

DEVELOPING ANTI-HARASSMENT PROGRAMS IN ACADEMIC SOCIETIES AND MEETINGS:

A Resource Guide

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Many scholarly and scientific societies and meetings are now developing programs (e.g., policies, procedures, codes of conduct) combatting harassment based on sex and gender.¹ There are several reasons for putting such systems in place. First, there is growing evidence of harassing behavior taking place in professional venues outside of the traditional 9-to-5 academic work environment.² Second, the written policy components of these programs set clear expectations for appropriate speech and conduct, which can help in the prevention of *in*appropriate speech and conduct. Third, when thorough, the programs also specify avenues for reporting policy violations, and they detail the consequences and remedies that may follow.

The University of Michigan ADVANCE Program has compiled this information as a resource³ for those wishing to develop an anti-harassment program within their own scholarly or scientific society, meeting, or other professional setting. Based on evidence from social science and advice from human resource professionals, we detail features that are *essential* for strong anti-harassment programs. We also outline additional policy elements that address related issues of inclusion, respect, equity, collegiality, freedom of expression, and the importance of open dialogue and debate. Finally, we describe novels ways of augmenting formal policies and procedures with informal support networks. Throughout are illustrative examples from existing anti-harassment programs across multiple scholarly and scientific fields.

ESSENTIAL COMPONENTS OF ANTI-HARASSMENT PROGRAMS

A strong program to prevent and correct harassment in professional settings should contain, at a minimum, the following components. These components are widely recognized as the essential "Standard of Care" for harassment prevention and remediation:

- A clearly worded, widely disseminated, written anti-harassment policy;
- Accessible and flexible complaint procedures designed to encourage people to come forward;
- Prompt, thorough, and impartial <u>investigative procedures</u> implemented by appropriately trained investigators; and
- Prompt and appropriate <u>follow-up actions</u> designed to stop harassment, discipline offenders, and protect complainants from any negative effects of reporting.

¹ Some of these policies address harassment based on other characteristics as well, such as race, religion, national original, sexual orientation, disability, age, and size.

² See, for example, Clancy, K. B., Nelson, R. G., Rutherford, J. N., & Hinde, K. (2014). Survey of academic field experiences (SAFE): Trainees report harassment and assault. *PLoS One*, *9*(7), e102172. See also Settles, I. H., & O'Connor, R. C. (2014). Incivility at academic conferences: Gender differences and the mediating role of climate. *Sex Roles*, *71*(1-2), 71-82.

³ This resource should not be regarded as advice or guidance on how to comply with the law. For such advice, we recommend consultation with attorneys in your jurisdiction.

All of these anti-harassment program components should be clearly delineated in writing and widely publicized, so that all members of the organization or attendees at the meeting are aware of them. The next sections discuss each component in turn, with examples from existing programs.

Written anti-harassment policy. It is critical that professional societies and meetings have a written policy on harassment prevention. This policy should contain plain, non-technical, and non-legalistic language. It should be widely publicized in multiple places using multiple media (e.g., posted on websites, displayed throughout conference venues, announced by leaders at major plenary addresses, published in meeting books). The best policy loses its effectiveness if buried deep within a handbook or website. The written policy should include, at a minimum, the following elements:

- A clear <u>explanation of prohibited conduct</u>, encompassing (1) all forms of harassment based on sex and gender, including gender harassment (offensive gender-related "put downs"), unwanted sexual attention (uninvited and unwelcomed "come ons"), and sexual coercion (use of professional bribes or threats to pressure an individual to comply with sexual demands); (2) harassment initiated by anyone, including presenters, faculty, fellows, students, guests, staff, contractors, exhibitors, vendors, volunteers, and media representatives; (3) harassment instigated in any way – in person, in writing, via phone or text message, through social media, etc.; and (4) harassment in any venue connected to the organization, including conferences, meetings, tours, receptions, and other social events.
- A statement that complainants and others who provide relevant information will be protected from <u>retaliation</u> (negative social or professional actions or threats of negative actions taken against a complainant or individual who participates in an investigation);
- A statement that the complainant's identity will be kept <u>confidential to the extent possible</u>; however, it is often impossible to investigate a complaint thoroughly and protect the name of the complainant, so the limits of confidentiality should also be clearly specified;⁴
- Information about <u>complaint procedures;</u>
- Information about investigative procedures;
- Information about <u>consequences and remedies</u> that may be applied in cases of policy violation.

⁴Information is <u>confidential</u> when it is kept secret or private. Confidential complaints can and often do include names. This is not to be confused with <u>anonymous</u> information or complaints, which contain no names.

Example of a clear explanation of prohibited conduct, from the *Shakespeare Association of America* (SAA; <u>http://www.shakespeareassociation.org/wp-content/uploads/2016/08/June-2016-Bulletin-.pdf</u>):

Sexual harassment is behavior that demeans, humiliates, or threatens an individual on the basis of his or her sex. It is unwanted attention that a recipient experiences as offensive or disruptive to her or his wellbeing. Sexual harassment can include crude behavior (such as offensive statements, jokes, or gestures); dismissive or insulting modes of address (such as referring to a woman not by her first name but as "honey"); unwelcome sexual attention (such as unwanted touching or repeated requests for dates); and coercion. Sex-based harassment also takes nonsexual forms when an individual is targeted because of her or his gender or gender expression. It singles out some members of the community as acceptable targets and as unworthy of respect. Harassment not only sabotages the individual; it also damages the Shakespeare Association community by discouraging participation in the Association and compromising the free exchange of ideas that is at the center of our mission as an organization.

All of the spaces into which our professional meetings extend are professional, and the values of respect, equity, and non-discrimination should inform conduct in the seminar room and on the dance floor, over coffee, and over drinks. All members should aspire to treat each member as having an equally valuable contribution to make.

Example of a clear explanation of policy scope, from the American Astronomical Society (AAS; <u>https://aas.org/policies/anti-harassment-policy</u>):

This policy applies to all attendees at Society activities, including scientists, students, guests, staff, contractors, and exhibitors, participating in the scientific sessions, tours, and social events of any AAS or Division meeting or other activity.

Example of a clear statement about retaliation, from the American Society of Mechanical Engineers (ASME; <u>https://www.asme.org/getmedia/b727c50e-92a0-48e9-8081-3fe6bb252df2/SocietyPolicies_15-</u> 9 PolicyAgainstDiscrimination.aspx):

It is a violation of this Policy for any retaliatory action to be taken or threatened against an individual who in good faith reports or provides information about a possible violation of this Policy or who in good faith participates in a related investigation or exercises any other right protected by the equal employment opportunity laws. In the event that a member believes he or she has been retaliated against for such action, he or she should use the reporting procedures outlined in Section IV.A. of this Policy to report the pertinent facts promptly. ASME will investigate and take appropriate action in the manner described above.

Example of a statement about confidentiality, including limits on confidentiality, from The Optical Society (OSA, <u>http://assl.osa.org/home/about-assl/code-of-conduct/</u>):

Please note that OSA will maintain your confidentiality except where doing so would compromise another person's rights or OSA's ability to conduct a thorough investigation. In such cases, OSA will limit disclosure only to that information necessary to ensure proper investigation and compliance with procedures.

Complaint procedures. Harassment-prevention systems should include multiple, easily accessible, widely publicized procedures for making complaints. These complaint procedures should be:

- Designed to <u>encourage people to come forward</u> with complaints (rather than discourage people from making "false complaints," which we know from research are rare);
- <u>Flexible</u>, offering multiple avenues of complaint, both informal and formal: in writing, in person, via phone, by email, etc.;
- <u>Easily accessible and understandable</u> to all members of the organization or all persons at the meeting venue (e.g., using non-legalistic language, defining any terms that may be ambiguous, being easy to find on the meeting website);
- <u>Widely publicized</u> in multiple places using multiple media (e.g., posted on websites, displayed throughout conference venues, announced by leaders at major plenary addresses, published in meeting books);
- Sufficiently <u>detailed</u>, including all instructions and contact information needed to make complaints.

Example of complaint procedures, from the *Society of Industrial and Organizational Psychology (SIOP;* <u>http://www.siop.org/professional_behavior.aspx</u>). Note that this policy details not only how to file complaints but also how the organization will handle and respond to complaints, including investigative procedures and possible disciplinary actions:

Complaints should be made to SIOP's Executive Director or President of the Society; if both of those persons are implicated in the complaint, report or inquiry, it should be directed to the President-elect or to the Financial Officer/Secretary. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory. Complaints may be made on a confidential or anonymous basis, but please note that a sufficient amount of detail is needed to proceed or act on a concern.

The complaint will be referred to the Executive Board Emergency Action Committee (excluding those who might be implicated in the complaint) for initial evaluation. The initial evaluation will address whether there is sufficient information to pursue the claim further, whether the alleged behavior is serious in nature and meets the criteria identified in this policy, and whether it might be resolved through a less formal means.

Where appropriate, the Emergency Action Committee will initiate an investigation. Insofar as practicable and consistent with legal process and full and effective investigation, every effort will be made to maintain confidentiality of the complainant and the individual(s) who is implicated in the complaint. Upon completion of an investigation, the results will be shared with the full Executive Board (excluding those who might be implicated in the complaint). If disciplinary action is being considered, those who are implicated in the completed investigation will have an opportunity to appeal to the Executive Board before a disciplinary action is made. Disciplinary actions by the Executive Board could range from a conversation with the person, a formal written warning, or for particularly egregious or repeated incidents, barring the person from attending workshops or sessions or even a recommendation to revoke the person's SIOP membership. All disciplinary decisions by the Executive Board will be final.

Investigative procedures. For policies to be effective, it is critical that complaints of policy violations be investigated promptly, thoroughly, impartially, and professionally. At a minimum, the investigative process should involve:

- An impartial investigator with relevant skills;
- Interviews with all relevant parties and witnesses;
- Careful and complete documentation.

The investigator should be a neutral party who is well-trained in skills relevant to harassment investigations (e.g., communication, documentation, interviewing techniques). That person should be capable of discussing sexuality, gender, diversity, emotions, and other potentially sensitive topics with no apparent discomfort. When no member of an organization has the appropriate training and skills to conduct harassment investigations, a professional investigator should be hired.

Example of investigative procedures, from the *American Association of Physics Teachers (AAPT;* <u>http://www.aapt.org/aboutaapt/organization/code_of_conduct.cfm</u>). Note that this example includes detailed information about confidentiality:

AAPT will promptly and impartially investigate the facts and circumstances of any claim of inappropriate conduct or harassment at AAPT Events, but only with the approval and cooperation of the individual(s) who experienced harassment. AAPT will make every effort to keep the reporting individual's concerns confidential and will not deliberately share personal information other than to the investigator(s); however, confidentiality cannot be guaranteed (for example, although efforts will be made to reduce the chances, it may be possible to infer something about the person(s) involved based upon the situation under question).

During an investigation, AAPT or a designated independent consultant subject to obligations of confidentiality, generally will do the following (as necessary) to make a determination as to appropriate action:

- document the nature of the complaint;
- interview the complainant;
- conduct further interviews as necessary, such as with witnesses or, at an appropriate time, the alleged offender;
- *document the AAPT's findings regarding the complaint;*
- document recommended follow-up actions and remedies, if warranted; and
- inform the complainant of AAPT's findings.

A specific timeline for the investigation cannot be predicted in advance, as it may depend upon the nature of the allegations and the investigation process. Every effort will be made to act upon the investigation in a prompt and timely manner. Upon completion of the investigation, AAPT will take corrective measures against any person who has engaged in conduct in violation of this policy, if AAPT determines such measures are necessary.

Notwithstanding, AAPT reserves the right, upon receipt of a complaint, if in AAPT's sole reasonable discretion, the nature of such complaint requires the immediate removal of an individual in order to ensure that Event may proceed safely and without undue interruption, to remove an individual without undertaking an investigation as described herein.

Follow-up actions. Social scientists and human resources professionals emphasize the importance of taking prompt action to stop harassment, discipline offenders, and protect complainants from retaliation (e.g., professional or social reprisals from the offender or offender's friends). Potential consequences for engaging in prohibited conduct must be:

- <u>Proportionate</u> to the offense;
- Applied <u>swiftly</u>;
- Applied <u>consistently</u> across different cases of similar offenses.

Prompt action can act as a powerful deterrent: studies show that rates of harassment <u>decrease</u> when people perceive that harassers are punished and complainants are protected.⁵

Example of statement about potential consequences for harassment, from The Optical Society (OSA, http://assl.osa.org/home/about-assl/code-of-conduct/):

If OSA finds that a violation of this policy has occurred, OSA may take any disciplinary action it deems appropriate, which may include suspension or ejection from an OSA activity or event without refund or recompense. Serious or repeated offenses may result in more significant consequences such as being banned from participation in future OSA events or volunteer activities, contacting the violator's employer, or termination of OSA membership, if applicable.

Example of statement about potential consequences for harassment, from the American Association of Physics Teachers (AAPT; <u>http://www.aapt.org/aboutaapt/organization/code_of_conduct.cfm</u>):

If AAPT determines that an individual has engaged in prohibited conduct, AAPT shall determine the appropriate action to be taken, which may include, but is not limited to:

- private reprimand;
- removal from the Event without warning or refund;
- implementation of conditions upon attendance at future AAPT Events; or
- restriction from attendance at future AAPT Events.

AAPT may, but is not required to, report any incident to proper authorities, including but not limited to law enforcement, if in AAPT's sole discretion such reporting is advisable or necessary. If AAPT determines that an individual has engaged in prohibited conduct at an AAPT Event, and such individual is an AAPT member, AAPT may consider suspension or termination of AAPT membership solely in compliance with any member disciplinary or termination procedures adopted by AAPT that provide the member, at a minimum, the rights of notice, a hearing, and a right to appeal any adverse decision.

⁵For a review of this work, see Cortina, L. M., & Berdahl, J. L. (2008). Sexual harassment in organizations: A decade of research in review. In C. C. J. Barling (Ed.), *Handbook of organizational behavior: Micro perspectives* (pp. 469-497). Thousand Oaks, CA: Sage.

ADDITIONAL COMPONENTS OF ANTI-HARASSMENT PROGRAMS

Academic codes of conduct and anti-harassment policies often include additional components that address issues of inclusion, respect, dignity, collegiality, integrity, fairness, freedom of expression, and the importance of open dialogue and debate. These policy elements speak to the sorts of environments and values the organization aims to <u>promote</u> (as opposed to addressing only what is <u>prohibited</u>). Examples from existing policies appear below.

Example from the Society of Industrial and Organizational Psychology (SIOP; <u>http://www.siop.org/professional_behavior.aspx</u>).

As a professional society, SIOP fully supports and values our members having spirited discussions, differing viewpoints and scientific debates. These types of interactions are important and necessary for advancing the science and practice of industrial-organizational psychology. They are also the hallmark of a scientifically-based profession.

Example from the Materials Research Society (MRS; <u>http://www.mrs.org/code-of-conduct</u>):

A core value of MRS is being broadly inclusive and egalitarian. MRS members and event participants are expected to foster an inclusive, cooperative environment where all are welcomed, open dialogue is encouraged, and all perspectives are appreciated.

Example from the American Library Association (ALA; <u>http://alamw14.ala.org/statement-of-appropriate-</u> conduct):

As an association, ALA is strongly committed to diversity, equity and the free expression of ideas. These values have been repeatedly delineated in ALA policy. These values have been repeatedly delineated in ALA policy (for instance: <u>Policy A.1.4 – Core Organizational Values</u>; <u>Policy B.1.1 – Core Values of Librarianship</u>; <u>Policy B.1.2 – Code of Professional Ethics</u>)</u>. Taken cumulatively, the values and beliefs delineated within ALA policy describe conduct based on a firm belief in the value of civil discourse and the free exploration of competing ideas and concepts – with a fundamental respect for the rights, dignity and value of all persons.

Within the context of ALA policy and the professional practices of librarianship, critical examination of beliefs and viewpoints does not, by itself, constitute hostile conduct or harassment. Similarly, use of sexual imagery or language in the context of a professional discussion might not constitute hostile conduct or harassment.

ALA seeks to provide a conference environment in which diverse participants may learn, network and enjoy the company of colleagues in an environment of mutual human respect. We recognize a shared responsibility to create and hold that environment for the benefit of all.

Example from The Optical Society (OSA; http://assl.osa.org/home/about-assl/code-of-conduct/):

OSA is committed to providing an environment for volunteers and meeting participants that is conducive to the free and robust exchange of scientific ideas. This environment requires that all participants in OSA and OSA-managed meetings, events, and activities be treated with equal consideration and respect. An environment in which people feel threatened or intimidated is not productive and does not advance the cause of science. All participants in OSA and OSA-managed activities are therefore expected to conduct themselves professionally and respectfully.

INFORMAL SUPPORT RESOURCES

Some scientific organizations or their members have supplemented formal anti-harassment programs with social and informational support resources. Examples include Astronomy Allies, Ento-Allies, Physics Allies, and SafeAGU.

Astronomy Allies is an informal support network that made its debut at the 2015 meeting of the American Astronomical Society (AAS); the AAS, however, does not oversee or fund this network. They are simply members of the community who have volunteered for the Ally role (and been "vetted" for the role by existing Allies). Anyone who feels harassed at the meeting can contact an Ally – identifiable by a prominent red button – for confidential support, advice, information, or physical assistance (e.g., one could request a walk home from a reception). Allies can also be reached outside of meetings via phone, email, or text. They represent neither a formal reporting channel nor a policy-enforcement mechanism, but if requested, they can act as liaisons between individuals and the AAS or provide advice and assistance with formal procedures. One goal of the Allies is prevention: their visibility at meetings can signal to would-be perpetrators that harassment will not be tolerated. For more information on the Astronomy Allies, visit www.astronomyallies.com.

Members of other scientific communities have created their own informal support networks, closely modeled after the Astronomy Allies. One example is *Ento-Allies*, crafted by members of the Entomological Society of America (an organization of insect scientists), and described at <u>www.entoallies.org</u>. Another is *Physics Allies*, developed by members of the American Association of Physics Teachers, and detailed at <u>www.physicsallies.com</u>. All of these programs grew out of ground-up efforts of individual community members; by design, the "ally" networks have no formal affiliations with their larger societies.

SafeAGU is also program of social and informational support, but unlike the previous examples, it is operated by a scientific society (the American Geophysical Union or AGU, an organization of Earth and Space scientists). The aim is to provide assistance to individuals who feel harassed, intimidated, bullied, or in any other way unsafe while participating in AGU-sponsored activities. At AGU meetings, individuals who encounter what may be harassing conduct (including conduct that does not rise to the level of a policy violation or reportable offense) can notify a trained staff member wearing a green "SafeAGU" button. A formal report is not required, but SafeAGU staff can advise and assist with reporting procedures should an individual want to pursue that option. Outside of meetings, one can email SafeAGU staff with concerns about harassment and other forms of scientific misconduct. More information can be found at harassment.agu.org/.