

COLLEGE OF EARTH OCEAN AND THE ENVIRONMENT

CODE OF CONDUCT, DEPARTMENT OF EARTH SCIENCES¹

PURPOSE: To create a positive work environment in the Department of Earth Sciences and to give guidance on dealing with misconduct.

POLICY STATEMENT:

GENERAL PRINCIPLES

Introduction

Everyone in the Department of Earth Sciences (Department) has the right to work in an environment free from bullying, discrimination, harassment, micro-aggression, sexual misconduct, and violence, as well as to a workplace characterized by collective civility and respect for each individual's contribution to Department. During your time in the Department, you are expected to follow federal and state law, University of Delaware (UD) policies² and procedures, and the guidelines laid out in this Code of Conduct. These guidelines exist to protect the members of the Department and to promote the spirit of collegiality and professionalism in the Department.

The guidelines outlined below apply to Department faculty, to faculty affiliated with the Department, and to Department staff, as well as to volunteers and university students participating in Department activities, and to both on- and off-campus Department events and activities (included but not limited to in the field, aboard research vessels, professional meetings and workshops).

Guiding Values for a Positive Workplace Climate

The role of each person in this community is integral to the success of the Department and is based on the ongoing effort to promote trust, respect and communication. To achieve this, the Department aspires to a workplace climate that value:

- Respect for the dignity and worth of all individuals;
- Open-minded consideration of ideas, perspectives and beliefs that challenge our thinking;
- Enthusiasm, discovery, innovation and critical thinking in the advancement of earth sciences literacy;
- Professionalism, honesty and integrity in performance of our responsibilities;
- Accountability for actions, resources, and relationships;
- Transparency in decision-making processes that shape priorities and initiatives;
- Collaboration and cooperation that promote earth sciences recruitment, learning, and workforce development.

Putting our Values into Action

We are one team, but we represent many ideas, experiences, and backgrounds. We embrace a culture that promotes both individual creativity and teamwork, that recognizes and supports each contribution, that honors mutual trust and respect, and that constantly strives for excellence.

Achieving this culture requires that our values are more than philosophical principles, but actively guide and are integrated into our professional lives. The Department holds itself and community members to the following standards as we put our values into action:

- **Conduct:** Members will act with honesty and be personally accountable for individual actions; will conscientiously fulfill obligations of their position; will treat others with courtesy, respect, equity and fairness; and will foster a culturally inclusive environment.
- **Integrity:** Members will take responsibility for the integrity of their contributions to all professional activities and interactions.
- **Acknowledgement:** Members should acknowledge the names and roles of those who made contributions to the Department's activities, work product, and achievements.
- **Environment:** Members are responsible for creating and promoting safe, open, and productive environments for learning and working. The environment honors privacy and confidentiality and is characterized by integrity, respect, fairness, trustworthiness, and transparency.
- **Public Communication:** Members, when representing or otherwise displaying any affiliation with the Department will limit professional comments to their areas of expertise in external public communications, refrain from personally critical comments, and will clearly distinguish professional comments from their opinions based on personal views. This applies to engagement in both public discussions and to social media postings.

Adherence to Law and Policies: Members will be aware of and adhere to laws, university policies, and this Code of Conduct in their professional behavior.

Intervention: Members will take responsibility for positive intervention when aware of misconduct or suspected misconduct including discrimination, harassment, bullying, or other irresponsible behaviors that undermine individuals, the Department, or the university.

Reporting: Members have a responsibility to appropriately and promptly report misconduct they witness or of which they become aware. Additional information on reporting is included in the following section.

Misconduct: Members will not engage in discrimination, harassment, bullying, dishonesty, fraud, misrepresentation, coercive manipulation, censorship, or other misconduct. This applies to all professional, research, and teaching environments. It applies to conduct both on- and off-campus. An expanded discussion of unacceptable behaviors appears below.

Misconduct and Unacceptable Behaviors

Acting with integrity begins with understanding and abiding by all applicable laws and university policies that govern our workplace. This Code of Conduct has further defined professional integrity by establishing positive standards of conduct that encourage the open, values-based culture the Department strives to attain and uphold. It is important, however, to acknowledge that individuals may also intentionally or unintentionally engage in unacceptable behavior or misconduct. Such behaviors not only violate the rights of individuals or groups, but also undermine the quality and productivity of the workplace environment.

As a statement of principle, the Department rejects discrimination, bullying, and harassment by any means and based on any factor. We affirm that such behavior in any workplace or learning environment is unacceptable and constitutes misconduct.

The following list is not exhaustive, and behaviors not included which conflict with law, UD policy, or the values and standards of conduct outlined in this Code of Conduct will also be considered misconduct or unacceptable behavior:

Discrimination means unequal or unfair treatment in professional opportunities, education, benefits, evaluation, and employment (such as hiring, termination, promotion, compensation) as well as retaliation and various types of harassment. Discriminatory practices can be explicit or implicit, intentional or unintentional. Discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, veteran status, sexual orientation, marital status, parental status, gender identify, gender expression and genetic information is prohibited under federal statutes and the [UD Non-Discrimination, Sexual Misconduct and Title IX Policy](#)³.

Harassment is a type of discrimination that involves actions, words or physical gestures that could reasonably be perceived to be the cause of another person's distress or discomfort, or which put the safety of the individual at risk. This includes all behaviors that are unwanted by the recipient, which have the purpose or effect of violating the recipient's dignity, marginalizing an individual either personally or professionally, or which create an intimidating, hostile, degrading, humiliating or offensive environment. It applies not only to direct interactions, but also other forms of communication including social media. These acts may include epithets, slurs, or negative stereotyping based on gender, race, sexual identity, or other categories protected by U.S. federal law. Also included are threatening, intimidating, or hostile acts; stalking; denigrating jokes and displays; or circulation of written or graphic material that denigrates or shows hostility or aversion toward an individual or a group. It becomes unlawful where enduring it becomes a condition of continued employment or when the conduct is severe or pervasive enough that a reasonable person would consider the work environment to be hostile.

Sexual harassment includes any unwanted and/or inappropriate sexual remarks or physical advances, sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Sexual harassment violations are outlined in the [UD Non-Discrimination, Sexual Misconduct and Title IX Policy](#)³ and the UD Faculty Handbook Section 4.2.5 [Sexual and Other Unlawful Harassment](#)⁴.

Bullying is the repeated use of force, threat, or coercion to abuse, intimidate, or purposefully dominate others in the professional environment based on a real or perceived power imbalance. These actions can include abusive criticism, humiliation, the spreading of rumors, physical and verbal attacks, isolation, undermining, and professional exclusion of individuals through any means.

Micro-aggressions are the everyday verbal, nonverbal, and environmental slights, snubs, or insults which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership. These messages may invalidate the group identity or experiential reality of targets, marginalize or demean them on a personal or group level, communicate they are lesser human beings, suggest they do not belong, threaten and intimidate them, or relegate them to inferior status and treatment. Micro-aggressions are less overt and are often related to discrimination, harassment or bullying, but may also occur in well-intentioned individuals who are unaware that they have engaged in an offensive act or made an offensive statement.

Reporting: The Department of Earth Sciences values the help of its members who identify and speak up about potential problems that need to be addressed. By doing so, the Department has the opportunity to deal with the concern, or direct it through appropriate university channels for resolution. Remaining silent about possible misconduct can only worsen a situation and decrease trust.

All members of the Department of Earth Sciences community who are also UD employees are mandatory reporters for incidents of discrimination and sexual harassment, including sexual violence. These must be reported as per the [UD Non-Discrimination, Sexual Misconduct and Title IX Policy](#)³. Other incidents of misconduct or unacceptable behaviors should be reported through the Department Chair.

Resolution of disputes and grievance procedures: These policies do not apply to grievances regarding unlawful harassment or sexual misconduct. All complaints of unlawful harassment or sexual misconduct must be reported to the University Title IX Coordinator for investigation³.

The first recourse in resolving a dispute that does not involve unlawful harassment or sexual misconduct, should be civil and respectful communication. More serious disputes, those which cannot be resolved among members themselves, or those that individuals feel uncomfortable addressing should be taken to the Department Chair. The Chair, at their discretion, may handle the dispute internally, or refer the matter to other formal or informal dispute resolution avenues outlined in the grievance procedure found in [UD's Human Resources Policies](#)⁵. If the grievance is with the Department Chair or the resolution obtained through working with the Chair is unsatisfactory, staff may utilize the grievance procedure outlined in [UD's Human Resources Policies](#)⁵. Faculty members who believe there has been a potential violation of the Collective Bargaining Agreement (CBA) should contact the AAUP Grievance Officer (Chair of the AAUP Grievance Committee) for advice as to the merit, or lack thereof, of an alleged violation. Faculty complaints which are not grievances as defined in the CBA should be reported to the University Faculty Senate's Faculty and Welfare Privileges (FWP) Committee. The procedures for mediation and hearing of faculty complaints are detailed in the [FWP's Termination and Complaint Procedures](#)⁶.

Prohibition on retaliation: Retaliation against a person who files a good-faith report, who causes the reporting of any suspected wrongdoing, or who assists in the authorized investigation of that wrongdoing, is prohibited under [State Law](#)⁷. Retaliation may be inferred in the presence of unwanted personal contact, additional work assignments, disciplinary action, harassment, unsupported evaluations or other adverse changes in the conditions of the work environment or educational environment that would deter a reasonable person in the situation from making the complaint.

Conclusion

We share a commitment to the mission of the Department that challenges each of us individually in our roles, but our real strength lies in our collective efforts. Our values and our commitment to ethical conduct are the foundation on which that teamwork is built.

This code serves as a central guide and reference to support day-to-day decision making by Department members in their work, as well as providing benchmarks against which professional behavior can be measured. However, it is impossible to spell out every possible ethical scenario members might face. Instead, we rely on one another's good judgment to uphold the highest standards of integrity for ourselves and our unit. We expect all members to be guided by both the letter and the spirit of this Code of Conduct.

Resources Used in Creation of This Policy

¹Code of Conduct, Center for STEM Learning
<https://policy.ku.edu/CLAS/code-of-conduct-CSTEM>

²University of Delaware Administrative Policy Manual
<https://sites.udel.edu/generalcounsel/policies/>

³UD Non-Discrimination, Sexual Misconduct, and Title IX Policy
<https://sites.udel.edu/oei/non-discrimination-policy/>

⁴UD Faculty Handbook Section 4.2.5 Sexual and Other Unlawful Harassment
<https://facultyhandbook.udel.edu/handbook/425-sexual-and-other-unlawful-harassment>

⁵UD Human Resources Policies: Exempt Staff Grievance Procedure
<https://sites.udel.edu/generalcounsel/policies/exempt-staff-grievance-procedure/>

⁶Faculty Welfare & Privileges Committee Termination and Complaint Procedures
<http://facsen.udel.edu/Sites/FWP%20Cte/FWP-Policy-Final-Version-As-Amended-During-January-12-2015-Faculty-Senate-Meeting.pdf>

⁷Whistleblowers' Protection
<https://delcode.delaware.gov/title19/c017/index.shtml>

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