Update on NIH Policies/Approaches to Prevent and Address Sexual Harassment

117th Meeting of the Advisory Committee to the Director

December 13, 2018

Lawrence A. Tabak, DDS, PhD
Principal Deputy Director, NIH

Hannah A. Valantine, MD
Chief Officer for Scientific Workforce Diversity and Diversity Working Group Co-chair

Carrie D. Wolinetz, PhD
Associate Director for Science Policy and Acting Chief of Staff to the NIH Director
NIH Internal Anti-Harassment Launch

OVERSIGHT
NIH Anti-Harassment Steering Committee

POLICIES
Anti-Harassment Manual
Chapter & Relationship Policy Statement

TOOLS & RESOURCES
Hotline, Webform, Training, Education, and Additional Resources

PROGRAM
NIH Civil Program Expansion Updates

TIMELINE & COMMUNICATIONS
Anti-Harassment Program Launch Timeline and Campaign
NIH Internal Anti-Harassment Launch

TOOLS
Hotline, Webform, And Web Enhancements

HOTLINE
• 1-800 number for anonymous and non-anonymous allegation reporting has been established.
• Hotline Call Center staff materials include greetings, scripts, and call center representative guidebook.

WEBFORM
• The allegation reporting Webform, which supports anonymous & non-anonymous reports, established.
• Information about how to access the webform widely disseminated across print and digital platforms

WEB ENHANCEMENTS
• New Civil webpage banner for consistent brand messaging published
• Webpage button will be placed across all Civil partner websites
NIH Internal Anti-Harassment Launch

**TRAINING**
- Anti-Harassment campaign launch video
- Updated Prevention of Sexual Harassment (POSH) Training release scheduled for Winter 2019. New version will replace the current POSH and No Fear training, with the goal of all NIH completing the new training once released

**EDUCATION**
- Posters, brochures, and other outreach materials will be distributed across all NIH facilities
- ‘Micro-Burst’ learning videos posted on the enhanced Civil website, in addition to other educational content
- Various in-person and virtual town-hall events

**ADDITIONAL RESOURCES**
- Role-based toolkits
- Quarterly training provided by Civil Staff during the ER101 and ER201 training seminars
- Customized Anti-Harassment / Civil training sessions by request

**RESOURCES**
Training, Education, And Resources
ANTI-Sexual Harassment

For NIH Awardee Organizations and Those Who Work There

NIH expects all members of the NIH community to comply with laws, regulations, and policies protecting the rights and safety of individuals working on NIH-funded projects. Receipts of NIH funding are required also to comply with applicable federal civil rights and regulations, as outlined in the NIH Grants Policy Statement (NIH GPS), as a term condition of award. NIH also expects awardee organizations to:

- develop and implement policies and practices that foster a harassment-free environment;
- maintain clear, unambiguous professional codes of conduct;
- ensure staff are fully aware and regularly reminded of applicable laws, regulations, policies, and codes of conduct;
- provide a mechanism to report sexual harassment, provide protection from retaliation, respond promptly to allegations of harassment, take appropriate sanctions, and inform NIH of administrative actions or other circumstances that change the safety or condition of personnel on an NIH award.

Please visit the NIH Office of Extramural Research Anti-Sexual Harassment website for comprehensive information. For assistance or questions, please contact NIH's Office of Extramural Research.

Anti-Sexual Harassment

NIH's Commitment

The National Institutes of Health (NIH) is committed to supporting a safe and respectful work environment that is free from harassment. Employees are expected to comply with all applicable laws, regulations, and policies that prohibit harassment. Harassment can take many forms, including but not limited to:

- Verbal or written threats, ridicule, or embarrassment
- Physical contact or touch
- Exclusion from activities or opportunities
- Sexual advances or requests

NIH's Expectations and Requirements

As a recipient of NIH funding, NIH expects all organizations and individuals to:

- Develop and implement policies and procedures to prevent sexual harassment;
- Comply with all applicable laws, regulations, and policies;
- Ensure employees are fully aware of and regularly reminded of applicable laws, regulations, and codes of conduct;
- Provide an accessible, effective, and easy process to report sexual harassment.

NIH encourages the development of resources and tools to help individuals recognize and report sexual harassment, and offers training and support to help organizations prevent and address harassment in the workplace.
NIH Approach to Address Sexual Harassment in Extramural Community

- For NIH extramural community, we cannot:
  - Ask questions that don’t directly pertain to NIH-funded work
  - Unilaterally debar or suspend an investigator or an institution

- However, we can:
  - Audit for compliance; request information on policies/processes
  - Raise concerns for specific concerns linked to NIH-funded work
  - Remove PI from the award; suspend activities; specific award conditions
“Our goal is to create a paradigm shift in the scientific culture wherever NIH research activities take place to eliminate sexual harassment and enhance women’s contributions to scientific advancements. In the future, we will encourage NIH-funded institutions to administer the survey to their researchers to gather a systematic national assessment that will inform data-driven, coordinated initiatives to prevent sexual harassment across the biomedical research enterprise.”
Thanks to the Members of the Anti-Harassment Steering Committee

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Lawrence Tabak</td>
<td>Principal Deputy Director, NIH</td>
</tr>
<tr>
<td>Dr. Alfred Johnson</td>
<td>Deputy Director For Management</td>
</tr>
<tr>
<td>Dr. Michael Gottesman</td>
<td>Deputy Director, IRP</td>
</tr>
<tr>
<td>Dr. Michael Lauer</td>
<td>Deputy Director, ERP</td>
</tr>
<tr>
<td>Dr. Hannah Valantine</td>
<td>Chief Officer, Office of Scientific Workforce Diversity</td>
</tr>
<tr>
<td>Dr. Charlene Le Fauve</td>
<td>Senior Advisor, Office of Scientific Workforce Diversity</td>
</tr>
<tr>
<td>Ms. Camille Hoover</td>
<td>Executive Officer, NIDDK</td>
</tr>
<tr>
<td>Ms. Joellen Austin</td>
<td>Executive Officer, NIDA</td>
</tr>
<tr>
<td>Dr. Sharon Milgram</td>
<td>Director, OITE</td>
</tr>
<tr>
<td>Dr. Julie Segre</td>
<td>Senior Investigator, NHGRI, and WSA Rep.</td>
</tr>
<tr>
<td>Dr. Kelly Ten Hagen</td>
<td>Senior Investigator, NIDCR, and WSA Rep.</td>
</tr>
<tr>
<td>Dr. Roland Owens</td>
<td>Director, Research Workforce Development, OD</td>
</tr>
<tr>
<td>Dr. Jeffrey Cohen</td>
<td>Senior Investigator, NIAID, and AOS Rep.</td>
</tr>
<tr>
<td>Dr. Allison Nugent</td>
<td>Principal Investigator, NIMH, and AOS Rep.</td>
</tr>
<tr>
<td>Ms. Julie Broussard Berko</td>
<td>Director, OHR</td>
</tr>
<tr>
<td>Dr. Kathleen Moore</td>
<td>Director, Office of the Ombudsman</td>
</tr>
<tr>
<td>Ms. Beth Ilana Chandler</td>
<td>Deputy Director, OHR</td>
</tr>
<tr>
<td>Ms. Debra Chew</td>
<td>Director, EDI</td>
</tr>
<tr>
<td>Ms. Treava Hopkins-Laboy</td>
<td>Deputy Director, EDI</td>
</tr>
<tr>
<td>Ms. Jessica Hawkins</td>
<td>Supervisor, NIH Civil Program</td>
</tr>
<tr>
<td>Mr. John Burklow</td>
<td>Associate Director, OCPL</td>
</tr>
<tr>
<td>Ms. Renate Myles</td>
<td>Deputy Director, OCPL</td>
</tr>
<tr>
<td>Ms. Amanda Fine</td>
<td>Public Affairs Specialist, OCPL</td>
</tr>
<tr>
<td>Dr. Janet Clark</td>
<td>Director, Fellowship Training, NIMH, and WSA Rep.</td>
</tr>
<tr>
<td>Dr. Lori Conlan</td>
<td>Director, OPS / Career Services Center</td>
</tr>
<tr>
<td>Dr. Anna Han</td>
<td>Chief, Customer Outreach and Employee Development Branch, EDI</td>
</tr>
<tr>
<td>Dr. Carl Hashimoto</td>
<td>Senior Advisor, Faculty Development</td>
</tr>
<tr>
<td>Dr. Nicole Garbarini</td>
<td>Special Assistant to the NIH Principal Deputy Director, NIH</td>
</tr>
<tr>
<td>Dr. Karyl Barron</td>
<td>Deputy Director, DIR, NIAID</td>
</tr>
<tr>
<td>Dr. Swati Choksi</td>
<td>Staff Scientist, NCI, and AOS Rep.</td>
</tr>
<tr>
<td>Dr. Debra Phil</td>
<td>Director, Office of Education, NIDCR</td>
</tr>
<tr>
<td>Ms. Eva Chen</td>
<td>Manager, Employee Assistance Program</td>
</tr>
</tbody>
</table>

32 Committee Members
8 Institutes/Centers
OD, NIDDK, NIDA, NHGRI, NIDCR, NIAID, NIMH, NCI
14 Stakeholder Groups Represented
Subcommittee on Workplace Climate and Harassment Survey Design

Hannah Valantine, MD
NIH Chief Officer for Scientific Workforce Diversity

M. Roy Wilson, MD
President, Wayne State University

117th NIH ACD Meeting | December 13, 2018
• Understanding NIH workplace climate an important step to preventing harassment
  • The survey is an important component of NIH’s Anti-Harassment program

• Developed by experts on survey design
  • Designed to be confidential and anonymous
  • All-personnel survey - administered by outside contractor January 2019

• NIH staff and contractors encouraged to take the survey, even if they have not experienced harassment
NIH Workplace Climate and Harassment Survey

Goals

• Assess NIH workplace climate
• Not a reporting tool
• Identify potential elements of NIH organizational climate associated with sexual harassment for intervention
• Determine impact of sexual harassment on career choices
• Measure outcomes of sexual harassment (job, psychological)
NIH Workplace Climate and Harassment Survey Design
Subcommittee of ACD Working Group on Diversity

Subcommittee input

• Models for assessing and tracking sexual-harassment behaviors
• Constructs for questionnaire development
• Question wordings for clarity of meaning
• Response options - quantitative vs qualitative
• Pilot pre-testing of wordings and response options
• Cognitive pretesting of questionnaire

Subcommittee’s proposed input shared with ACD Working Group on Diversity
Survey Design Conceptual Framework

Organizational Climate
- Perception of equity
- Perceived support
- Tolerance for sexual harassment

Job Gender Context
- Proportion of men and women
- Job - Masculinity, femininity
- Gender of supervisor

Sexual Harassment

Non-Sexual Harassment/Workplace Harassment

Job Outcomes
- Job satisfaction
- Job withdrawal
- Work burnout

Psychological Outcomes
- Depression, anxiety
- Safety
- General mental health

Fitzgerald, Drasgow, Hulin, Gelfand, Magley (1997)
Advice from NIH ACD with assistance from its WGD Workplace Climate and Harassment Subcommittee

Oversight: Trans-NIH Working Group on Workplace Climate and Harassment

*Could extend based on response rate or for stratified sampling
Changing the Culture of Science to Maximize Talent and End Harassment

Carrie D. Wolinetz, Ph.D.
Associate Director for Science Policy and Acting Chief of Staff to the NIH Director
National Institutes of Health

ACD Meeting, December 13, 2018
NASEM report has fundamentally changed the conversation in a way that is long overdue...
“Sexual harassment is about power. The goal of the perpetrator, most commonly but not exclusively a man, is to objectify, exclude, demoralize, diminish, and coerce the victim, most commonly a woman, to exert power over her. It’s morally indefensible, it’s unacceptable, and it presents a major obstacle that is keeping women from achieving their rightful place in science... It is clear we must do more to change the fundamental culture of our organizations. ” -Dr. Francis Collins, NIH Director
..the cumulative effect of sexual harassment is a significant and costly loss of talent in academic science, engineering, and medicine, which has consequences for advancing the nation’s economic and social well-being and its overall public health.

*NASEM - Committee on Women in Science, Engineering, and Medicine
“Most common in science is what the National Academies termed gender harassment, a hostile environment rife with sexist commentary and crude behavior that can negatively impact a woman’s education and career, as well as her mental and physical health.... The hierarchical nature of science can make it difficult to report and root out such behavior, with scientists-in-training often dependent on a single high-profile mentor for research funding, job recommendations and fieldwork in remote locations.”
What are the immediate actions we can take/have taken?

How do we change the culture?
NASEM report recommendations:

1. Create diverse, inclusive, and respectful environments.
2. Address the most common form of sexual harassment: gender harassment.
3. Move beyond legal compliance to address culture and climate.
4. Improve transparency and accountability.
5. Diffuse the hierarchical and dependent relationship between trainees and faculty.
6. Provide support for the target.
7. Strive for strong and diverse leadership.
8. Measure progress.
9. Incentivize change.
10. Encourage involvement of professional societies and other organizations.
11. Initiate legislative action.
12. Address the failures to meaningfully enforce Title VII’s prohibition on sex discrimination.
13. Increase federal agency action and collaboration.
14. Conduct necessary research.
15. Make the entire academic community responsible for reducing and preventing sexual harassment.
ACD Working Group on Sexual Harassment

This working group is charged to:

• assess the current state of sexual harassment allegation investigation, reporting, remediation, and disciplinary procedures at NIH-funded organizations

• advise on oversight, accountability, and reporting measures for awardee institutions, that will encourage a reduction in, and prevention of, sexual harassment in biomedical research laboratories

• propose actions and policies that would promote a safe and inclusive culture at NIH-supported research conferences

• develop strategies for encouraging research on anti-harassment policies, procedures, and training; and measures and evaluations of their effectiveness

• suggest systemwide changes to culture and climate to prevent harassment and gender discrimination through diffusion of hierarchical environments by mentoring networks and committee-based advisement, and strong and diverse leadership.
Co-chairs of the ACD Working Group on Sexual Harassment

Carrie Wolinetz (NIH)
Francis Cuss (Bristol-Myers Squibb)
Kristina Johnson (SUNY)
Members of the ACD Working Group on Sexual Harassment

- Elizabeth Adamowicz (University of Minnesota)
- Dawn Bonnell (University of Pennsylvania)
- Patti Brennan (NIH)
- Regina Joice Cordy (Wake Forest University)
- Sonia Flores (University of Colorado Denver)
- Carole Greider (Johns Hopkins Medicine)
- Megan Tobias Neely (Stanford University)
- Diane O'Dowd (University of California Irvine)
- Elizabeth Ofili (Morehouse School of Medicine)
- James Priest (Stanford University)
- Scout (The Torvus Group)
- Julie Segre (NIH)
- Norman Sharpless (NIH)
- Kelly Ten-Hagen (NIH)
- Kay M. Tye (Massachusetts Institute of Technology)
- Hannah Valantine (NIH)
- Sheldon Weinbaum* (City University of New York)

*invited
Expectations of the ACD Working Group on Sexual Harassment

• Will create opportunities to hear from stakeholders across the enterprise

• Produce preliminary findings and recommendations no later than June of 2019

• Produce final report and additional recommendations within one year.
Ending sexual harassment is a collective responsibility!

“To transform a culture from being one of disrespect and derision to be a culture of respect, everyone needs to know where the problems are and what the flaws are so that everybody can be working on it,” - Lilia Cortina

Want To End Sexual Harassment? Landmark Study Finds Ousting ‘Bad Men’ Isn’t Enough

The most potent predictor of sexual misconduct goes beyond individual perpetrators

June 16, 2018
Final (or preliminary) observations

• The disservice of limiting this effort purely to solving the problem of harassment (sexual or other) vs. culture change
  • “A system-wide change to the culture and climate in higher education is needed to prevent and effectively respond to sexual harassment…” - NASEM

• What is the role of NIH in incentivizing culture change?
  • “Four factors increase the likelihood that women in academic sciences, engineering, and medicine will be targeted with sexual harassment: male-dominated work settings; hierarchies that concentrate power in individuals and make students, junior faculty, and others dependent on them for funding, research direction, mentorship, and career advancement; symbolic legal compliance policies and procedures that are ineffective at preventing harassment; and uninformed leadership at all levels lacking the tools, intention, and/or focus needed to undertake the key actions necessary to reduce and prevent sexual harassment.” - NASEM
Final (or preliminary) observations

• Early pipeline solutions are necessary but insufficient

• Cannot avoid difficult conversations or honest introspection as a scientific community
  • Discomfort should not be an excuse to confronting real problems
  • Tolerance of bad behavior in those perceived as good scientists
We can do better.
We must do better.