



**Brandeis**  
UNIVERSITY

Dignity at Work Task Force  
of the Faculty Senate

**Final Report:  
Recommended  
Policies and Procedures  
To Address  
Workplace Bullying**

February, 2020

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**“The world is a dangerous place to live; not because of the people who are evil, but because of the people who don't do anything about it.” Albert Einstein**

## **I. EXECUTIVE SUMMARY**

Brandeis prides itself on valuing the dignity and worth of each individual. President Liebowitz echoed that pride in 2018 when he reminded us that “Nothing short of respect for and openness to all in our community should be acceptable.”<sup>1</sup>

The Dignity at Work Task Force was created by the Faculty Senate to clarify and professionalize the Faculty’s role in addressing complaints of Workplace Bullying. The Task Force began with in-depth research. Members consulted policies and procedures from other universities; experts from outside and inside the University; a dozen books by experts; and dozens of research papers. After distributing an initial set of recommendations the Task Force solicited input from faculty, chairs of critical faculty committees, and the Brandeis University Staff Advisory Committee (BUSAC). The Task Force also consulted members of the administration from Associate Deans to the President.<sup>2</sup> All those consulted provided valuable insights and suggestions that are reflected in these final recommendations.

### **Grievance Procedures**

The Task Force recommends that complaints of Workplace Bullying by or towards faculty members be resolved informally, if possible. The Office of the Ombuds is a good first stop: the Ombuds can provide information, support, and referrals. Their services are not well suited, however, for resolving Workplace Bullying concerns.<sup>3</sup> For informal resolution, complainants can bring their concerns to an Employee Relations specialist in Human Resources, a Department Chair, or a Dean.

The *Faculty Handbook* currently entrusts responsibility for handling formal grievances to the Faculty Senate. To ensure enlightened handling of such cases while maintaining the centuries-old tradition of faculty self-governance, the Task Force recommends that the Faculty Senate delegate the adjudication of formal grievances to a new standing committee, the Dignity at Work Committee. This group would receive specialized training from external experts in understanding, identifying, and resolving Workplace Bullying cases.

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<sup>1</sup> Letter to campus on April 12, 2018.

<sup>2</sup>Administration officials consulted include: President, Provost, EVP Finance & Administration; VPs for DEI, HR, Communications; Legal Counsel; Deans of all schools plus VP Rabb; Office of Equal Opportunity; Ombuds.

<sup>3</sup> Walker, Esque (2013). No Mediation for Workplace Bullying. <https://www.workplacebullying.org/walker/#more-11358>

The Dignity at Work Committee would comprise six faculty members nominated by the faculty and appointed by the Faculty Senate Council, one each from the four divisions of A&S, Heller, and IBS. The Committee would also include a representative of the VP for Diversity, Equity, and Inclusion; a representative for staff; and a representative for graduate students.<sup>4</sup> The University Counsel would serve as consultant. Committee members should be nominated by the faculty at large and appointed by the Faculty Senate, which should strive for maximum diversity in terms of contract/T-TT, race, gender, age, etc. The staff representative should be appointed by BUSAC; the graduate student representative should be appointed by GSAS. The Dignity at Work Committee should elect its own chair.

Each formal complaint should be adjudicated by a three-member Adjudication Panel drawn from the larger committee and tailored to the specific complaint. One member will be in charge of working with the complainant and respondent. A second member will handle the investigation jointly with a professional investigator from the University's Office of Equal Opportunity. For a complaint to be considered, the most recent alleged misconduct must have occurred within three years of the complaint itself. If the complaint involves a staff member the Adjudication Panel will include the staff representative, the DEI representative, and one faculty member. If the complaint involves a graduate student the Adjudication Panel will include the graduate student representative, the DEI representative, and one faculty member.

Based on the investigation and with reference to the Brandeis Faculty Senate on the *Nature and Consequences of Workplace Bullying*, the Dignity at Work subcommittee decides whether there is sufficient information to adjudicate and, if so, whether the complaint is substantiated. If the complaint is substantiated the Adjudication Panel will also recommend consequences for respondents and restorative measures for the target. Because such measures are implemented by the Provost their final form may need to be negotiated.

Consistent with the *Faculty Handbook*, appeals of Committee adjudication decisions will be brought first to the Committee on Faculty Rights and Responsibilities. The sole grounds for appeal are procedural errors that materially affect the decision. A party may further appeal, on the same grounds, to the President, whose decision is final.

The Dignity at Work Committee will conduct its adjudication with reference to Faculty Senate's *Report on the Nature and Consequences of Workplace Bullying*, which includes a definition of Workplace Bullying. This definition is based on a careful survey of over thirty legal definitions from around the world. It adopts consensus elements for the protection of targets and provides unusually strong protections for those accused of bullying and for the University. This definition does not cover occasional ill temper, does not cover discrimination and harassment as defined by U.S. law, and does not compromise free speech according to the Brandeis Principles.

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<sup>4</sup> Note: Issues of conduct involving undergraduates already benefit from clear and carefully-crafted grievance procedures. See <https://www.brandeis.edu/studentlife/srcs/rightsresponsibilities/2017-18%20RR.pdf>.

## Prevention of Workplace Bullying

To prevent Workplace Bullying by or towards faculty the Task Forces recommends that the Administration pursue a three-pronged effort that includes education, monitoring, and accountability for academic leadership.

Education: The Task Force recommends that educational material be readily accessible through the Brandeis website and that the community be included in the annual reviews of conduct issues carried out by the Office of Equal Opportunity. The Task Force also recommends mandatory training for Deans and Chairs that includes how to respond to reports of Workplace Bullying, and measures to prevent such conduct. Finally, the Task Force recommends mandatory training for all new faculty and for all search committees.

Monitoring conditions on campus: The Task Force recommends many ways to monitor bullying on campus that could bolster the regular reports of the University Ombuds. These include: Periodic climate surveys, a confidential reporting line, mandatory reporting, and exit interviews.

Leadership Accountability: Academic leadership must be held accountable for protecting community members and for promoting a culture of mutual respect. Leaders should promptly address complaints or evidence of Workplace Bullying, treating all parties fairly and respectfully. Leaders should consistently communicate that bullying behavior is not acceptable. To hold leaders accountable, we recommend that their performance evaluations include a discussion of this issue, a discussion that will necessarily require objective input.

## II. WHAT IS WORKPLACE BULLYING?

Workplace Bullying has two key features: negativity towards the target and persistence. The central importance of persistence is consistently stressed by experts, as illustrated below:

Many of [the behaviors associated with workplace bullying] may be relatively common in the workplace and, when occurring in isolation, may be seen as signs of ... “incivility” at work. When persistently directed towards the same individual(s) over a longer period of time, they may turn into an extreme source of social stress, capable of causing severe harm. ... Thus, the emphasis is as much on the frequency and duration of what is done as it is on what and how it is done.<sup>5</sup>

Experts often point to the strong parallels between workplace bullying and domestic violence,<sup>6</sup> Targets of workplace bullying are disproportionately women, minorities, and other traditionally disadvantaged groups. Bullies are modestly more likely to be male than female and are often characterized by “trait anger.” Power abuse is an almost-universal feature: roughly three-

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<sup>5</sup> Einarsen, S., Hoel, H., Zapf, D., & Cooper, C. L. (2003). The Concept of Bullying at Work. In C.L. Cooper, Eds., *Bullying and Emotional Abuse in the Workplace: International Perspectives in Research and Practice* (pp. 3-30). (London: Taylor & Francis).

<sup>6</sup> Yamada, David (2020). How Workplace Bullying Bears Similarities to Domestic Abuse.

<https://newworkplace.wordpress.com/2011/11/01/how-workplace-bullying-bears-similarities-to-domestic-abuse/>

quarters of targets are subordinate to their bullies; other sources of power imbalance include membership in the dominant workplace culture and influence with higher authorities.

The Dignity at Work Task Force consulted over 30 legal definitions of Workplace Bullying from around the globe. The majority of these adopt a particular structure and similar words. The definition below follows the standard structure and adopts the most common words with respect to targets. However, it includes unusual protections for respondents and the University.

- Workplace Bullying is a persistent pattern of unwelcome conduct that a reasonable person in the same circumstances would consider unreasonable.<sup>7</sup>
- Workplace Bullying includes behavior that is belittling, disempowering, intimidating, humiliating, or offending.
- Workplace Bullying behavior must have the cumulative purpose or effect of harming an employee's health, reputation, career success, or ability to perform.

The myriad specific forms of Workplace Bullying fall into three categories:

1. Outright abuse, such as
  - Insulting or humiliating the target, especially in front of others
  - Blocking or providing insufficient opportunities for advancement
  - Being shouted at or being target of spontaneous anger
2. Passive-aggressive abuse, such as
  - Failing to respond to inquiries or requests, or responding with a substantial unjustified delay
  - Withholding necessary information, excluding from important discussions
  - Treating someone as invisible
3. Mobbing: Workplace Bullying carried out by a group, which includes outright and passive-aggressive abuse plus
  - Spreading rumors, gossip, or innuendo
  - Exclusion from professional and social events
  - Stonewalling a target who inquires about why or seeks redress

Workplace Bullying does not include occasionally-insensitive language or conduct. Everyone will occasionally be uncivil at work; such behavior does not constitute bullying if it's rare and of low intensity. Workplace Bullying also does not include appropriate workplace supervision carried out respectfully and fairly. This includes: setting aggressive performance goals; determining fair committee assignments; coaching or providing constructive feedback; investigating alleged misconduct; disciplining an employee for substantiated misconduct. Workplace bullying is not protected speech according to the Brandeis University Principles of Free Speech, paragraph 6.<sup>8</sup>

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<sup>7</sup> The Task Force recommends the reasonable person standard of *Black's Law Dictionary, Ninth Edition*: "...a person who exercises the degree of attention, knowledge, intelligence, and judgment that society requires of its members for the protection of their own and of others' interests. The reasonable person acts sensibly, does things without serious delay, and takes proper but not excessive precautions..."

<sup>8</sup> <https://www.brandeis.edu/free-expression/principles/index.html>. "The freedom to debate and discuss ideas does not mean that individuals may say whatever they wish, wherever they wish, or however they wish. In

The behaviors associated with Workplace Bullying are considered harassment and prohibited by law when directed at individuals due to their race, religion, gender, sexual orientation, disability, or other legally-protected attributes.<sup>9</sup> The Task Force recommends that Workplace Bullying be prohibited at Brandeis University regardless of its status under the law.

### III. GRIEVANCE PROCEDURES

The Dignity at Work Task Force recommends that faculty have access to informal as well as formal approaches to deal with Workplace Bullying. Regardless, anyone who begins to suspect they might be bullied is advised to take careful, frequent notes and to bring a colleague to any meetings with the suspected bully.

#### A. INFORMAL RESOLUTION

Every member of the Brandeis community should be encouraged to resolve issues of Workplace Bullying informally if possible.<sup>10</sup> The following informal approaches should be available to all:

Self-help: Occasionally a target or witness to Workplace Bullying may feel he or she can comfortably discuss it with the individual responsible. They may recognize, for example, that the respondent does not know that their conduct is disturbing.

Unit Heads: In some cases it may be helpful to speak with a Dean, Department Chair, or Director of a Center or Institute (though this would evidently be impossible if the bully is that person.)<sup>11</sup> As noted in Section II, these unit heads should be responsible for pro-actively preventing Workplace Bullying, protecting targets, and reporting such concerns to the Office of Diversity, Equity, and Inclusion. Unit heads should respond promptly, respectfully, and compassionately to expressions of concern and should protect the confidentiality of such reports. The University should ensure that unit heads have a source of expert advice on appropriate managerial strategies.

Office of the Ombuds: The Brandeis University Ombuds provide confidential support to targets or witnesses of Workplace Bullying: they do not report to any campus official unless there is imminent danger of harm. The Ombuds also provide information about the nature of Workplace Bullying, the extent to which such conduct violates a target's rights, options for addressing such conduct, and referrals to sources for support and advice. Speaking with the Ombuds could also help the Ombuds identify a pattern, a service that is highly valued by the senior administration.

The Brandeis Ombuds, at a visitor's request, may provide informal dispute resolution services, including 'shuttle diplomacy' where disputants are not in the same room. Informal shuttle diplomacy requires both parties to be of equal status, which is typically not the case in bullying

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narrowly-defined circumstances, the university may restrict expression, as for example, that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment..."

<sup>9</sup> <https://www.brandeis.edu/humanresources/policies/index.html>

<sup>10</sup> The policies and grievance procedures examined in preparation of this document unanimously stressed the importance of informal resolution where possible.

<sup>11</sup> Field, Tim (2009). *Bully in Sight: How to Predict, Resist, Challenge, and Combat Workplace Bullying*. (Success Unlimited: Great Britain).

situations. Dispute resolution procedures in bullying cases often trigger re-traumatization. Coaching and support resources for an individual who has been bullied may be the best service the Ombuds Office can offer during such a difficult time.

Human Resources: Speaking with an employee relations specialist in Human Resources may help to identify and implement a suitable informal solution. This option is only recommended under an administration that demonstrates an active commitment to setting and enforcing high standards for conduct.

## **B. FORMAL COMPLAINTS**

The Task Force recommends that the Faculty Senate delegate the adjudication of formal complaints of Workplace Bullying to a new standing committee, the Dignity at Work Committee.

### ***1. Dignity at Work Committee***

The Dignity at Work Committee would be responsible for investigating and adjudicating formal complaints about Workplace Bullying in which a faculty member is either complainant or respondent. For a complaint to be considered the most recent event should have occurred no more than three years previously. For substantiated cases the committee would also be responsible for recommending consequences for the respondent and restorative measures for the complainant.

Membership: The Dignity at Work Committee should have nine members:

- Six faculty members: One from each division with A&S plus one each from Heller and IBS
- VP Diversity, Equity, and Inclusion or his/her representative
- Representative for staff selected by BUSAC
- A representative for graduate students appointed by the Dean of GSAS.<sup>12</sup>

The Dignity at Work Committee should actively consult Brandeis University Counsel.

Appointment process: The Faculty Senate Council will appoint members of the Dignity at Work Committee. The Council should actively encourage the nomination or self-nomination of any faculty member who has voting rights at Faculty Meetings. In appointing members, the Faculty Senate should strive for maximum diversity in terms of contract/T-TT/research, race, gender, age, etc. Faculty members of the Dignity at Work Committee should have at least a half-time university appointment during the previous two years. In general, members should be appointed for three-year terms, though this may need to be adjusted to achieve staggered terms or to accommodate faculty contracts.

Training: All members of the Dignity at Work Committee should receive at least one full day of formal training on Workplace Bullying from experts in the area.<sup>13</sup>

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<sup>12</sup> To avoid burdening graduate students themselves the graduate-student representative could be an administrator.

<sup>13</sup> E.g., Loreleigh Keashley (<https://comm.wayne.edu/profile/ad8889>), or ELI Incorporated (<https://www.eliinc.com/>).

Right to information: Members of the Dignity at Work Committee should have the right to all relevant information held at or by the University about the individuals involved in the case, so long as the information is not legally sealed. Relevant information includes, but is not limited to: HR records, student evaluations, and unsealed records of any legal past proceedings past or present involving faculty in the case.

Professional protection: Decisions of the Dignity at Work Committee should have no bearing on the committee members' professional responsibilities, perquisites of employment, re-appointments, promotions, etc.

Annual report from VP Diversity, Equity, and Inclusion: The Dignity at Work Committee and the Faculty Senate should receive an annual report from the VP Diversity, Equity, and Inclusion on the level and trends in reported Workplace Bullying on campus. The report will be disaggregated by school and by Division within Arts and Sciences.

Administrative support: The Dignity at Work Committee should be provided with administrative support in scheduling and in recording the proceedings of critical meetings.

## ***2. Responsibilities of Participants in Formal Complaints***

Anyone involved in a formal complaint should be held responsible for the following:

Protecting confidentiality: The confidentiality of all parties should be strictly respected within procedural and legal limits. Information should be shared only on a need-to-know basis.

Respondent rights: Respondents have the right to confidentiality; the right to impartiality among Dignity at Work Adjudication Panel members; the right to share their perspective on the events and to present exculpatory evidence; the right to advice and support from the Ombuds.

Protection from retaliation: Retaliation against complainants, respondents, or witnesses is illegal. Unit heads should pro-actively protect all concerned from retaliation.

Prompt action: Complainants and respondents both have a right to prompt and respectful resolution of Workplace Bullying concerns. In addition, addressing aggression at the earliest possible opportunity protects the University.

## ***3. Case-specific Adjudication Panels***

Each complaint regarding Workplace Bullying should be handled by a Dignity at Work Adjudication Panel of three members appointed by the Dignity at Work Committee Chair. Having three members should provide multiple views and ensure a clear outcome while minimizing risks to confidentiality.

The Adjudication Panel should be appointed promptly, ideally within ten days of receiving a signed complaint. Care should be taken to avoid members with potential conflicts of interest in a given case. Composition of the Adjudication Panel should depend on the case:

- Three faculty members for faculty-faculty concerns
- One faculty member, the graduate-student representative, and the ODEI representative for student-faculty concerns



- One faculty member, the staff representative, and the ODEI representative for staff-faculty concerns.

If staff or administrators are not involved in the case, the DEI representative becomes a consultant to the Adjudication Panel. The Office of Legal Counsel should be consulted on all cases.

One member of the Adjudication Panel will be responsible for communication with the complainant(s) and respondent(s). Specifically, this person is entrusted with ensuring that both parties feel respected and that are comfortable that the process is fair and transparent.

One other member of the Adjudication Panel will handle the investigation, working as a team with a Brandeis University investigator with deep knowledge of Workplace Bullying.

All members of the Brandeis University community should be required to cooperate with Dignity at Work Adjudication Panels and forbidden to retaliate.

#### ***4. Adjudication***

The Dignity at Work Adjudication Panel should be responsible for deciding whether the complainant's concerns are justified based on the evidence gathered through the investigation. This assessment will be made with reference to the Faculty Senate's *Report on the Nature and Consequences of Workplace Bullying*.<sup>14</sup> Upon completion of its work the Adjudication Panel should label each specific complaint as fitting one of the following three outcomes:

Insufficient evidence: If the investigation proves inconclusive due to a lack of evidence the parties should be informed that a thorough investigation was conducted and was inconclusive.

Unsubstantiated complaints: If the Adjudication Panel finds that the complaint is unsubstantiated, then no further inquiry is necessary. The case will be considered closed unless the decision is appealed.

Substantiated complaints: Recommendations should include consequences for respondents and protective and/ or compensatory measures for complainants.

#### ***5. Consequences and Compensatory Measures***

For substantiated complaints the Dignity at Work Adjudication Panel should recommend consequences for respondents and compensatory measures for complainants.

Consequences should be of increasing intensity depending on the severity of the aggression and on the respondent's history. Initial consequences should stress education and behavior modification; subsequent consequences should include adverse consequences to deter future misconduct.

Consequences for respondents may include, but are not limited to:

- Ongoing monitoring
- Mandated counseling or coaching
- Anger management training

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<sup>14</sup> <https://www.brandeis.edu/faculty-senate/pdfs/nature-and-consequences-of-workplace-bullying.pdf>

- Loss of responsibility in general
- Separation of parties
- Removal of laboratory space
- Cessation of any authority over the complainant (an outcome that should generally *not* be achieved by moving or demoting the complainant)
- Removal of pay increases or salary supplements including summer research support
- Removal of an endowed chair or a specific title
- Denial of access to university research funds
- Recommendation for dismissal in a manner consistent with the *Faculty Handbook* or University policies.

### **6. Additional Procedural Details**

The Dignity at Work Committee will develop all additional protocols required for its work.

## **C. APPEALS**

Appeals of Committee adjudication decisions are brought first to the Committee on Faculty Rights and Responsibilities. The sole grounds for appeal are procedural errors that materially affect the decision. A party may further appeal, on the same grounds, to the President, whose decision is final.

## **IV. PREVENTING WORKPLACE BULLYING**

The prevention of Workplace Bullying is no less important than having effective grievance procedures. Researchers stress that prevention requires a pro-active commitment by management to a culture that demands respectful conduct at all times. “[A]n anti-bullying policy is not just about catching bullies, it’s about fostering a climate of dignity and respect”<sup>15, 16</sup> We complete this proposal by outlining three sets of recommended practices that would

- Hold campus leaders held accountable for modeling and promoting respectful behavior and for enforcing community standards when misconduct occurs
- Educate the community about the nature and consequences of Workplace Bullying.
- Monitor the campus climate and evaluating the success of policies to promote workplace dignity.

We hope and trust that the Administration will move forward expeditiously with preventative measures and look forward to supporting that effort.

### **A. EDUCATING THE COMMUNITY**

It is important to educate the community about the nature and consequences of Workplace Bullying. Targets often do not recognize the nature of the treatment they experience and

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<sup>15</sup> Field (1996), *op. cit.*, p. 336.

<sup>16</sup> Rowe, Mary (2003). Dispute Resolution in the Nonunion Environment: An Evolution Toward Integrated Systems for Conflict Management? In S. Gleason (ed.), *Frontiers in Dispute Resolution in Labor Relations and Human Resources* (East Lansing: Michigan State University Press), pp. 79–106.

tolerate adverse treatment far too long; bystanders do not recognize the importance of speaking up to remind those engaging in inappropriate behavior of University values.

The Task Force recommends:<sup>17</sup>

Easy accessibility of information on Workplace Bullying through the Brandeis website.

Regular reminders for existing faculty: HR's annual reviews of policies on harassment and Title IX should be expanded to cover Workplace Bullying. This training should include some discussion of constructive bystander responses.

Mandatory training on Workplace Bullying for all new faculty:<sup>18</sup> HR's new-faculty orientation program should likewise be expanded to cover Workplace Bullying. This training should include some discussion of constructive bystander responses.

Mandatory training for unit heads:<sup>19</sup> All unit heads should be trained to understand the nature and costs of Workplace Bullying as well as University policies and procedures for addressing grievances. Finally, unit heads should be trained in recommended practices for responding to reports of Workplace Bullying and recommended practices for preventing such conduct. This education should be received before beginning these responsibilities or soon after doing so.

In addition, all unit heads should learn recommended practices for creating a collaborative and mutually respectful workplace culture. "Higher education ... is a knowledge based culture [in which] the days of because-I-said-so management are gone. [Employees are] motivated and inspired not so much directed and demeaned into submission."<sup>20</sup> Training should be in-person and involve active learning. A simple on-line questionnaire would not be sufficient.

Mandatory training on Workplace Bullying for search committees: Members of search committees for full-time faculty members, department chairs, heads of centers or institutes, or members of the senior administration should be familiar with the nature and costs of Workplace Bullying. They should also be provided with strategies for detecting tendencies towards bullying, because experts recommend that search committees "[t]ry to recognize potential bullies in the interview process."<sup>21,22</sup>

## **B. MONITORING CONDITIONS ON CAMPUS**

The Brandeis University Administration needs information about the nature and extent of Workplace Bullying to address it wisely. The Task Force recommends the following pro-active approaches to gathering information:

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<sup>17</sup> This section draws heavily on many sources, including Twale and De Luca (2008), *op. cit.*, pp. 153-162; and Namie and Namie (2011), *op. cit.*, p. 148.

<sup>18</sup> Curry, Lynne (2016), *Beating the Workplace Bully: A Tactical Guide to Taking Charge* (U.S.A.: American Management Association), p. 213.

<sup>19</sup> See Namie and Namie (2011), *op. cit.*, pp. 150-151.

<sup>20</sup> Hollis, Leah P. (2012). *Bully in the Ivory Tower: How Aggression & Incivility Erode American Higher Education*. (PatriciaBerkly), p. 127.

<sup>21</sup> Hollis (2012), *op. cit.*, p. 114.

<sup>22</sup> Namie and Namie (2011), *op. cit.*, p. 150.

Periodic climate surveys<sup>23</sup>The Dignity at Work Task Force commends the current Administration for conducting rigorous University-wide climate surveys. We recommend that these surveys include questions on Workplace Bullying, as is currently planned. We also recommend that climate surveys be carried out every two or three years for individual units. This would enable Senior Administrators to monitor the success of unit heads in ensuring that conduct is consistently respectful.

A confidential reporting line: The Dignity at Work Task Force commends the current Administration for creating this line and encourages the Administration to bring it to the faculty's attention periodically.

Mandatory reporting: Unit heads should be required to report all observations of, or complaints about Workplace Bullying by or towards faculty to the VP Diversity, Equity, and Inclusion. This VP will file an annual report with the Chair of the Faculty Senate and with the Dignity at Work Committee.

Ombuds: The Dignity at Work Task Force commends the current Administration for creating the Office of the Ombuds. We recommend, however, that all Ombuds be explicitly trained to understand and identify Workplace Bullying and to be familiar with options for addressing it. Among the biggest challenges facing targets is their lack of familiarity with the problem and with appropriate responses. Ideally the Ombuds will provide confidential support and coaching and help targets find appropriate resources. Finally, an Ombuds can provide senior management with qualitative information that could be difficult to access.

360-degree evaluations of unit heads and senior administrators:<sup>24</sup> These should occur within three years of the individual taking the position and no less frequently than every three years thereafter.

Stay interviews:<sup>25</sup> Existing faculty and staff should periodically be asked in-person and in confidence by their direct supervisor about sources of satisfaction and dissatisfaction at work.

Exit interviews:<sup>26</sup> All employees that depart voluntarily should be interviewed about sources of satisfaction and dissatisfaction at work by the VP Diversity, Equity, and Inclusion or his/her representative.

### **C. LEADERS MUST BE HELD ACCOUNTABLE FOR PROMOTING DIGNITY AT WORK**

Experts recommend that an institution's leaders, from the President on down, be held responsible for promoting a culture of mutual respect and collaboration and for protecting community members' safety and dignity.<sup>27</sup> Aggression, like all workplace troubles, should be managed promptly and firmly because "[i]gnoring problems, covering them up, passing them

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<sup>23</sup> Hollis (2012), *op. cit.*, p. 119; Namie and Namie (2011), *op. cit.*, pp. 119-120; Field, Tim (2009), *op. cit.*, p. 201.

<sup>24</sup> Hollis (2012), *op. cit.*, p. 118; Curry (2016), p. 214.

<sup>25</sup> <https://www.thebalance.com/stay-interview-questions-2062107>

<sup>26</sup> Field (1996), *op. cit.*, p. 337; <https://www.thebalance.com/perform-exit-interviews-1919341>

<sup>27</sup> This section draws on Namie, Gary, and Ruth F. Namie (2011). *Bully in the Workplace: Stock Jerks, Weasels, and Snakes from Killing Your Organization* (John Wiley & Sons, Inc.; Hoboken, NJ), pp. 149-150.

on to subordinates and replacements, or losing them through the committee process ... spawns more problems.”<sup>28</sup>

### **1. Unit Heads**

Academic Deans, Department Chairs, Program Directors, and the Directors of Centers and Institutes should be accountable for setting and enforcing high standards for workplace conduct. Recommended practices for academic unit heads include:

- Explicitly endorsing and disseminating University and Faculty conduct standards
- Demonstrating those standards consistently in their own conduct
- Intervening promptly when they become aware of Workplace Bullying
- Treating anyone involved with compassion and respect
- Holding such matters in strict confidence
- Carrying out a process that is transparent and fair for all involved. Before any judgment respondents should be provided full information about the allegations and allowed to present their perspective and supporting evidence with respect to the allegations.
- Protecting all concerned from retaliation
- Reporting all allegations of Workplace Bullying involving faculty to the Office of Diversity, Equity, and Inclusion.

These are challenging responsibilities for which faculty members do not at present receive explicit training. Training should be mandatory (see below) and a source of expert advice and coaching should always be available.

These responsibilities should be discussed during a unit head’s annual performance appraisal. Performance should be assessed based on formal feedback from the relevant unit, rather than self-evaluation by the unit head. No feedback is sought at present but a variety of approaches could be implemented.

If a unit head does not fulfill these responsibilities, potential consequences should include monitoring, coaching, reprimands, lower compensation, or loss of responsibility.

### **2. Faculty Members**

Faculty members have special status at Universities, and with status comes responsibility. “The power of colleagues to affect the interactions among faculty (for good or ill) is well documented in the research literature on coworker support and bullying.”<sup>29</sup> Faculty members should take the lead in fostering a work environment free from antagonistic conduct. Indeed, any failure to do so encourages the antagonist and thereby makes the faculty member complicit.

Full professors and professors of the practice should be responsible for

- Exemplifying mutual respect and a spirit of collaboration
- Intervening to stop Workplace Bullying

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<sup>28</sup> Twale, Darla J., and Barbar M. De Luca (2008). *Faculty Incivility: The Rise of the Academic Bully Culture and What to Do About It* (Jossey-Bass, San Francisco, CA). pp. 163-164.

<sup>29</sup> Keashly, L. & Neuman, J.H. (2013). Workplace Bullying and Mobbing in U.S. Higher Education. In M. Duffy and D. Yamada (Eds). *Workplace Bullying and Mobbing in the U.S.* (Praeger).

- Supporting targets
- Demonstrating that Workplace Bullying is unacceptable
- Reporting Workplace Bullying to an appropriate information center.

All other faculty should be responsible for reporting Workplace Bullying and, at a minimum, providing private support to targets. If other faculty members feel professionally safe engaging in constructive intervention they are encouraged to do so. Strategies for constructive intervention are suggested in Appendix B.

## **VI. CONCLUDING REMARKS**

The Brandeis Faculty Task Force on Dignity at Work recommends the creation of a new committee under the Faculty Senate to handle formal complaints of Workplace Bullying. This should essentially allow the Faculty Senate to delegate this responsibility to colleagues trained in recognizing bullying and investigating such claims. In short, it would professionalize the handling of such matters while retaining faculty control over faculty governance. Ideally, however, most such concerns will be addressed informally by campus leadership. This report thus recommends that leadership be held accountable for addressing such concerns promptly and respectfully and for promoting a culture of mutual respect. The report also lists recommended practices for educating the community and monitoring conditions on campus.

The Task Force recommends that these policies be reassessed three years after the Dignity at Work Committee comes into existence and every ten years thereafter.