

Addressing Academic Bullying

VCU Postdoctoral Association: Chelsea Sawyers (President), Melissa Maczis (Treasurer), Trevin Glasgow (Secretary), Liza Roger (Social chair).

“VCU supports diversity and fosters a climate of inclusion. Towards that end, VCU is dedicated to addressing impermissible disparities wherever they exist and pursuing opportunities to explore and create an environment of trust.”

(VCU, policy on Preventing and Responding to Discrimination)

The PDA decided to directly address academic bullying after survey results revealed some postdoctoral members of VCU were actively dealing with this problem. The information and resources provided below do not represent a “one-stop-shop” of what is available to VCU postdocs but it provides some guidance to individuals who feel they might be suffering from academic bullying. We are guided by VCU policies regarding discrimination, including:

“It is the responsibility of every member of the VCU community to foster an environment free from unlawful discrimination and harassment. All members of the VCU community are encouraged to take reasonable and prudent actions to prevent or stop unlawful discrimination and harassment, and those who do so will be supported by VCU and protected from retaliation. VCU prohibits retaliation against an individual who brings forth a good faith concern, asks a clarifying question, or participates in an investigation under this policy.*

Violations of this policy are serious offenses and may result in discipline or other administrative action, up to and including expulsion or termination. Third parties who violate this policy may be permanently barred from VCU facilities, services or subject to other restrictions”

*Policy: Preventing and Responding to Discrimination; Academic bullying or harassment fall under this policy. Last updated by the Office of Institutional Equity, Effectiveness and Success 05/07/2021. This policy can be found here: <https://equity.vcu.edu/discrimination/>

contact: equity@vcu.edu or titleix@vcu.edu phone: (804) 828-1347

Reporting forms are available online: <https://equity.vcu.edu/discrimination/>

VCU helpline also available: (888) 242-6022

Other related policy: VCU’s Threat Assessment and Violence Prevention policy and purpose <https://policy.vcu.edu/universitywide-policies/policies/threat-assessment-and-violence-prevention.html>

Important steps:

1. Identifying bullying correctly

Occupational Safety and Health Administration (OSHA) has a different name for bullying in the workplace. In 2011, it adopted the workplace anti-bullying policy which classifies this type of harassment under “*workplace violence*” or “*occupational violence*”. The policy aims to “*provide a workplace that is free from violence, harassment, intimidation, and other disruptive behavior.*”

It defines workplace violence as “*the act or threat of violence, ranging from verbal abuse to physical assaults directed towards persons at work or on duty. The impact of workplace violence can range from psychological issues to physical injury, or even death. Violence can occur in any workplace and among any type of worker [...]*”

It is important to identify bullying correctly and not “*something that will fall into the academic-freedom realm*”, says M. Mahmoudi, researcher at Michigan State University.

“*The key difference is that academics should be free to criticize ideas, [...], without fear of threat of retaliation or consequences*”

It is recommended to document the problematic behavior systematically as “*bullying often starts off quite subtly and, if unaddressed, can escalate over time*” says L. Keashly researcher at Wayne State University (MI).

Some broad examples of verbal and social forms of academic bullying:

- Threat to professional status (e.g. public professional humiliation, accusation of lack of effort and belittling);
- Threat to social status (e.g. teasing, taunting, name calling, inappropriate comments, threats);
- Isolation (e.g. withholding information, preventing access to opportunities, such as training workshops, attendance and deadlines, spreading rumors about someone, telling other lab members to not associate with someone);
- Overwork, such as setting impossible deadlines and making unnecessary disruptions.
- Destabilization (e.g. setting meaningless tasks, not giving credit where credit is due, removal from positions of authority, gaslighting).

2. Ask for help

Regardless of whether you are sure it is a bullying case or not, it is important to ask for help and support. This will also help clarify whether you are being bullied or not.

Where to go at VCU:

- Office of Institutional Equity, Effectiveness and Success (IES): equity@vcu.edu or titleix@vcu.edu phone: (804) 828-1347;
- VCU helpline: (888) 242-6022
- The Associate Vice President of Research Development (<https://research.vcu.edu/about/leadership/>);
- VCU Ombudsperson (<https://ombudsperson.vcu.edu/>): The Ombudsperson is a designated confidential and informal dispute resolution practitioner for faculty, classified staff, postdoctoral trainees and students. He/She/They is/are an advocate for fairness, independent of VCU’s normal reporting and managerial process;
- Employee assistance counseling:

- <https://hr.vcu.edu/current-employees/employee-relations/counseling-referrals/>
- VCU's Postdoctoral Association (vcupostdocs1@gmail.com);
- Peers and personal network.

If you are on a visa, contact the Global Education Office (GEOIS@vcu.edu) for immigration guidance.

"Bullying is about power [...] it will be tough and will take a lot of your energy" whether you choose to report it or not, says C. Björklund researcher at Karolinska Institute in Stockholm.

3. Reporting

Steps 1 and 2 are important, and can be done informally. To prevent academic bullying from occurring in the future it is important to report it. We strongly encourage reporting of these toxic behaviors. Reporting is part of addressing the problem through moral engagement (stopbullying.gov): *"staff [...] can implement successful bullying prevention and intervention strategies that are systematic and reliable, so everyone understands what bullying is and how it will be handled. This makes it clear that [...] staff are morally engaged and that bullying will be noticed and consistently addressed."*

Without reporting, the behavior is left unchecked.

Who to report to:

- VCU Human Resources (<https://hr.vcu.edu/contact/>);
- VCU helpline (<https://equity.vcu.edu/discrimination/helpline.html>) (anonymous reporting allowed)
- VCU Equity and Access services (Civil rights issues, including Title IX): equity@vcu.edu; or in-person by contacting (804) 828-1347 to schedule an appointment; Mail or hand-delivery to: Moseley House, Box 84259, 1001 Grove Avenue, Richmond, Virginia 23284-2549;
- The Associate Vice President for Research Development (<https://research.vcu.edu/about/leadership/>);
- VCU Ombudsperson (<https://ombudsperson.vcu.edu/>);
- The Associate Dean for Research of your school or college;
- Emergencies should be reported to the VCU Police at (804) 828-1234.

If you are on a visa, contact the Global Education Office (GEOIS@vcu.edu) for immigration guidance.

Note: reporting can be done anonymously and, regardless, the whistleblower is protected from retaliation under the policies previously mentioned here.

4. What to expect after reporting

Once a report has been made, the first step taken by VCU administration is to **assess the report**: assess whether interim measures, pending resolution, may be appropriate (e.g. safety plan, schedule change, interim suspension, administrative leave etc); assess whether supportive measures may be appropriate (e.g. training, counseling, educational programming etc);

contacting the complainant (if identified in report) to discuss options for addressing the alleged policy violation; assess the nature and severity of the allegation(s).

Investigating anonymous reports may be limited: *“While the university accepts anonymous reports, its ability to meaningfully investigate and respond to an anonymous report may be limited. The university reserves the right to conduct an Administrative Investigation and/or speak with the respondent and others to effectively and appropriately respond to the alleged conduct even when a complaint requests anonymity, that no investigation occur, or that no disciplinary action be taken.”* [Preventing and Responding to Discrimination Policy, 05/07/2021]

Mediation might be suggested as a conflict resolution method. Mediation involves finding a common ground and standing on a level playing field, which is often not the case when academic bullying is involved. Mediation services are provided by the Ombudsperson at VCU and are confidential. Mediators are a neutral third party who are faculty and staff from all areas of the university who have been trained in conflict resolutions techniques. More information about the mediation process can be found at:

<https://ombudsperson.vcu.edu/services/mediation-and-grievance/>

The university is legally obligated to follow the policies and procedures in place and take appropriate action if bullying is recognized. This is true regardless of the “status” of the person making the accusation or the one being accused.

Resolution: *“Certain reported concerns may be antithetical to VCU’s core values of diversity, inclusion and equity even if they do not yet rise to a violation of this policy. In these circumstances, the university will appropriately and efficiently resolve the reported concerns at the academic department or employment unit level through supportive measures, interventions, education, restorative practices, community dialogue, and/or other measures that can be tailored to the individuals involved and to achieve the goals of this policy. When determining the appropriate response and remedy, the university will take into account the nature and severity of the reported incident and the impact on the complainant and/or university community. IES may also monitor the academic department or employment unit’s implementation of resolution measures to verify that they are being properly implemented. Complainants are not required to report or resolve their concerns at the academic department or employment unit level prior to filing a complaint with IES. In addition, complainants not satisfied with the resolution at the academic department or employment unit level may file a complaint with IES (Office of Institutional Equity, Effectiveness and Success).”* [Preventing and Responding to Discrimination Policy, 05/07/2021]

Outcome: if an agreement resolving the complaint is accepted by all parties, the terms of the agreement will be put in writing and signed by the parties. Each party is responsible for implementing the agreement and the university will consider the matter resolved and closed. Failure to abide by the agreement could result in the reopening of the investigation and/or disciplinary action.

Time frame: The time frame for resolution may vary, but the university will seek to complete the process within thirty (30) business days of initiation. The university will notify the parties in writing of any extension to the thirty (30) business day time frame as well as the reason for the extension.

You have the right to make an external complaint. Note there might be limitations and deadlines specific to the agency you wish to report to. Here are contacts of relevant agencies:

U.S. Equal Employment Opportunity Commission

<https://www.eeoc.gov/>

1-800-669-4000

1-800-669-6820 (TTY for Deaf/Hard of Hearing callers only)

1-844-234-5122 (ASL Video Phone for Deaf/Hard of Hearing Callers only)

info@eeoc.gov

U.S. Department of Education Office for Civil Rights

<https://www2.ed.gov/about/offices/list/ocr/index.html>

1-800-421-3481

ocr@ed.gov

Commonwealth of Virginia Division of Civil Rights

<https://www.oag.state.va.us/programs-initiatives/civil-rights>

(804) 225-2292

CivilRights@oag.state.va.us

Commonwealth of Virginia Office of Diversity, Equity, and Inclusion

<https://www.dhrm.virginia.gov/diversity-equity-inclusion>

(804) 225-2136 or (800) 533-1414 or eesvcs@dhrm.virginia.gov

Commonwealth of Virginia Office of Employment Dispute Resolution

<https://www.dhrm.virginia.gov/employment-dispute-resolution>

(804) 786-7994 or edr@dhrm.virginia.gov

Other State and University Formal Grievance Procedures

The following are additional state and university grievance protocols that may be available to affected parties at the university. Grievance protocols include but are not limited to:

- Commonwealth of Virginia's Department of Human Resource Management: provides a grievance procedure through which Classified Employees can resolve employment concerns and complaints. The Grievance Manual and applicable forms are available online.

- VCU Students with Disabilities Grievance Procedures: addresses Student complaints regarding disability accommodation or accessibility. Students may file a written grievance with the Student Accessibility and Educational Opportunity office (saeo@vcu.edu) or Division for Academic Success (acadsuccess@vcu.edu). These offices maintain grievance records, including complaints and resolution, and report as appropriate to the university's Section 504/ADA Coordinator in IES.

- VCU Faculty Mediation and Grievance Procedure and Human Resources Employee Mediation and Grievance Procedure are also available to Employees. Note: allegations of unlawful discrimination (including discriminatory harassment) and retaliation cannot be grieved under these procedures and are administered under this policy.

- Non-faculty employees (i.e., University and Academic Professionals): The Working@VCU: Great Place HR policy outlines a formal dispute resolution process under which they may file a grievance. Note: allegations of unlawful discrimination (including discriminatory harassment) and retaliation cannot be grieved under these procedures and are administered under this policy.

- VCU Integrity and Compliance Office: provides a variety of resources for reporting violations or concerns. Individuals may also log a confidential and anonymous report online at www.vcuhelpline.com or by calling 1-888-242-6022 24 hours a day, 365 days a year.

- VCU Ombudsperson: the designated confidential and informal dispute resolution practitioner for faculty, staff and students.

Postdocs on Visas

Most, if not all, employee protections against workplace discrimination, bullying, retaliation, etc., apply equally to employees on visas as to U.S. workers. If the postdoc is on a visa, they should contact the Global Education Office (GEOIS@vcu.edu) for immigration guidance.

Resources:

<https://equity.vcu.edu/discrimination/>
<https://policy.vcu.edu/universitywide-policies/policies/threat-assessment-and-violence-prevention.html>
<https://www.nature.com/articles/d41586-021-01252-z>
<https://bi.tbzmed.ac.ir/Article/bi-22211>
<https://www.pictureascientist.com/>
<https://www.cdc.gov/niosh/topics/violence/>
<https://www.osha.gov/workplace-violence>
<https://www.abusergoestowork.com/2011/06/02/osha-adopts-workplace-anti-bullying-policy/>
<https://www.dhrm.virginia.gov/employment-dispute-resolution>
<https://www.dhrm.virginia.gov/diversity-equity-inclusion>
<https://www.oag.state.va.us/programs-initiatives/civil-rights>
<https://www2.ed.gov/about/offices/list/ocr/index.html>
<https://www.eeoc.gov/>
<https://hr.vcu.edu/contact/equity@vcu.edu> ;
<https://research.vcu.edu/about/leadership/>
<https://ombudsperson.vcu.edu/>
<https://research.vcu.edu/about/directory/equity@vcu.edu>
titleix@vcu.edu
<https://hr.vcu.edu/current-employees/employee-relations/counseling-referrals/vcupostdocs1@gmail.com>