can you please check if your team can meet that date and confirm in an email by the end of today? I'll then give the go-ahead for Stage 2." This is better than: "Thanks John, nice to chat. Stay in touch." As the latter does not indicate what must be done and when, and that is how deadlines are missed.

## Speaking face-to-face

**Smile.** While you don't have to smile throughout the interaction, it's an icebreaker and can lay the foundation for a more cordial, open and productive conversation.

**Maintain eye contact.** It shows interest in the other person's words. Appearing distracted or aloof is a sign of indifference which is not conducive to a full and frank discussion.

**Pay attention to your body language.** MindTools, the career and personal development website<sup>8</sup> states that the following are signs of negative body language:

- Arms crossed in front of you
- Body slouched and turned away from the other person
- Eyes downcast with little contact
- Minimal or tense facial expressions
- Gazing at something else
- Fiddling with objects like your phone or pen or picking at clothes.

MindTools suggests the following tips to exhibit positive body language:

- Keep an open posture – stand upright with your arms by your side without being too stiff and military in your stance.
- Maintain eye contact
- Avoid touching your face when talking, as this can be seen as a sign of dishonesty
- Sincere smiles are reassuring.

**Take a second or two to pause after the other person has finished speaking.** This allows you to absorb and comprehend what they've just told you and gives them a chance to add to what they've just said – often, the most vital parts of a discussion are disclosed during these “afterthoughts.”

Current affairs interviewers use this technique a lot. Instead of asking a question immediately after their guest has answered, they will often pause and subconsciously “invite” the interview subject to fill the silence.

What is disclosed in these instances can often be more revealing than what was stated in the primary stages of the discussion, so don't be afraid to hang back a bit.

**Listen more than you talk.** Give the other person every opportunity to say their piece. People appreciate being “given the floor”. When you do speak, use phrases or questions that acknowledge that you have been paying attention. For example: “Regarding that conference you attended...” or “Would you mind telling me a bit more about the training course you mentioned?”

**End the interaction positively.** A good way to this is with an invitation for a more detailed follow-up discussion, an offer of help, or a promise to find information that will clear up an area of confusion. For example: “It was really nice to meet you. If you like, I can send you that article we discussed when I get back to the office. And I'm happy to discuss it further if that would be helpful.”

As a better communicator, you'll develop stronger relationships with clients and colleagues. It's based on clear language, open and honest discussions, and a clear understanding of the project's status. When these things are part of a working relationship, there are fewer grounds for complaint.

<sup>8</sup> [www.mindtools.com/aejjzul/body-language](http://www.mindtools.com/aejjzul/body-language)

# SOFT SKILLS

The American Society of Mechanical Engineers references communication as just one of seven soft skills that can advance an engineering career. The others are:

- presentation
- self-confidence
- humility
- resilience
- empathy
- brand identity.

When considering these skills in relation to handling and responding to complaints, four stand out: presentation, self-confidence, humility and empathy.

## Presentation

Engineering is complex and technical, and so is the language you use. Only some people you work with will be able to understand some of the more technical words and phrases you use. From employees in other departments to project clients, effective communication skills are necessary to clearly explain technical ideas and projects to a wider audience. These skills are critical to ensuring that all project participants are on the same page and have a common goal.

This means you should adjust your terminology based on the situation. When discussing subjects with other engineers, it is appropriate to use jargon and technical language. In fact, it's critical that they understand you on a technical level. But when dealing with non-engineers, plain English explanations of what you're doing and why you're doing it will prevent the misunderstandings and confusion that frequently leads to complaints.

Writing in Medium, computer and AI specialist A. Jeremy Mahoney maps out a series of steps that helps explain complex concepts<sup>9</sup>. His field of interest in the article is mathematics, but these principles can be applied across the board.

- **Convince your audience that they can understand your topic.** Mahoney says it is vital to get your audience in a state of mind where they can easily imagine themselves understanding something they don't yet understand. To achieve this, he says it's important to acknowledge that the topic is challenging to ease fears that someone might feel stupid for not understanding immediately. Mahoney also recommends frequent summaries to remind your audience of how much they learned, even by taking in just part of your explanation.
- **Build a strong foundation before moving up.** Mahoney emphasises the importance of giving your audience a solid explanation of "first principles" – the simplest, most fundamental concepts within the subject – before attempting to explain the more complicated idea you actually want to talk about. He says that the more complex the end of your explanation is, the simpler the beginning should be. This will allow you to gradually build up the audiences understanding from the most basic foundation through to the more complex topics that follow.
- **Include drawings for technical concepts.** Simple line drawings are fine, and even stick figures can be effective. Avoid unnecessary extra lines and overcomplicated drawings and charts, as these can muddy the waters and do not promote understanding of the topic. Another good idea is colour coding; use the same colour for the same concept throughout.
- **Build a narrative, if appropriate.** Weave characters into a simple story if it helps explain a complicated idea. However, Mahoney acknowledges that this isn't always appropriate when a complex theme is being discussed, but there may be occasions when it is justified. For example, a narrative can build a chronological structure that helps people better remember the flow of ideas you wish to communicate. As well as this, a narrative can make abstract ideas more concrete, which Mahoney calls a "bedrock of understanding", and it can prompt emotions that aid memory. Mahoney says studies show that "linking concepts to even simple emotions can embed these concepts deeper in our memories, and all narratives prompt some kind of emotion."

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9 [medium.com/@ajeremymah/an-overlooked-superpower-how-to-explain-complex-concepts-2dd14573ac13](https://medium.com/@ajeremymah/an-overlooked-superpower-how-to-explain-complex-concepts-2dd14573ac13)

- **Use easily understandable language.** An obvious tip but one always to keep top of mind, particularly when presenting concepts and ideas in written form. Mahoney suggests a more informal register is fine when writing technical content, provided it explains key concepts.

However, in pieces dealing with data analysis and statistics, stick to the formal register for precision. In a general sense, explain technical terms, avoid long sentences and don't be afraid to use short paragraphs – big blocks of words and phrases, particularly unfamiliar ones, are intimidating.

## Self-confidence

Backing your ability as an engineer and producing excellent work will reduce the chances of complaints being made in the first place unless you're dealing with an unreasonable or difficult client. Self-confidence is not to be confused with arrogance, where someone's worth and importance are exaggerated (read below for the importance of humility). Instead, self-confidence is trusting your abilities, qualities, and judgement.

The American Psychological Association defines self-confidence as "a belief that one is capable of successfully meeting the demands of a task." Verywell Mind, a mental health website that brings together resources and wide-ranging information on the topic, gives the following tips to help boost self-confidence<sup>10</sup>.

- **Stop comparing yourself to others.** If you envy someone else's life, bring your own strength and successes to mind. Compare yourself in relation to the achievement of your goals, not the achievements of others.
- **Surround yourself with positive people.** Draw on their energy and optimism, which boosts your spirit and confidence. On the other hand, limit the amount of time around negative and cynical people. You may have to associate with them to get a job done, but don't spend longer with them than you must.
- **Take care of your body.** Diet, exercise, sleep, and meditation combine to boost your physical and mental well-being. If you think some of these are taking a toll on you, there will be various opportunities to help address concerns – from simple steps like getting more exercise to professional advice. Doing positive things for your mind, body, and spirit will also lift your confidence.
- **Be kind to yourself.** Be more forgiving of yourself after a setback or mistake. Studies show that self-compassion is connected to self-confidence, particularly the acceptance that we're all human and falling short is something we all must face from time to time.
- **Practice positive self-talk.** Limiting the negative self-talk we all indulge in occasionally will help you "challenge pessimistic self-talk and reframe your thoughts into a more positive way of thinking." For example, instead of saying to yourself, "This is impossible", switch to something like "This looks challenging but I'm sure I can break it down into manageable steps." Or, after you've made a mistake, instead of saying, "I can't do anything right", turn it into a positive like, "I can do better next time" or "At least I learned something."
- **Know when to say no.** Earlier, we discussed the importance of working within your bounds of competence. It is important to recognise situations where your self-confidence may plummet, and taking on a project that you know you're not qualified to complete successfully is just such a scenario. Concentrate on areas of expertise where you know you'll excel and say no to assignments that put you in situations where you are unlikely to have the knowledge and support needed to succeed.

## Empathy

Empathy is the ability to understand and share the feelings of another. This quality will show the client that their concerns matter when dealing with a complaint. Being empathetic in response to a complaint can go a long way towards de-escalating the situation, and help let the client know you have their best interests at heart. It can also pave the way for cooperation to expedite a prompt resolution.

**Empathy can be learned.** While some are naturally more empathetic, and others have grown up in an environment where empathy was learned from a young age, anyone can learn to relate to people in a more understanding way.

We were all born with mirror neurons in our brains, which is most evident when we observe babies' behaviour. From the age of just a few days, a baby will use their mirror neurons to mimic the facial expressions they observe from their parents, and later they'll do the same with the voices and sounds they hear. It's a response to what they see and hear in others – and there's a lot of scientific research to suggest that mirror neurons and empathy are connected.

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<sup>10</sup> [www.verywellmind.com/how-to-boost-your-self-confidence-4163098](https://www.verywellmind.com/how-to-boost-your-self-confidence-4163098)

In an article posted on their website<sup>11</sup>, Psychology Today says that mirror neurons are cells that “allow us to learn through imitation so that we respond not only to our own internal states or environmental stimuli but to actions, movements, and emotional states of other people. If you’re thinking this might also be related to our ability to empathize with others (ie, we observe the emotional experience of someone else and then connect with that emotion within ourselves), then you’d be correct”.

The Canadian Mental Health Association also sees a link between mirror neurons and empathy, with an article on their website<sup>12</sup> suggesting ways to “cultivate empathy in your own life”, some of which are listed below.

- **Talk to people, and not just about the weather.** Again, communication is a key part of this tip and reinforces the need to develop this skill. The Canadian Mental Health Association (CMHA) says “one of the easiest and most straightforward ways to practice empathy” is to converse with people from diverse backgrounds as this exposes you to world views, lifestyles and life experiences that are not what you’re used to.
- **Be genuinely curious.** Ask open-ended questions and pay attention to how the other person is feeling eg facial expression, body language and tone of voice.
- **Try something new.** To better appreciate other perspectives, experience them first-hand. This could include travelling to a country or community with a quite different culture, volunteering for an organisation that helps those less fortunate, or something as simple as varying your diet and trying new foods.
- **Read some fiction.** As an engineer, you read a lot of technical documents based on facts and figures rather than fiction. However, fictional literature compels you to inhabit the characters’ minds and become aware of their feelings and thoughts. This gives you an opportunity to explore the workings of someone else’s mind and better understand what shapes their perspective – this is especially so if the author is from a different background to yours. New Zealand novelists you could consider include Witi Ihimaera, Janet Frame, Maurice Gee and Frank Sargeson.
- **Be present and pay attention.** Practicing mindfulness is widely accepted as an excellent way to increase your empathy. The CMHA says that mindfulness is “awareness that comes with paying attention, on purpose, in the present moment, non-judgmentally.” The Mayo Clinic lists some simple exercises<sup>13</sup> to help practice mindfulness, including:
  - **Pay attention.** It’s hard to slow down and notice things in a busy world. Try to take the time to experience your environment with all your senses — touch, sound, sight, smell and taste. For example, when you eat a favourite food, take the time to smell, taste and truly enjoy it.
  - **Live in the moment.** Try to intentionally bring open, accepting and discerning attention to every-thing you do. Find joy in simple pleasures.
  - **Accept yourself.** Treat yourself the way you would treat a good friend.
  - **Focus on your breathing.** When you have negative thoughts, try to sit down, take a deep breath and close your eyes. Focus on your breath as it moves in and out of your body. Sitting and breathing for even just a minute can help.

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11 <https://www.psychologytoday.com/nz/blog/all-about-addiction/201907/look-in-the-mirror-neuron-empathy-and-addiction>

12 [www.mentalhealthweek.ca/empathy-a-skill-you-can-learn/#:~:text=If%20you%20struggle%20to%20notice,learned%20and%20developed%20over%20time.](http://www.mentalhealthweek.ca/empathy-a-skill-you-can-learn/#:~:text=If%20you%20struggle%20to%20notice,learned%20and%20developed%20over%20time.)

13 [www.mayoclinic.org/healthy-lifestyle/consumer-health/in-depth/mindfulness-exercises/art-20046356](http://www.mayoclinic.org/healthy-lifestyle/consumer-health/in-depth/mindfulness-exercises/art-20046356)

## Humility

There's a fine line between self-confidence and over-confidence which, as you've already read, can "sink an engineer" according to the American Society of Mechanical Engineers. Humility is a key factor in retaining a strong belief in your ability as an engineer without overestimating your core competencies.

Writing on the Psychology Today website,<sup>14</sup> Daryl R. Van Tongeren, Ph.D., an Associate Professor of Psychology at Hope College in Michigan, lays out three steps to become more humble.

- **Seek feedback.** Ask a trusted source, such as a close friend or colleague, how humble they think you are, where your blind spots are, and what you can do to become more aware, empathetic and open. Not all of us have the self-awareness to recognise shortcomings (and virtues) in our character and seeking feedback from someone you trust and respect is a good idea.
- **Set aside your defensiveness.** Professor Van Tongeren says that you might not like the feedback, and it may prompt you to react in a defensive manner "by denying any wrongdoing, displacing anger on your source of feedback, or projecting how arrogant other people are." Professor Van Tongeren suggests this is counterproductive and it is better to embrace the opportunity to learn and grow, while accepting that it takes time and effort to develop humility.
- **Focus on empathy.** The link between these two soft skills is so strong that they overlap. Professor Van Tongeren sees empathy as the key to humility in two parts: "the ability to take someone else's perspective and a genuine concern for the well-being of another person. Building empathy helps us cultivate humility. Before you respond, ask yourself two questions:
  6. Why might other perspectives be right?
  7. How would I respond if I treated the other person as if they were trying their very best? Empathy can help break our pattern of self-focus and connect us with others."

A less academic guide to humility, but an innovative one, can be found on the Busted Halo website<sup>15</sup>, a media resource for those of the Catholic faith but with ideas that appeal to a wide cross-section of the community, professionals included. They suggest such things as deliberately getting behind someone walking or driving slowly, with the lesson being that wherever you're going, it isn't so important that you must get upset, angry, or think rudely of anyone around you.

Other gems from Busted Halo include:

- not making a fuss if something isn't done your way but still works
- spending a whole day not correcting someone for minor things like mispronouncing a word
- not killing a bug as a reminder that everyone (and every creature) deserves respect.

## Resilience

Moving onwards and upwards from a professional setback takes good resilience. Like empathy, resilience is something you can develop over time. It can help you put things in perspective and see a mistake as what it is – a rare event in a career otherwise notable for your achievements and successes. The American Postal Workers Union posted an article<sup>16</sup> on their website, which listed the ability to maintain a healthy perspective as one of the keys to building resilience. They also recommended other ways to stay buoyant when facing a career crisis.

- **Develop and maintain strong relationships.** Connections with friends, colleagues, and family remind you that you're not alone when a career setback occurs. Belonging to a network brings perspective to the situation by reminding you that you're connected to something larger than yourself. In other words, the world won't stop turning because someone complained about your work. Stress can magnify an issue, making it appear larger than it is, but by talking about the situation with someone you trust, you will find it easier to let go of stress and move forward. Connect with peers you currently work with or as part of a larger professional networking group and share experiences. You'll soon discover you're not the only one who has had to face critical situations. This is another way to bring some perspective to what you're dealing with, and the advice you receive could be invaluable.

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14 [www.psychologytoday.com/us/blog/meaning-making/202008/how-become-more-humble](http://www.psychologytoday.com/us/blog/meaning-making/202008/how-become-more-humble)

15 [bustedhalo.com/ministry-resources/7-simple-lessons-in-humility-for-your-everyday-life](http://bustedhalo.com/ministry-resources/7-simple-lessons-in-humility-for-your-everyday-life)

16 [www.apwuhp.com/building-resilience-7-ways-to-rebound-from-setbacks-and-grow-stronger/](http://www.apwuhp.com/building-resilience-7-ways-to-rebound-from-setbacks-and-grow-stronger/)



- **Change how you respond to situations.** Some things are out of your hands – so focus on those things you can control. Be decisive and proactive when dealing with difficult situations. By taking the initiative and leading the way in resolving a complaint (or any career setback) your motivation will remain high. This sense of purpose can take the focus off the stress you're feeling, and direct it towards your ultimate goal: resolution.
- **Turn setbacks into opportunities for growth.** A setback can be discouraging, but any setback can also reveal that you might be stronger than you thought. Facing challenges and overcoming obstacles can promote self-discovery and professional and personal growth. If a setback highlights a shortcoming, use it as inspiration to refresh your skills or even update them to become a better engineer. Embrace these opportunities and see them as silver linings to what once appeared to be a very large and dark cloud.
- **Develop a positive outlook.** The right mindset will help you get up and move on after a setback. Of course, getting into the right frame of mind isn't always easy when things are not going your way. If you're not naturally resilient, spend time with friends, colleagues, and mentors who are. Eliminate negative self-talk and replace it with something more constructive eg "I didn't do that very well" becomes "With more practise, I'll get better at this" and "This is not good at all" becomes "This is something I can learn from." Other useful tools include meditation and positive visualisation – these are no longer considered new-age activities existing on the fringes of society – they're backed by science and widely accepted within the mainstream.<sup>17</sup> Daily sessions can greatly assist in building a more positive mindset. Ideally, find a local class and surround yourself with people who already feel the benefits of doing so. If no class is available, YouTube is a rich source of information on meditation, and positive visualisations and affirmations that will take up just a few minutes daily.
- **Look after yourself.** While a client complaint might produce some mental turmoil initially, stress also affects your physical well-being. A strong mind and body can be a foundation for resilience and emotional well-being, so go back to basics and re-evaluate your lifestyle. Diet, sleep, exercise, alcohol and other drugs, time out for relaxation or meditation – monitor all these things to ensure you're getting enough of what you need and cutting back on what you don't. See a nutritionist, get a check-up from your GP, consult a counsellor, and pay attention to your mental health. Join a meditation group, or try yoga or a new form of exercise to increase activity levels. Setbacks can inspire you towards mental and physical improvement, which will better equip you to overcome professional obstacles.

Find ways to help others. Volunteering your time to a charity organisation or just helping family and friends can cultivate self-worth and purpose, which are significant building blocks when developing resilience. Helping others gives added meaning to your life and is good for your mental health. If you don't already, consider acting as a mentor to young or inexperienced engineers, yet another way you can contribute.

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<sup>17</sup> [www.hopkinsmedicine.org/health/wellness-and-prevention/the-power-of-positive-thinking](http://www.hopkinsmedicine.org/health/wellness-and-prevention/the-power-of-positive-thinking), and <https://www.nccih.nih.gov/health/meditation-and-mindfulness-what-you-need-to-know>



# CONTRACTS

A contract can act as an essential document should any dispute arise. A well-written contract will clarify the original agreement and act as a guide should there be a divergence of opinions.

Approximately 25 percent of the complaints we receive stem from poorly written or non-existent contracts. You should always have a signed contract before starting work. It should be clear about what you are, and are not, engaged to do. You're not expected to be a lawyer when writing contracts, but using a template that has been created or reviewed by a lawyer is a good idea. An example of a contract that has helped engineers avoid complaints progressing further is attached in Appendix 1.

Sometimes, clients believe the engineer will manage the project. Unless you have construction management experience and want to take on that extra responsibility and workload, avoid offering or implying that you're offering those services. Even small projects take time to manage and are often outside the expertise of many consulting engineers. To avoid confusion, state the boundaries of engagement on your contract.

Contracts help you establish:

1. **Clarity and mutual understanding.** Contracts provide a written record of the terms and conditions agreed upon by the parties involved. They help ensure that all parties have a clear understanding of their rights, obligations, and expectations. This reduces the likelihood of misunderstandings or disputes in the future.
2. **Legal protection.** Contracts offer legal protection to the parties involved. They establish a legally binding agreement that can be enforced in court if one party fails to fulfil their obligations. Contracts help safeguard the interests of both parties and provide a mechanism for seeking remedies in case of a breach.
3. **Risk management.** Contracts help manage risks associated with a business transaction. They allocate risks between the parties by outlining specific provisions, such as warranties, indemnities, and limitation of liability. By clearly defining responsibilities and potential risks, contracts enable parties to make informed decisions and mitigate potential losses.
4. **Business relationships.** Contracts are essential for establishing and maintaining business relationships. They create a framework for cooperation and collaboration, ensuring that each party's contributions, responsibilities, and benefits are clearly defined. Contracts can also include provisions for dispute resolution mechanisms, preserving the business relationship by providing a structured process for resolving conflicts.
5. **Compliance and Regulatory Requirements.** Contracts help ensure compliance with applicable laws, regulations, and industry standards. They can include provisions related to confidentiality, data protection, intellectual property rights, and other legal requirements. By incorporating these provisions into contracts, parties demonstrate their commitment to adhering to legal and regulatory obligations.

To help you, we have contract templates available for free.

## Difficult clients

Regardless of your best efforts, there will be occasions when demanding clients complain on minor or even vexatious or frivolous grounds. They may also be unreasonable in the way they make their complaints. It's a test of patience and diplomacy when dealing with unreasonable, awkward or unhappy clients – and even more so if those clients become increasingly difficult in their encounters with you.

Responding to concerns is part of professional life, whether or not they're based on solid reasons. ZenDesk is a CRM company that builds software to improve customer relationships. A post on their website<sup>18</sup> gives good insights into dealing with angry customers, some of which are below.

- Allow them uninterrupted time to verbalise and spell out their complaints.
- Acknowledge your customer's emotions. For example, "I am sorry you are frustrated", or "I acknowledge that you're upset" can cool down a heated moment.
- Take notes of the main points of contention and restate what they told you. This shows you've been listening and are taking their complaint seriously. If you suspect their complaint may not be legitimate, be careful to frame this as confirming you understand their complaint, rather than acknowledgement that their complaint is valid.
- Set clear next steps and follow through on them. Ideally, this includes remedial actions that will bring the complaint to a close, to the satisfaction of all parties.
- Stay consistent. If more than one of you are dealing with the complaint, make sure everyone is on the same page about what's happening and the solution.

This comprehensive resource from the New Zealand Ombudsman takes a deep dive into the behaviour of unreasonable complainants and also offers some useful insights.

The resource looks at why some people behave irrationally when making complaints. For some, it's a "sport"; for others, it is extreme anger, disappointment and frustration (whether justified or unjustified) fuelling their hostile and sometimes threatening conduct. The resource also provides suggestions and advice on managing complaints and is a helpful guide for anyone in any profession. Engineering New Zealand has also produced a managing complaints resource for engineering-specific complaint management.

## SUMMARY

Complaints about technical issues are less than 30 percent of those we receive. This means you can drastically reduce the chances of having a complaint laid about you by:

- making sure you have a written contract for any work you undertake
- improving your communication skills by practicing the techniques explained in this document
- improving your soft skills by learning and practicing the techniques explained in this document
- making sure you work within the bounds of your competence
- have a strong quality assurance and quality control system as outlined in Practice Note 14.

Bill Gates once said, "Your most unhappy customers are your greatest source of learning". A complaint, and the rationale behind it, can teach you important lessons. It's the same in every profession. Ideally, you will learn not to make the same mistake again and how to handle concerns so that they're resolved promptly and to the satisfaction of all involved.

Learning and continuously practising these techniques can help your business run smoothly and reduce your stress. At the same time, you'll handle and resolve complaints more quickly and effectively, allowing you to move on with your career.

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<sup>18</sup> [www.zendesk.com/blog/the-best-templates-for-dealing-with-angry-customers/](http://www.zendesk.com/blog/the-best-templates-for-dealing-with-angry-customers/)

# APPENDIX 1

The contract in Figure 1 below covers:

- the type of project the engineer is engaged for
- the scope, exclusions (scheme changes, council charges)
- the payment expected
- the information required from the client.

Figure 1: Completed contract example

SHORT FORM AGREEMENT FOR CONSULTANT ENGAGEMENT						
BETWEEN: [REDACTED] (ph: [REDACTED] mob: [REDACTED])						
POSTAL ADDRESS: [REDACTED]						
E-MAIL: [REDACTED] (CLIENT)						
AND: [REDACTED] (office: [REDACTED] mob: [REDACTED])						
POSTAL ADDRESS: [REDACTED]						
E-MAIL: [REDACTED] (CONSULTANT)						
Collectively referred to herein as the "Parties" and individually as a "Party"						
PROJECT: <b>Proposed Driveway &amp; Boundary Retaining Wall Between [REDACTED]</b>			LOCATION: [REDACTED]			
SCOPE & NATURE OF THE SERVICES: 1. Geotechnical investigation for ground conditions for existing site for proposed retaining wall 2. Timber pole retaining wall design 3. Building consent application on behalf 4. Construction observation by engineer (each) for construction only 5. Final construction completion PS4 for construction only Excl. council meeting						
PROGRAMME FOR THE SERVICES: • Approx. 2 working wks upon site plan incl dwg format						
FEES & TIMING OF PAYMENTS:						
ITEM	1	2	3	4	5	TOTAL (EXCL GST)
FEE	\$1,500	\$1,800	\$300	\$350/EA	\$500	SUM 1-5
Payments: Design Stage -to be payable prior to item 1-3 design delivery. Construction Stage 4&5 -to be payable prior to issue of PS4. The fee is valid for 30 days. *Note: The above fees exclude any scheme change, any council charges.						
INFORMATION OR SERVICES TO BE PROVIDED BY THE CLIENT: • site plans incl dwg file						
The Client engages the Consultant to provide the Services described above and the Consultant agrees to perform the Services for the remuneration provided above. Both Parties agree to be bound by the provision of the Short Form Model Conditions of Engagement (overleaf), including clauses 2, 3, 9 and 10 and any variations noted below. Once signed, this agreement, together with the conditions overleaf and any attachments, will replace all or any oral agreement previously reached between the Parties.						
VARIATIONS TO THE SHORT FORM MODEL CONDITIONS OF ENGAGEMENT (OVERLEAF): Item 8 per above						
CLIENT AUTHORIZED SIGNATORY (es): [REDACTED]			CONSULTANTS AUTHORIZED SIGNATORY (es): [REDACTED]			
PRINT NAME: [REDACTED]			PRINT NAME: [REDACTED]			
DATE: 2 11/10/2017			DATE: 24-10-19			



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