



Session 1 “Summary”

ICARUS, NOvA, DES, LZ, Muon g-2

Fermilab CoC Workshop, November 17-18, 2022

Code of Conduct Stages



- Various levels of Code of conduct
 - From a reliance on existing Fermilab Standards of Behavior with no internal document to a full code including methods for reporting, investigation, action
- In general, most collaborations agree on the descriptions of acceptable behavior
 - Behave with respect. Communicate appropriately. Welcoming environment
 - Discrimination, harassment, bullying not allowed.
- Key evolution is that bad behavior (e.g. bullying, harassment) is treated as seriously as academic dishonesty
- Base level standard vs. active improvement

Code of Conduct Stages



- Key questions - various answers
 - To whom should reports be made?
 - Talk to person directly, if felt to be safe
 - Supervisor, spokespeople, other senior parties
 - Official collaboration Ombudspeople
 - EDI chairs (Ombuds-ish role)
 - FNAL Concerns
 - Observed a variation in the use rate of these resources - some collaborations have seen high usage of ombudspeople/designated listeners, some have seen low
 - Possible tension between providing menu options and providing clear direction

Code of Conduct Stages



- Key questions - various answers
 - What is responsibility of those who receive reports?
 - Often quite vague
 - Can be a significant burden on designated listener in knowing the right way to respond
 - Many overlapping roles - reporting, interventions, mental health, legal issues
 - What training or other support is available to those who receive reports?
 - Most groups have not found adequate training for people in these roles
 - Formal Ombudspeople training can be expensive - in one instance, changed the way the collaboration ombudspeople acted in their roles away from what was initially intended in CoC (original intent counter to technical “ombuds” label)

Code of Conduct Stages



- Key questions - various answers
 - What is the possible range of outcomes in response to a report?
 - Often unclear, without a well understood mechanism for response
 - Nuclear option is always going to highest level body (“Institutional board” or “Management Committee”)
 - Clear gap for something in the middle - “progressive enforcement”
 - Many collaborations now trying to develop this

Other key points that I noticed



- Two categories of behavior often being dealt with under the same umbrella
 - Microaggressions/unprofessional conduct - “Category 1” from CONCERNS
 - Violence/sexual assault/harassment - “Category 3-4” from CONCERNS
- Making the distinction clear somehow is important - is collaboration code of conduct addressing either or both?

Other key points that I noticed



- What is the standard for action?
- One proposal - “lack of confidence” as basis for action, not the specific result of any investigation
 - Will this be acceptable to an institutional board?
- CONCERNS presentation last night
 - Determination that FNAL standards were violated does not require a legal standard of proof
 - User/affiliate status is privilege, not a right
 - Make sure it is a fair process
 - Not subject to legal due process

Other key points that I noticed



- Discussion of “restorative approach”
 - External mediation from DOE was used successfully in one case
 - Mediation in general generated a lot of interest
 - Requires agreement from all sides involved
 - Early intervention -
 - someone behaved badly, but not necessarily illegally or violation was minor
 - Empower someone to say, “hey, what you did last night was inappropriate, it would be great if you apologized to X?”
 - Need care not to pressure people to set something serious aside - avoid pressuring reporter into acceptance - particularly for sexual harassment cases
 - Where is the line where a restorative approach is inappropriate?

Other key points that I noticed



- Rapid response
 - Mostly not set up to do this currently
 - Even “rapid” is optimistic if there’s a committee, have to get together to discuss
 - Idea of temporary choice that can be revisited

Other key points that I noticed



- For serious issues (Category 3-4)
 - Collaborations not equipped to handle well
 - If reporter does not wish to pursue escalation, across institutional boundaries (so no explicit requirement to report), how does the collaboration act to eliminate possible harm?

- Can we force institutions to report back to collaborations?
- Push Fermilab to adopt codes of conduct
 - Idea of safety culture