



Power Abuse and Conflict Resolution

N² position paper¹, May 2019

by the Helmholtz Juniors, the Doctoral Researchers of the IPP Mainz, the Leibniz PhD Network, the Max Planck PhDnet.

Note

In the N² - Network of Networks, the Helmholtz Juniors, the Doctoral Researchers of the International PhD Programme in Mainz, the Leibniz PhD Network and the Max Planck PhDnet work on and discuss topics across our affiliations to raise awareness for problematic situations in the life of Doctoral Researchers and find the best ideas and appropriate solutions for their issues.

Preamble

N² represents more than 15,000 Doctoral Researchers currently associated with our respective research organisations. Our primary goal is to advocate for good working conditions, the physical and mental health of Doctoral Researchers, as well as the advancement of their careers. We see ourselves as integral part of our organisations and would like to help maintain scientific excellence, while collaborating with them to act in the best interest of all their employees.

As representatives of Doctoral Researchers we come across cases of power abuse and harassment in all our organisations, such as verbal abuse, demeaning behaviour and sexual harassment. We recognise the prevalence of power abuse and the difficulties to solve interpersonal conflicts as a structural problem of the academic system. We believe the problem is caused by:

1. steep hierarchies,
2. interdependency of early-career researchers,
3. high pressure to publish,
4. inadequate training in leadership and personnel development of scientific leaders,
5. undervaluation of the work of Doctoral Researchers and
6. lacking evaluation of supervision.

In our opinion, difficulty lies in the lack of robust and trustworthy mechanisms to report and resolve conflicts quickly. This makes it hard to help and protect victims of power abuse and harassment. The existence of this problem should be recognised by the entire academic system, so we can work on finding a solution together. In this paper, we propose a differentiated and multifaceted solution to a complex problem that targets four main areas:

1. Prevention of power abuse
2. Protection of victims
3. Arbitration of conflicts by an independent committee
4. Implementation of consequences for offenders

¹ Although all N² members contributed to the Max Planck PhDnet position paper on "Power abuse and conflict resolution", the main phrasing was done by the Max Planck PhDnet (cf. https://www.phdnet.mpg.de/44931/Machtmissbrauch-und-Konfliktlo_sung.pdf). N² quotes and adapts a major part of the Max Planck PhDnet position as a result of enduring relevance and new insights.

Before arbitration measures can be fully implemented, a binding code of conduct concerning power abuse and harassment needs to be enacted that defines the culture within our research organisations. We believe the prevention of power abuse and supervision conflicts should be considered a matter of good scientific practice. Nevertheless, since power abuse and harassment can happen to all employees, regardless of their position and organisation, this position paper is a basis for discussion for the whole academic system. In the following we propose action points and measures we think should be an integral part of the conduct within our particular organisations.

1. Prevention of Power Abuse

The main reasons for the occurrence of power abuse are the lack of evaluation of supervisors and above all, the dependence of a Doctoral Researcher's livelihood and career on one single person: the supervisor. We therefore propose the following measures.

1. Thesis Advisory Committees (TACs) must be implemented as an integral part of Doctoral Researchers' work and project environment. Binding guidelines on how TACs are established have to be defined regarding:
 - a. independence of members,
 - b. number and function of members,
 - c. number of meetings,
 - d. mandatory meetings without the supervisor present and
 - e. documentation.
2. The supervisor's role must be clearly defined, as they should not only guide and evaluate the Doctoral Researchers during their project, but also help them with career development and ensure their mental and physical health.
3. The conditions of the supervision must be agreed upon in the form of a binding supervision agreement, detailing the expectations of both parties, as well as procedures in case of a conflict. The role of the Doctoral Researcher has to be clearly defined. Doctoral Researchers should be made aware of their rights, duties, and comply with the requirements to obtain a doctoral degree.
4. The supervisor must not be solely responsible for contract extensions. This decision has to reside with the TAC for scientific reasons and the human resources department for administrative reasons.
5. Doctoral Researchers should be employed by institutions rather than single principle investigators. Institutions as a whole have to be responsible to ensure their funding and supervision.
6. Every scientific leader, who is responsible for the training of Doctoral Researchers, must undergo mandatory and regular leadership training. This includes training on communication, conflict resolution and supervision, as well as the recognition of behaviour that violates the code of conduct and occupational safety regulations.
7. Every Doctoral Researcher should participate in an on-boarding workshop that informs them about the code of conduct, occupational safety regulations, as well as existing mechanisms to report and resolve conflicts.
8. Feedback strategies to prevent conflicts in the first place should be implemented, for example through regular feedback from the supervised employees.

2. Protection of Victims

Once a conflict has become apparent, the livelihood and scientific career of the Doctoral Researcher has to be protected. We propose the following measures.

1. The responsible organisation should help to find a new supervisor, potentially at a different university or institute, if the situation makes relocation necessary.
2. A written statement should be issued, granting the affected Doctoral Researcher access to their research data, results and facilities needed to complete the Doctoral Researcher project - within reason.
3. The Doctoral Researcher's contribution to future publications is duly acknowledged when data acquired by them is presented.
4. Employment and funding is ensured until the Doctoral Researcher's project plan, agreed upon with the TAC, is fulfilled.
5. A confirmed supervision conflict is recognised as reason for a contract extension beyond the previously agreed upon project duration.
6. During all phases of the investigation and resolution of a power abuse case, the affected Doctoral Researcher should have easy access to a mental health expert, which could be facilitated by the company doctor, if required.

3. Arbitration of Conflicts by an Independent Committee

Power abuse, harassment and interpersonal conflicts occur to a different degree of gravity, and many cases fall into a grey area that is not covered by the criminal code of Germany. To find judgement in case of a conflict, several steps are necessary.

1. To clearly divide tolerable from intolerable actions, a code of conduct as basis for the arbitration of conflicts must be adopted.
2. For conflict arbitration, a multi-staged process including both local, as well as independent conflict resolution mechanisms, has to be established.
3. For the latter, an independent committee, trusted by all its members, has to be established. We propose a permanent committee which is headed by a professional and independent mediator or ombudsperson and includes unbiased members who are early career researchers, scientific leaders, and scientific staff members.
4. Once a conflict is reported, it should be investigated and judged by the committee. All steps of the investigation need to be documented and clearly communicated with all parties involved.
5. Every case has to be treated confidentially by all parties involved. Any violation, especially by the trusted members of the conflict arbitration committee, must result in personal consequences.
6. Existence of the independent committee has to be communicated broadly and continuously to all members of the research organisation.
7. Conflicts recognized by the arbitration committee have to be recognised by the affected institute.

4. Implementation of Consequences for Offenders

Even if effort is put into the prevention of conflicts, power abuse, and harassment, we recognise that, as long as humans interact, these issues will arise. If the behaviour that violates the code of conduct occurs repeatedly or is severe, consequences for the offender must be considered. We suggest a binding and transparent list of consequences that are implemented depending on the severity of the offence, including:

1. mandatory training and coaching for offenders,

2. mandatory co-supervision of Doctoral Researchers with an independent colleague,
3. reduction of the number of supervised Doctoral Researchers,
4. complete prohibition for an extended period of time to supervise Doctoral Researchers and issue working contracts,
5. notification of confirmed conflicts to funding bodies, with potential to freeze, reduce, and disqualify from funding, and
6. prosecution in case the offender violates the criminal code of Germany.

We acknowledge the organisations have already implemented some of the proposed structures and actions; however, for sufficient protection of Doctoral Researchers from power abuse, additional measures need to be taken. This statement should serve as an orientation for this process. In light of cases of power abuse reported to us, we demand that the organisations take the protection of Doctoral Researchers seriously and act on it. N² offers to actively collaborate with the organisations during this process.