

Ombuds Office Columbia University

Responses to Offensive or Harassing Behavior

Range of Options

1. Oral communication between recipient(s) of perceived offensive conduct and the alleged offender(s)
 - What occurred (the facts)
 - The response(s) of those who were offended (unwelcome, uncomfortable, interfered with work)
 - Clear request for no future similar conduct
 - What else the recipient(s) might want (apology, opportunity to repeat an assignment, formal working relations, or transfer, etc.)
2. Written communication between recipient(s) and offender(s)
 - Similar content to oral communication
 - Possible disadvantages to written letter:
 - Does not allow immediate follow-up or resolution in cases of misunderstanding
 - May make alleged offender more defensive, may move toward escalation or counter-charge
 - Possible advantages to written letter:
 - Statement can be written thoughtfully & revised, to achieve the appropriate balance of clarity and self-protectiveness
 - Letter can be read privately, alleged offender does not need to respond immediately and may reflect on implications of allegations & responses
 - Face-to-face interaction can be avoided:
 - The person who has been offended keeps a copy of the letter and creates a personal record
3. Third party intervention (informal)
 - A respected peer or colleague, or designated neutral may communicate to the alleged offender(s) the perception of the incident(s), how it made the offended people feel, what they want
 - Allows for clarification, explanation, and follow-up. May go back and forth to reach acceptable solution
 - May take into account the "reasonable person's" view, may include responsible coaching on possible responses and consequences

4. Third party intervention (formal)

- A supervisor may also engage in shuttle diplomacy to facilitate communication and get the alleged offensive conduct to stop
- If a supervisor or other person with a formal role is involved, a record may be created

5. Generic solutions

- Positive educational action is taken to alert all members of a unit to policy interpretations, and possible consequences of violations and of retaliation against one who makes a complaint
- Written materials, seminars or workshops, formal or informal approaches may be custom-designed for each particular unit Provides education not only for alleged offender(s) but for all colleagues, bystanders and supervisors
- Especially appropriate when identity of offenders is unknown or in doubt
- Gives unit leaders opportunity to state their commitment to policy, that they will not tolerate offensive conduct
- Disadvantages of generic options:
 - Avoids determining accuracy of alleged incidents, avoids naming or creating a record on any particular individual
 - Alleged offender(s) may not be aware of specific conduct that has caused offense, no means of assessing if due warning has been received

6. Initiate a formal investigation

- File a formal grievance under the Columbia University Discrimination Grievance Procedure by contacting the Director of the EO/AA Office.
- Or file a formal charge against a student throughout the dean's disciplinary process of the alleged offender's school.

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