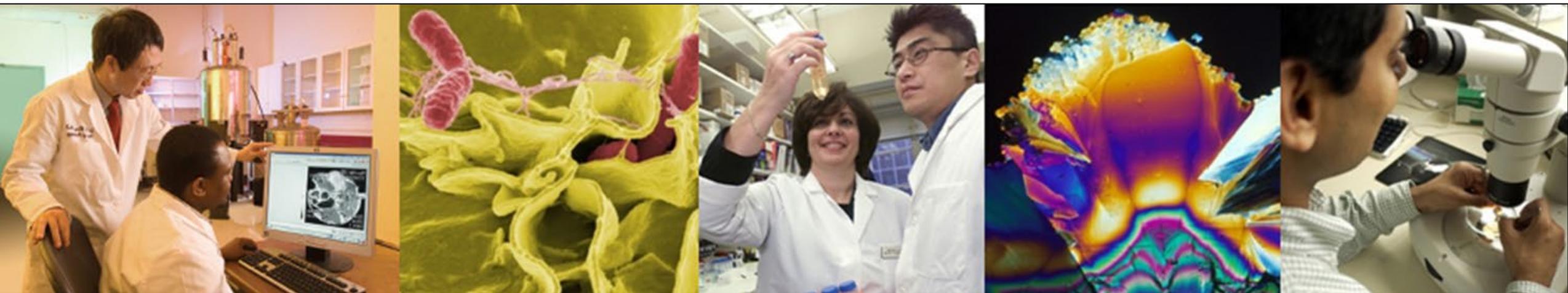# Update on NIH Policies/Approaches to Prevent and Address Sexual Harassment

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
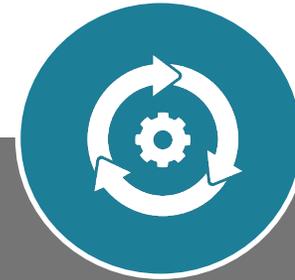
NIH Anti-Harassment Steering Committee

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

RESOURCES

Training, Education, And Resources

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

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ANTI-SEXUAL HARASSMENT

Anti-Sexual Harassment

For NIH Staff

For NIH Awardee Organizations

Laws and Regulations

Frequently Asked Questions

The National Institutes of Health (NIH) does not tolerate pervasive or severe harassment of any kind, including sexual harassment, whether it is within the agency, at research organizations that receive NIH funding, or anywhere else NIH-funded activities are conducted. Only in safe and respectful work environments can individuals achieve their greatest potential and carry out the important work that supports the NIH mission. To foster a work environment free from sexual harassment, NIH is bolstering policies, guidelines, requirements, and communications to make our expectations clear to the NIH workforce and NIH-funded organizations, and to take appropriate actions within our authority. We also want to ensure that individuals know their rights, where to report incidents of sexual harassment, and the resources available to them.

NIH strongly encourages people to report allegations of sexual harassment or assault to the appropriate authorities, which may include your local police department or your organization/institution equal employment opportunity (EEO) or human resources offices.

For specific information, see the answer to frequently-asked question #2.

Important Contacts

For NIH Staff:

- NIH Civil Program
- Employee Assistance Program
- Office of Equity, Diversity and Inclusion
- Office of the Ombudsman

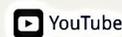**For NIH Awardees:**

- NIH Office of Extramural Research

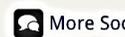# NIH — National Institutes of Health | Grants & Funding
Office of Extramural Research — NIH's Central Resource for Grants and Funding Information

HOME | **ABOUT GRANTS** | **FUNDING** | **POLICY & COMPLIANCE** | **NEWS & EVENTS** | **ABOUT OER**

Home » Policy & Compliance » Anti-Sexual Harassment

Policy & Compliance
NIH Grants Policy Statement
Notices of Policy Changes
Compliance & Oversight
Select Policy Topics
Anti-Sexual Harassment
Animal Welfare
Application Submission Policies
Clinical Trial Requirements+
Early Stage and Early Established Investigator Policies
Financial Conflict of Interest
Human Subjects Research
Intellectual Property Policy
Lobbying Guidance for Grantee Activities
NIH Funding Strategies
Peer Review Policies and Practices
Public Access
Research Integrity
Rigor and Reproducibility +
Sharing Policies

Anti-Sexual Harassment

Learn about NIH's commitment to supporting a safe and respectful work environment, who to contact with questions or concerns, and what NIH's expectations are for institutions and the individuals supported on NIH-funded awards.

NIH's Commitment

The National Institutes of Health (NIH) is committed to doing its part to support a safe and respectful work environment across the entire biomedical research enterprise. NIH does not tolerate harassment of any kind, including sexual harassment at research institutions that receive NIH funding, or anywhere NIH-funded activities are conducted. NIH is dedicating time and resources to diligently bolster our systems and policies to identify, report, and address allegations of harassment, including sexual and gender harassment.

NIH's Expectations and Requirements

NIH, as funders of research institutions, requires that every organization receiving NIH funds:

- has systems, policies, and procedures in place to manage research activities in accordance with our standards and requirements
- complies with federal laws, regulations, and policies protecting the rights and safety of individuals working on NIH-funded projects

NIH expects that institutions:

- develop and implement policies and practices that foster a harassment-free environment;
- maintain clear, unambiguous professional codes of conduct;
- ensure employees are fully aware and regularly reminded of applicable laws, regulations, policies, and codes of conduct;
- provide an accessible, effective, and easy process to report sexual harassment, and provide protection from retaliation;
- respond promptly to allegations to ensure the immediate safety for all involved, investigate the allegations, and take appropriate sanctions; and
- inform NIH of administrative actions that removes senior/key personnel on an NIH award.

NIH encourages organizations receiving NIH funds to have in place similarly rigorous policies and related procedures for their employees, contractors, trainees, and fellows who engage in agency-funded activities as NIH's policies and procedures for Preventing and Addressing Harassment and Inappropriate Conduct and NIH's policy on Personal Relationships in the Workplace.

Important Contacts

- **Individuals with questions, concerns or complaints related to any of the civil rights laws** are encouraged to contact the U.S. Department of Health and Human Services Office for Civil Rights (OCR).

- **Individuals at institutions receiving NIH grant awards** can also contact local designated officials responsible for assisting individuals with civil rights concerns, questions and resources, for example, within the institution's Equal Employment Opportunity Office. Individuals with concerns that an NIH-funded project has been affected by sexual harassment may also contact the NIH directly at GrantsPolicy@od.nih.gov

- **Contact information for federal civil rights protections** can also be found on the Fact Sheet for NIH Grantees: Know Your Rights - Federal Civil Rights Protections

- **For media inquiries**, please contact either the NIH Office of Communications and Public Liaison or the NIH Office of Extramural Research.

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

FEDERAL REGISTER
The Daily Journal of the United States Government

NATIONAL ARCHIVES

Ⓝ Notice

Site Feedback

Notice of New NIH Policy Manual 1311-Preventing and Addressing Harassment and Inappropriate Conduct and New Policy Statement on Inappropriate Relationships in the Workplace

A Notice by the National Institutes of Health on 09/20/2018

PUBLISHED DOCUMENT

AGENCY:

National Institutes of Health, HHS.

DOCUMENT DETAILS

Printed version:
PDF

"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

32
Committee Members

8
Institutes/Centers

OD, NIDDK, NIDA, NHGRI, NIDCR, NIAID, NIMH, NCI

14
Stakeholder Groups Represented

Member Name	Title
Dr. Lawrence Tabak	Principal Deputy Director, NIH
Dr. Alfred Johnson	Deputy Director For Management
Dr. Michael Gottesman	Deputy Director, IRP
Dr. Michael Lauer	Deputy Director, ERP
Dr. Hannah Valantine	Chief Officer, Office of Scientific Workforce Diversity
Dr. Charlene Le Fauve	Senior Advisor, Office of Scientific Workforce Diversity
Ms. Camille Hoover	Executive Officer, NIDDK
Ms. Joellen Austin	Executive Officer, NIDA
Dr. Sharon Milgram	Director, OITE
Dr. Julie Segre	Senior Investigator, NHGRI, and WSA Rep.
Dr. Kelly Ten Hagen	Senior Investigator, NIDCR, and WSA Rep.
Dr. Roland Owens	Director, Research Workforce Development, OD
Dr. Jeffrey Cohen	Senior Investigator, NIAID, and AOS Rep.
Dr. Allison Nugent	Principal Investigator, NIMH, and AOS Rep.
Ms. Julie Broussard Berko	Director, OHR
Dr. Kathleen Moore	Director, Office of the Ombudsman

Member Name	Title
Ms. Beth Ilana Chandler	Deputy Director, OHR
Ms. Debra Chew	Director, EDI
Ms. Treava Hopkins-Laboy	Deputy Director, EDI
Ms. Jessica Hawkins	Supervisor, NIH Civil Program
Mr. John Burklow	Associate Director, OCPL
Ms. Renate Myles	Deputy Director, OCPL
Ms. Amanda Fine	Public Affairs Specialist, OCPL
Dr. Janet Clark	Director, Fellowship Training, NIMH, and WSA Rep.
Dr. Lori Conlan	Director, OPS / Career Services Center
Dr. Anna Han	Chief, Customer Outreach and Employee Development Branch, EDI
Dr. Carl Hashimoto	Senior Advisor, Faculty Development
Dr. Nicole Garbarini	Special Assistant to the NIH Principal Deputy Director, NIH
Dr. Karyl Barron	Deputy Director, DIR, NIAID
Dr. Swati Choksi	Staff Scientist, NCI, and AOS Rep.
Dr. Debra Philp	Director, Office of Education, NIDCR
Ms. Eva Chen	Manager, Employee Assistance Program

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

National Institutes of Health
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Understanding NIH Workplace Climate

- 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

TAKE THE SURVEY

National Institutes of Health
Turning Discovery Into Health

NIH Workplace Climate and Harassment Survey

Goals

TAKE THE SURVEY

- 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 National Institutes of Health
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NIH Workplace Climate and Harassment Survey Design
Subcommittee of ACD Working Group on Diversity

Lilia Cortina, PhD

Louise Fitzgerald, PhD

John Pryor, PhD

Jon Krosnick, PhD

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

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Survey Design Conceptual Framework

Organizational Climate

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

Job Outcomes

- Job satisfaction
- Job withdrawal
- Work burnout

Sexual Harassment

Job Gender Context

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

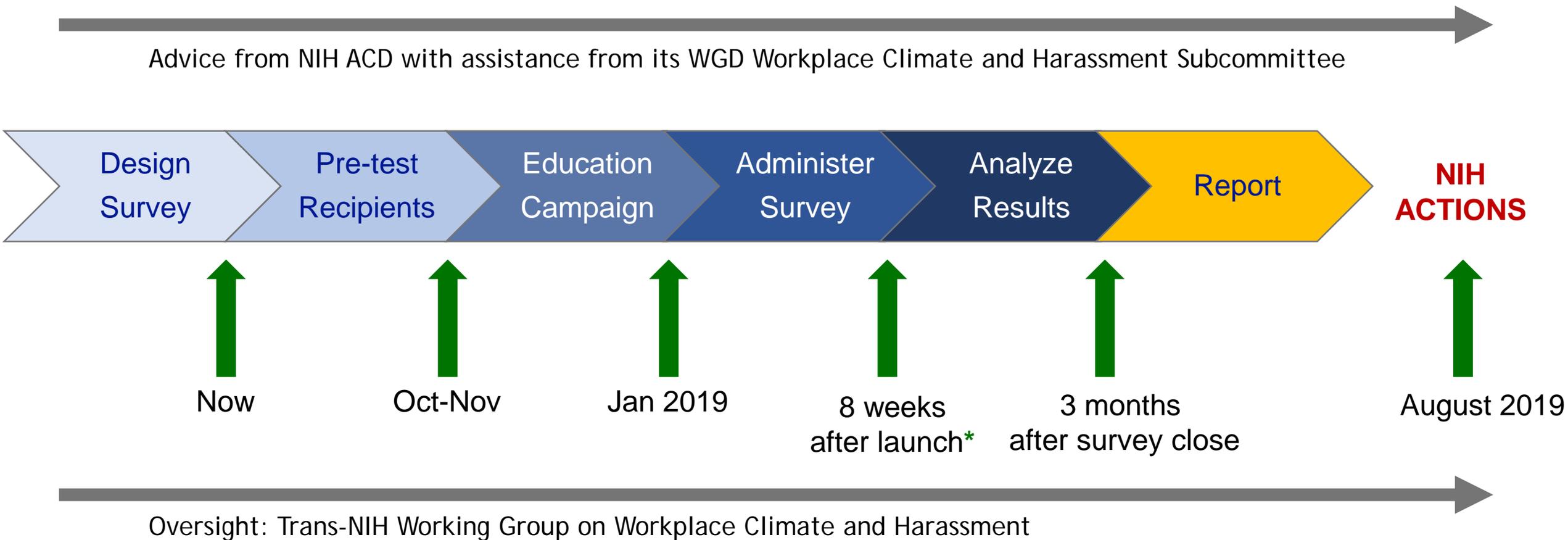**Non-Sexual Harassment/ Workplace Harassment**

Psychological Outcomes

- Depression, anxiety
- Safety
- General mental health

Fitzgerald, Drasgow, Hulin, Gelfand, Magley (1997)

National Institutes of Health
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Survey Timeline

Advice from NIH ACD with assistance from its WGD Workplace Climate and Harassment Subcommittee

Design Survey → Pre-test Recipients → Education Campaign → Administer Survey → Analyze Results → Report → **NIH ACTIONS**

Now

Oct-Nov

Jan 2019

8 weeks after launch*

3 months after survey close

August 2019

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

*Could extend based on response rate or for stratified sampling

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NASEM report has fundamentally changed the conversation in a way that is long overdue...

Bottom line: it is time for change

"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
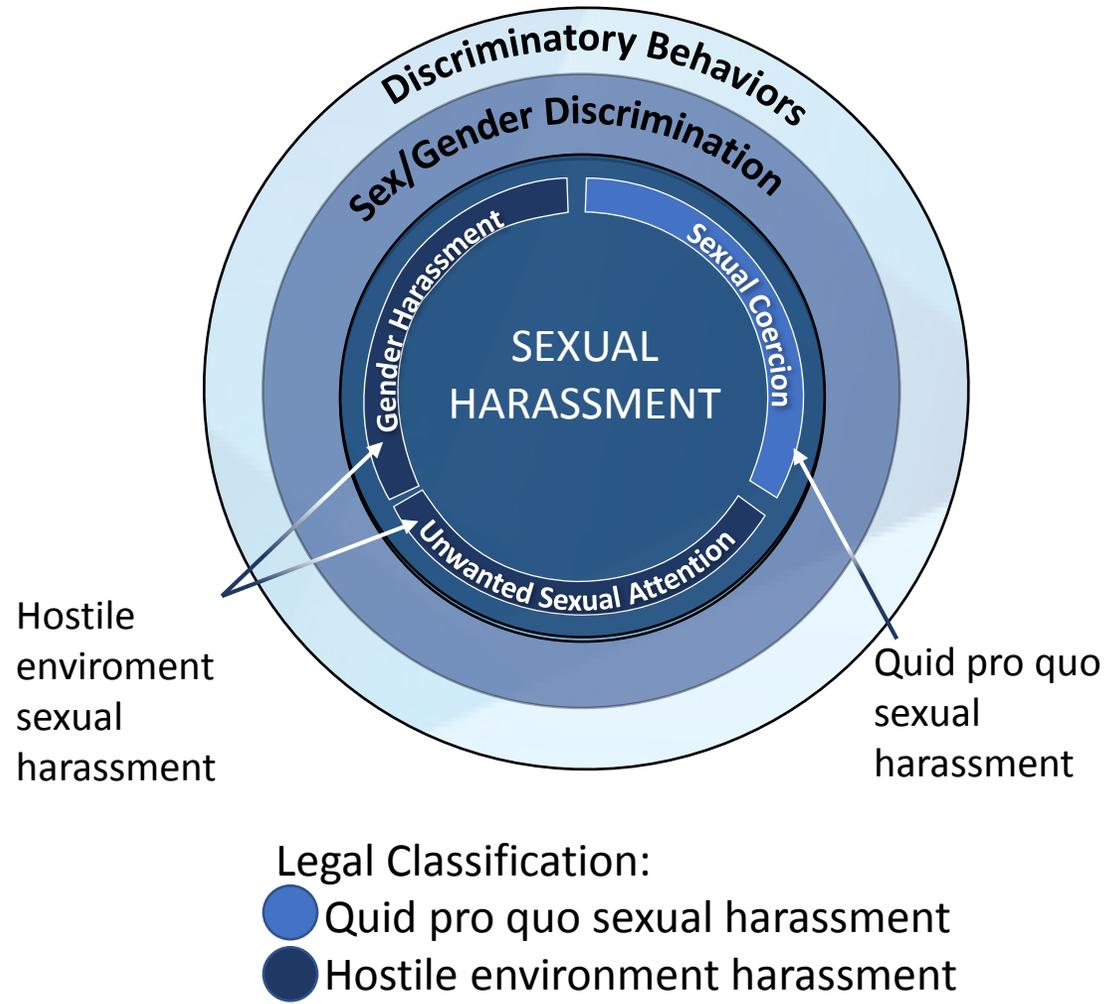
National Institutes of Health
Turning Discovery Into Health

Sexual Harassment of Women Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine

..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

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Sexual harassment is driving women away from science

Discriminatory Behaviors
Sex/Gender Discrimination

SEXUAL HARASSMENT

Gender Harassment
Sexual Coercion
Unwanted Sexual Attention

Hostile enviroment sexual harassment

Quid pro quo sexual harassment

Legal Classification:
- Quid pro quo sexual harassment
- Hostile environment harassment

AP

Sexual harassment rampant in science, culture change urged

By LAURAN NEERGAARD   June 12, 2018

"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.

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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.

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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

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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.

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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

HUFFPOST

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

National Institutes of Health
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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

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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

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