# A Tale of Two Systems

## University Title IX Process

Who makes the decision? University Independent third party

### Neutral Third-Party Grievance Procedure

#### IF A STUDENT WORKER EXPERIENCES DISCRIMINATION OR HARASSMENT:

Contact Title IX office

**Title IX officer** facilitates an informal resolution Harvard has no civil rights office (e.g., for Title VI or VII). Title IX officers are only trained to handle gender-based discrimination and assault, not other types of discrimination (e.g., raceor disability-based). A union grievance procedure, however, would apply to **all types of discrimination**. A trained and experienced **union rep** will accompany you at every step. You will also retain the right to **file both** a union grievance and a Title IX complaint if you wish to.

File a union grievance

You, your union rep, and the university work to reach an informal resolution

#### ... IF AN INFORMAL RESOLUTION CANNOT BE REACHED:

File a formal complaint with Office for Dispute Resolution (ODR)<sup>1</sup>

ODR staff on university payroll conduct investigation and issue findings

> University administrators decide remedies

Our Bargaining Committee has gathered testimonials from students who were **pressured** to resolve their cases informally or otherwise had them mishandled at this stage.

ODR investigations are often **biased against survivors**. See Alyssa Leader's (College, '15) first-person account in the *New York Times*, "<u>When</u> <u>College Rapists Graduate</u>" (1/29/19)

Harvard is judge and jury in cases of sexual harassment and discrimination. Many perpetrators go unpunished or get off with a slap on the wrist.

Harvard and HGSU-UAW **split the cost of arbitration 50-50**, to ensure that the mutually agreed upon arbiter remains neutral.

Harvard and HGSU-UAW each **conduct investigations**, and the third-party arbiter judges the evidence. Proceed to neutral third-party arbitration

Independent third-party arbiter hears both sides and issues findings

Independent third-party arbiter decides remedies

# <u>The bottom line:</u> survivors deserve a fair and neutral grievance procedure, free from conflict of interest.



 RALLY on MARCH 13 at John Harvard Statue @12pm

 #TimesUpHarvard #NoCarveOut

<sup>1</sup>See <u>https://flowchart.odr.harvard.edu/files/odrip/files/harvard-odr-investigation-process-flowchart.pdf</u> for more details.