

## SEAC'S SUGGESTED OUTLINE FOR A CODE OF CONDUCT FOR A FIELD SCHOOL OR FIELD PROJECT

### SEAC Task Force on Sexual Harassment and Assault and SEAC Executive Committee, August 14, 2018

Because sexual harassment and sexual violence are persisting violations of professional, moral, and legal standards that cannot be tolerated, we offer the following recommendations for project directors seeking to implement or strengthen a Code of Conduct for field schools and other research projects. (For a discussion as to why a Code of Conduct is necessary see Appendix C, Section B of the SEAC Task Force on Sexual Harassment and Assault Report to the SEAC Executive Board, November 8, 2017).

I. The field school syllabus or procedural handbook should include readings such as Clancy et al., Meyers et al., and Muckle.<sup>1</sup> We recommend that at least one of these articles be discussed by all participants at the initial orientation session or soon thereafter.

II. All participants need to understand the definitions of sexual harassment and sexual violence, along with the laws that make them illegal. For example, the following statement comes from the agreement read and signed by members of the Summer Field School in Archaeology run by the University of Nevada at Lincoln:

“The field school has zero tolerance for sexual harassment. We abide by Section 703 of Title VII of the 1964 Civil Rights Act, which states:

‘Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute sexual harassment when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or 3) *such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment* (emphasis is ours).’”

III. Field school directors should consider implementing the procedure, if not already in place, of asking students to sign statements agreeing to comply with sexual harassment policies and, of course, all other field school policies. We advise field school directors to consult with their university’s or organization’s legal staff as you draft such a document. The University of Nebraska-Lincoln’s agreement statement, which includes students’ signatures, warns: “Any

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<sup>1</sup> Clancy, et al., “Survey of Academic Field Experiences (SAFE);” Meyers, et al., “Preliminary Results;” Muckle, Robert J. (2014), “On Sexual Harassment and Abuse in Archaeology.,” *The SAA Archaeological Record*, pp. 32-33.

transgression from professional conduct may result in the student being sent home, at his/her own expense, assigned an “I” (incomplete) or “F” for the course (at the discretion of the instructors), and the forfeiture of the scholarship and all fees.”

IV. During the group discussion of expectations and guidelines, instructors should emphasize that unwanted sexual advances are not the only form of harassment, as the previous quote makes clear. Offensive jokes and comments are also capable of interfering with healthy fieldwork cultures, even if the speaker does not intend a harmful impact. Two SEAC Task Force members commented that their field schools had code words such as “Title IX” that could be interjected, usually lightheartedly, as a warning when a boundary between inoffensive and potentially abusive banter or other forms of speech was approached or crossed.

V. The crucial role of bystander awareness should be stressed, since all participants contribute to a culture of respect and prevention. See “Bystander awareness,” below for guidelines and tips for bystanders who observe or are informed after-the-fact about instances of sexual misconduct:

VI. All students and staff should be reminded that policies and procedures applying to behavior at their home institutions are in effect on- and off-campus. Active internet links to the home institution’s codes of conduct and sexual harassment policy statements should be included in the project’s code of conduct and/or syllabus as well as to the SAA Statement on Sexual Harassment and Violence.

VII. Reporting Complaints - Muckle (2014) makes the point that multiple clear lines of reporting should be available, and preferably with both male and female authorities available so that no female crew member, for example, is required to report a complaint about sexual harassment, assault, or offensive work environment to a male on the project, and vice versa. Any code of conduct should include mechanisms for reporting, including those from SEAC, SAA, and the firm, agency, or institutional mechanisms. In addition, sexual assault is a criminal offense and should be reported to the local law enforcement authorities as well as a Title IX officer.

VIII. Below is an example Code of Conduct adapted from the Sexual Harassment and Discrimination Policy Statement in the Employee Handbook of New South Associates. Obviously, this statement is tailored for CRM firms, and we provide it here as an example Code of Conduct that one could modify as needed for the field, laboratory, and so on.

#### *NEW SOUTH CODE OF CONDUCT*

#### *POLICY*

*It is the policy of New South Associates to provide a productive and comfortable working environment, free from harassment or intimidation that is connected to offensive sexual or discriminatory conduct. All employees have rights and protection under the law. Any*

*employee who has experienced harassment or discrimination will be able to pursue corrective action without fear of adverse consequences.*

#### **RESPONSIBILITY**

*Every employee is accountable for his/her own actions. The principals and managerial staff are responsible for promoting working conditions free of harassment and discrimination company-wide. All those in line of delegated authority are responsible for seeing that employees in their department or on their project comply with the company policy and take action when harassment or discrimination is alleged to have occurred. This policy applies to every aspect of the employment relationship throughout the organization and to the dealings of our employees with vendors and customers.*

#### **DEFINITION**

*Sexual harassment is any suggestion that any person's promotion, employment, compensation or treatment is in any way contingent upon or related to an employee's participation in or rejection of conduct of sexual nature. Sexual harassment also includes unwanted advances, suggestive comments, or physical contact, if they create an intimidating, hostile or offensive working environment. Hostility toward or intimidation of members of the opposite sex may also be sexual harassment.*

*Discrimination is an action that denies individual's rights and fair treatment based on their race, religion, national origin, ethnicity, sex, sexual orientation, age, disability, military service or any other social affiliation. Discriminatory actions taken by individuals can be considered harassment.*

#### **GUIDELINES**

*Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964. It consists of unwelcomed sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature in the work place, including telling sexual jokes or posting photographs of a sexual nature.*

*If an employee feels that a supervisor or another employee is behaving in a sexually harassing manner, they should immediately tell the supervisor or co-worker to stop such behavior.*

*To prevent sexual harassment as well as situations that may be construed as sexual harassment, New South Associates employees will follow the guidelines outlined below. New South Associates recognizes that employees may be involved in a consensual sexual relationship with another employee.*

*On field projects, supervisors should not be in the hotel room of an employee. Supervisors should conduct conversations with employees in public spaces and should avoid situations where they and an employee are alone. This policy does not apply if the supervisor and employee are in a consensual relationship.*

*On field projects, employees should not be alone in the hotel room of another employee unless they have been invited to be in the room.*

*Employees should not tell sexually explicit jokes or use sexually explicit language in the presence of members of the opposite sex and should only tell such jokes in the presence of members of the same sex with permission. New South Associates prefers that sexually explicit jokes not be told on the job site.*

*Employees should avoid inappropriate touching of other employees.*

*Employees should only refer to one another professionally and by name.*

*Employees should not discuss a co-worker with fellow employees in a sexual manner.*

*Employees should not post sexually explicit or suggestive posters, photographs, or other images in their work place.*

*Employees should not post work-related sexually explicit or suggestive photographs or statements through social media, email, or other media.*

*Employees should not wear clothing containing sexual images or statements.*

*If a supervisor or co-worker is violating these guidelines you should ask them to stop. If the behavior persists, or if you are otherwise feeling harassed, this should be brought to the attention of your supervisor, your Principal Investigator, or a Company Principal (contact information listed on page ix). Complaints of harassment should be specific (identify the person involved, the date, and the act). New South Associates will investigate each complaint it receives and will complete a report and determination. Filing a harassment report will not be held against employees in future hiring decisions nor will there be retaliation of any kind against employees who file such reports. New South Associates will not tolerate harassment or discriminatory practices by its personnel and will discipline or terminate employees who are found guilty of sexual harassment. However actions may be taken if an employee knowingly files false claims of harassment against a fellow employee.*

*New South Associates and its employees will not harass or discriminate against any employee or applicant on the basis of race, color, national origin, ethnicity, age,*

*disability, sex, sexual orientation, gender identity and expression, veteran status, or under any other criteria, pursuant to the Civil Rights Act of 1964, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1972, the Age Discrimination in Employment Act, and other applicable laws. Most of the work guidelines cited above apply here as well. Any employee or other individual who feels that they have been discriminated against may file a complaint with New South Associates' President without fear of retaliation. All reports will be investigated, a report will be prepared, and action will be taken, including termination if warranted.*