

A RESOLUTION OF THE DUKE GRADUATE AND PROFESSIONAL STUDENT COUNCIL IN SUPPORT OF:
A WORKPLACE FREE FROM HARASSMENT & DISCRIMINATION

Sponsored by: GPSC Advocacy Committee

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Whereas working conditions in academia encourage abusive supervision, and [studies](#) indicate higher rates of abuse in academic settings than other workplaces;

Whereas Duke University defines [harassment](#) as “A type of discrimination that occurs when verbal, physical, electronic, or other conduct based on an individual’s protected status interferes with that person’s educational environment, work environment, participation in a university program or activity, or access to legitimately requested services”;

Whereas Duke University defines [discrimination](#) as “Any unlawful distinction, preference, or detriment to an individual as compared to others that is based on an individual’s protected status”;

Whereas the [examples of harassment](#) that Duke recognizes are: continued unwelcome questioning about intimate or personal matters; severe, persistent, or pervasive comments or jokes based on race or national origin; emails that contain extreme or persistent comments about an individual’s disability; repeated derogatory comments relating a particular religion and targeted to a specific individual of that religion; sexual violence; domestic or dating violence; violence based on race, national origin, disability, gender expression or identity, etc.;

Whereas Duke does not protect students from psychological abuses including verbal abuse, intimidation, and personal attacks that are not clearly (provably) based on a protected class, but are common in power based structures such as principal investigator-graduate student worker relationships;

Whereas obligated reporters often do not understand their role to report to the Office of Institutional Equity (OIE), knowingly abandon this obligation, and/or have even advised graduate student workers not to report harassment and discrimination to OIE;

Whereas Duke University has no policy to sanction employees who knowingly fail to report or advise students not to report policy violations to OIE, all but endorsing the behavior and allowing the perpetrator to continue to harm the victim and other workers;

Whereas OIE harassment and discrimination policy violation investigators are [Duke University employees](#);

Whereas the person determining sanctions is “[the responsible official](#),” defined as “the individual vested with authority to impose sanctions or disciplinary or corrective actions. For example, for employees, the responsible official in most cases will be the respondent’s second-level manager or supervisor”;

Whereas the [responsible official](#) is commonly the chair of a department who often has significant personal and professional relationships with the persons whose punishment they determine, the sanctions are not made public, often not told to the victim, and there is no oversight to verify these sanctions are appropriately severe;

Whereas tenured professors are often not terminated for behavior that would result in the termination of other employees;

Whereas “[so many harassers are recidivists](#), and because of the fact that so many employers are able, under the current state of the law, to fulfill their obligation to remediate reported harassment by simply separating the victim and her harasser, many employees will fall victim to known harassers,” and that “To the extent that a harassing supervisor adds value to a defendant enterprise, it has every reason to want to allay a harassment situation without losing or exacting too much retribution upon him; he may even be promoted within the enterprise”;

Whereas professional and graduate student workers who face harassment and discrimination often are required to leave their workplace and restart their thesis work. The negative effects of speaking up are usually more severe than the punishments for offenders.

Whereas “Women who experience the gender harassment type of sexual harassment are more than 7 times less likely to label their experiences as “sexual harassment” than women who experience unwanted sexual attention or sexual coercion. This illustrates what other research has shown: the dominant understandings of sexual harassment overemphasize two forms of sexual harassment, sexual coercion and unwanted sexual attention, while downplaying the third (most common) type—gender harassment.”;

Whereas Duke Graduate Student Union has designed and are pursuing a similar Harassment and Discrimination policy reform;

Now, we therefore resolve that Duke University must ensure , that Duke University ensures that:

1. The definitions of harassment and discrimination are expanded so all Professional and Graduate Student Workers are protected from hostile, abusive, and intimidating behaviors and the burden of proving the intent behind an offenders misconduct is removed.
2. All obligated reporters receive yearly in-person training to understand their obligation and will receive appropriately severe sanctions for disregarding that obligation and putting student workers at further risk.
3. A neutral third party grievance procedure will be created as an alternative reporting structure to OIE.
4. Sanctions will be determined by a neutral party, not someone from the same department, to ensure that Harassment and Discrimination sanctions will be appropriately severe to prevent the behavior from being repeated.
5. Faculty status (*e.g.* tenure) will play no role in determining sanctions; tenure will no longer protect faculty from extreme sanctions such as termination when appropriate.
6. All employees will receive annual, in-person training to reinforce appropriate behavior and mentorship; Perpetrators will receive sanctions for every policy violation; Warnings will never be issued in place of a sanction.