

Working Toward a Safe and Inclusive Workplace

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This document is still in a dynamic stage and will be updated regularly as the authors receive feedback.

INTRODUCTION

The purpose of this document is to: 1) list reasonable, rational, and realistic policies to encourage considerate and respectful behavior in the lab; 2) limit the uncertainty and fear that currently exists in addressing or reporting instances of unprofessionalism, conflict, and harassment; and 3) improve communication and understanding between students, postdocs, professors, and other employees on issues relating to workplace culture. This document primarily deals with abuse and bullying as defined by the UC Office of the President [4]; more severe behaviors are under the purview of the Office of Student Conduct and Title IX [3, 5]. This document is meant to be a guide for discussion, however any ideas or views represented here are those of the authors and some of those who chose to give input.

No blame is issued in these recommendations, and the responsibility for making these improvements rests on each of the students, postdocs, and professors, although power imbalances between roles must be considered. This document does not encourage litigation of past incidents; rather these policies seek to address underlying causes of issues including, but not limited to, bullying, harassment, retaliation, and discrimination [4]. With this in mind, it is worth stating that while it is impossible to completely prevent workplace issues from arising, the measures discussed here can prevent the escalation or deterioration of such situations. The document is organized in three sections: Section I discusses how faculty can take responsibility in setting the tone, Section II explains how everyone can work together to promote a positive culture, and Section III details principles of conflict resolution, and suggests additional resources for mediation. While there are formal campus policies in place, including Title IX and judicial action, these only address escalated situations and cover a narrow scope of harassment. This document focuses on preventative measures, in particular informal solutions. It is worth noting a lack of sufficient regulations or resources at any level related specifically to graduate students or postdocs.

SUMMARY OF EXISTING CAMPUS SERVICES AND REGULATIONS

The campus Student Code of Conduct can be found at [3], the document details conduct requirements for students and a judicial committee method of disciplining students who violate it. The code of conduct is clearly focused on undergraduate life, and has the following shortcomings with respect to graduate student researchers:

- 1) The document does not make any specific mention of graduate student researchers, nor research offices/laboratories;
- 2) the infractions listed in the code of conduct are overall quite serious, and it does not address lower level conflicts;
- 3) this is reinforced by severity of the disciplines recommended which are probation, suspension, and expulsion;
- 4) the judicial hearing process is exceedingly complex and time consuming, making it a daunting avenue to pursue; and
- 5) the issues we discuss here are related to our capacity as research employees, not as students.

Graduate students have neither a Human Resources department nor do we as of yet have our own code of conduct which could better address situations and concerns relating to graduate students and research spaces. Additionally having resources and policies that are clearly directed towards graduate students reduces the confusion in graduate students seeking help and support.

The UC-wide Title IX guidelines can be found at [5]. Reporting to Title IX is non-confidential and triggers an investigation, which could eventually result in sanctions on an individual by the university. Despite the required online training, there is significant confusion about what infractions are under the scope of Title IX. Moreover, cooperation in the Title IX investigation is optional and evidence of harassment is often unavailable due to the nature of gender-based harassment. Therefore, Title IX and the Office for Equal Opportunity and Discrimination Prevention often fail to promptly and effectively address harassment.

The [Office of Ombuds](#) is a campus department which can provide confidential counsel, however it has no direct disciplinary authority. The Office of Ombuds can engage in mediation, but only with the voluntary cooperation of all parties involved, and it must be impartial in this capacity. While the Office of Ombuds deals extensively with graduate student issues, there is no designated Ombuds or specific resources for graduate students.

The [Campus Advocacy and Resources Education](#) office (CARE) is an advocacy center which can provide confidential support for victims of harassment. CARE cannot mediate in conflicts, but can act as a supporter/advisor in mediation or proceedings performed by other campus offices like Title IX and Ombuds. CARE also provides support for departments to ameliorate their culture, including trainings and research on effective strategies.

UCSB [Counseling and Psychological Services](#) (CAPS) provides therapy and counseling to students, both in an emergency and ongoing capacity. CAPS is not meant to directly resolve interpersonal issues, but is an extremely vital campus service.

I. SETTING THE TONE WITH NEW EMPLOYEES

Faculty should set the tone from the beginning by making it clear that they are receptive to their employees and concerned with their well-being.

The most straightforward way of encouraging positive workplace behavior and interaction is to stress these principles at the beginning of a student or postdoc's recruitment or employment. It is vital that this conversation is a one-on-one standalone conversation, and not simply tacked onto a general orientation presentation. It is also important that the conversation is with the lab member's advisor, to make clear that students will be monitored and held accountable by their direct supervisor. The advisor should also make it clear that they will be receptive to and approachable about any issues the employee may wish to bring up with them. We propose that the contents of this conversation include the following.

- 1) If the lab member has personal issues that stem from the workplace or interactions with coworkers that would affect their well-being or productivity, they are encouraged to bring them up to the advisor, who should both recommend campus support such as CARE, CAPS, and the Office of Ombuds, and try to accommodate or address these issues within the lab.
- 2) The lab is a workplace. Professional and appropriate behavior is not only expected but enforced.
- 3) Provide formal harassment definitions and policies in writing so that identifying and reporting harassment is more straightforward.
- 4) It is important to be receptive to the concerns of others and courteous/mindful of the work environment for other students and postdocs. This also applies when spending time in other labs or collaborating with people outside the lab. While camaraderie is encouraged, purposeful exclusion or targeting of individuals (i.e. "ganging up") is unacceptable.
- 5) If issues are not resolved among employees, the concerns should be brought to the advisor whose goal is to protect the safety and well-being of their lab members. Employees should be supportive of one another and speak out when they observe deleterious behavior (see Section II).
- 6) The advisor will check in regularly with lab members regarding the workplace culture, ways it can be improved, or if there are ongoing conflicts (see Section II).
- 7) Repeated conflicts involving an individual will result in mediation by the Advisor or referral to campus/department offices (see Section III).

Oftentimes, it can be difficult to speak up about important issues due to fear of retaliation, negatively impacting collaborations, or hurting one's reputation [1, 2]. Moreover, it is critical that disparities in power and experience are always kept in mind, as real or perceived power imbalances can exacerbate the fears that employees have and cause them to remain silent.

II. SUSTAINABLE CULTURE

All students, postdocs, and faculty should strive to maintain a positive culture in the workplace by being respectful of one another and intervening against harassment or bullying, and holding each other accountable.

While it is necessary to establish fundamental principles of workplace conduct and an advisor's role in resolving issues, employees must maintain a positive culture in the lab. We suggest that all advisors, postdocs, and students be made aware of the following policies and principles.

Be considerate and respectful:

- Be receptive if someone says they are being harmed by your actions.
- Consider the consequences of your actions before taking them (mindfulness).
- Take accountability for your actions and if you disagree, do so respectfully.

It is useful to note that both the content of a conversation can be offensive, distracting, or victimizing, as well as simply the noise level and distraction it causes independent of content. Therefore, students should be considerate of others even when working on research. Beyond the above principles, advisors should encourage their employees to be active participators in a positive workplace environment.

Be supportive:

- If you are unsure, actively ask people if something bothers them.
- Listen without judgement and show concern for people's feelings, e.g. "I can see how that would hurt you," and "I am sorry that it is happening."
- Don't dismiss people because something sounds small to you or because something is surprising to you.
- If you sense that someone is going through a hard time, offer to listen to them.
- If you see that someone is being harassed or bullied, say something (be an active bystander).

Note that bullying, discrimination, and harassment can manifest as a pattern of seemingly small transgressions. When an individual describes this mistreatment, no single event may sound significant, however the repeated nature of the aggression and the pattern it forms can have a significant effect on a person's well-being and ability to work. We suggest that advisors maintain a sense of their lab climate and regularly ask students about their comfort level in the lab in order to predict or preempt issues, which can also be achieved department-wide through questionnaires. Additional trainings may be valuable.

III. CONFLICT RESOLUTION

Mediation should be focused on correction of behaviors and protection of victims, not retaliation or punishment.

First and foremost, is the safety and security of lab members: offending individual(s) should be at least temporarily removed from the environment if necessary, and Title IX and CARE have resources to help in these instances. However, such severe situations can often be avoided through prior intervention and conflict resolution. While professors should have some latitude in taking action to resolve lower level conflicts, codifying or emphasizing certain principles will make these actions more effective. We note that mediation is meant to be corrective, not punitive, and that access to spaces and opportunities can be revoked if they enable a person's destructive actions towards others. People who negatively affect others must be given the opportunity and information to be able to change their behaviors, however the safety and health of victims is the utmost concern. Compassion for all parties is vital to making discussions and procedures productive. Crucially, once involved the advisor should not pass the burden of conflict resolution back onto the employees, especially the victim.

Therefore the general steps for resolving a conflict must proceed as follows:

- 1) **Assessing severity of the complaint:** As soon as a complaint is made, the advisor should arrange a face-to-face meetings with all parties involved to fully determine the severity of the issue. Infractions under the purview of higher authorities like Title IX and Office of Student Conduct should be reported to those bodies.
- 2) **Opportunity for correction:** Have face-to-face meetings with offending individuals which are focused on helping them improve their behavior, especially since conflicts are sometimes a result of external factors or ignorance. This conversation must be collaborative, so that the employee does have agency, but firm so they understand the gravity of the situation.
- 3) **Re-assess:** The advisor should check back in with all parties involved in a reasonable amount of time to see if the situation has improved or if the behavior persists.
- 4) **Discipline:** Persistent negative behaviors which affect the work and well-being of other lab members should be met with loss of privileges which enable that behavior. This includes losing projects or funding, with more severe action informed by campus offices like Title IX.

Compassion is critical here, issuing threats and warnings simply antagonizes students. Furthermore, actions which do not sufficiently protect those who are being harmed can both embolden bullies or harassers and further alienate and disenfranchise victims. In order to make sure a resolution would actually protect the victim, it is important that the advisor gets their feedback. However, the advisor should be the one who proposes and implements the policy so as to not further burden the victim. If possible, having a designated employee who can provide advice and guidance on mediation, at the department, school, or campus level would be beneficial to both students and advisors. However, as supervisors, faculty must still take responsibility for ensuring conflict resolution not otherwise covered by campus policies

IV. ADDITIONAL USEFUL RESROUCES

- Dealing with harassment when it is *not overt or assault*: <https://www.chronicle.com/article/How-a-Department-Took-On-the/245050?cid=FEATUREDNAV>
- Bullying prevention: <https://hr.wisc.edu/hib/wp-content/uploads/sites/13/2017/04/Preventing-and-Eradicating-Bullying-Resource-Guide.pdf>
- Resource on bullying in the workplace <https://www.workplacebullying.org/individuals/problem/how-bullying-happens/>
- <https://www.timeshighereducation.com/features/monsters-and-mentors-phd-disasters-and-how-to-avoid-them>

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