

ETHICS POLICY
AMERICAN ASSOCIATION OF VARIABLE STAR OBSERVERS
STATEMENT OF POLICY

The American Association of Variable Star Observers (“AAVSO”) is an international Association which includes people of different abilities, backgrounds, and perspectives who share an interest in scientific discovery through variable star astronomy. We are committed to maintaining an environment that encourages and fosters respect for individual values and appropriate conduct by all. Accordingly, AAVSO is committed to enforcing this Ethics Policy to create an environment in which all individuals can interact in a safe and respectful manner free of discrimination, harassment, abusive conduct or bullying, in-person or otherwise (including through social media), on the basis of their race, color, religion, national origin, ancestry, sex, gender identity/expression, pregnancy, marital status, age, handicap (disability), participation in discrimination complaint-related activities, sexual orientation, genetics, active military or veteran status or on any other legally prohibited basis (the “Protected Classes”). Such behavior undermines the character and mission of AAVSO, is prohibited under this Ethics Policy, and will not be tolerated.

This Ethics Policy applies to all individuals who have relationships with AAVSO, including directors, officers, members, employees, volunteers, contractors, observers, and agents. Appropriate disciplinary action, including without limitation, termination of an individual’s relationship with AAVSO, will be taken against any individual who violates this policy.

I. NON-DISCRIMINATION POLICY

AAVSO is committed to the principals of equal employment and participation opportunity. It does not discriminate on the basis of any of the Protected Classes in employment, hiring, volunteer recruitment and activities, membership decisions, or programmatic decisions. This policy applies to all terms and conditions of employment of employees and contractors, including but not limited to recruiting, hiring, compensation, training and development, benefits, promotion, demotion, discipline and termination, and to all facets of membership participation. All AAVSO directors, officers, members, employees, volunteers, contractors, observers, and agents are expected to comply with this non-discrimination policy.

AAVSO strongly encourages the reporting of all instances of alleged discrimination through the use of the reporting procedures outlined below. Retaliation against any individual who reports discrimination in good faith or participates in an investigation of such a report is against AAVSO policy and will not be tolerated. Appropriate disciplinary action, including without limitation, termination of an individual’s relationship with AAVSO, will be taken against any individual who violates this policy.

II. NON-HARASSMENT POLICY

It is the policy of AAVSO to maintain an environment in which all individuals are treated with respect and dignity. Therefore AAVSO prohibits all forms of harassment including sexual

harassment, harassment based on an individual's membership in a Protected Class and any form of bullying through abusive conduct (together, "Prohibited Harassment").

AAVSO will not tolerate Prohibited Harassment by or against any individual who has a relationship with AAVSO including directors, officers, members, employees, volunteers, contractors, observers, and agents. This policy applies in all work-related settings and activities, whether online or inside or outside AAVSO facilities, and includes AAVSO-sponsored conferences and social events. It also applies to all AAVSO communications with all AAVSO constituencies. AAVSO property (for example, telephones, copy machines, facsimile machines, computers and computer applications such as e-mail and Internet access) may not be used to engage in conduct that violates this policy.

Neither the existence of this policy, nor any policy prohibiting discrimination in the workplace, shall be used as a basis for excluding any person in any Protected Class from participating in any business activity or work-related social event in order to avoid allegations of Prohibited Harassment.

A. Types of Prohibited Harassment Defined

Sexual Harassment. Sexual Harassment is generally defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of employment, membership or event participation;
- b. submission to or rejection of such conduct is used as a basis for employment decisions or as a condition for participating in community activities affecting the individual; or
- c. the requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance, attendance to events, participating in community activities and discussions or creating an intimidating, hostile, humiliating or offensive environment.

While it is not possible to list all of those circumstances that constitute sexual harassment, the following are examples of conduct that may constitute sexual harassment:

- i. Sexual advances -- whether they involve physical touching or not;
- ii. Requests for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, salary increases, promotions, increased benefits or continued employment;
- iii. Sexual jokes;
- iv. Use of sexual epithets, written or verbal references to sexual conduct, gossip regarding one's sex life, comments on an individual's body or comments about an individual's sexual activity;
- v. Displaying sexually suggestive objects, pictures, cartoons;
- vi. Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- vii. Assault or coerced sexual acts.

Harassment Based on Membership in a Protected Class. As discussed above, harassment on the basis of a person's membership in a Protected Class is also a violation of AAVSO policy. Such

harassment is generally defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their Protected Class, or that of their relatives, friends, or associates, and that:

- a. Has the purpose or effect of creating an intimidating, hostile, humiliating or offensive environment;
- b. Has the purpose or effect of unreasonably interfering with an individual's work performance or participation in AAVSO events and activities; or
- c. Otherwise adversely affects an individual's employment and participation opportunities.

Examples of harassment based on membership in a Protected Class include (but are not limited to) the following: verbal harassment (e.g., comments that are offensive or unwelcome, including epithets, slurs, teasing, and stereotyping), nonverbal harassment (e.g., obscene gestures; distribution, display, or discussion of inappropriate written or graphic material or material that ridicules, denigrates, insults, belittles, or shows hostility or disrespect toward an individual or group), or physical harassment, including unwelcome, unwanted physical contact (e.g., physical assault or violating an individual's personal space).

Abusive conduct. Intentional conduct by an individual that a reasonable person would find hostile or offensive considering the severity, nature and frequency of the conduct is considered abusive conduct and is prohibited. Abusive conduct includes, but is not limited to, (A) repeated infliction of verbal abuse such as the use of derogatory remarks, insult and epithets; (B) verbal or physical conduct that is threatening, intimidating or humiliating; (C) the sabotaging or undermining of a person's work performance; or (D) behavior that exploits a person's known psychological or physical vulnerability.

Bullying. For purposes of this Policy, bullying is unwelcome or unreasonable behavior that demeans, intimidates, humiliates, or sabotages the work of people, either as individuals or as a group. Bullying behavior is most often aggressive, persistent, and part of a pattern, but it can also occur as a single egregious incident. It is usually carried out by an individual but can also be an aspect of group behavior. Exercising appropriate authority, directing the work of others pursuant to their job responsibilities, and respectful scientific debate are not considered bullying behavior.

Examples of bullying behaviors include, but are not limited to, verbal bullying (e.g., threatening, slandering, ridiculing, or maligning a person; making abusive or offensive remarks), physical bullying (e.g., pushing, poking, assaulting, threatening assault, or damaging a person's work area or property), gesture bullying (e.g., nonverbal threatening gestures), or sabotaging an individual's work.

B. Reporting Procedures:

All individuals are encouraged to promptly report any behavior perceived as Prohibited Harassment to the AAVSO Executive Director at _____ [email address/phone number], unless there is concern that such individual would not be responsive or is implicated in the

harassment, in which case reports should be made to the AAVSO President or a member of the AAVSO Board. [add contact details]

Any reported incident will be promptly and thoroughly investigated by a task force determined by the AAVSO Executive Director (or, in case of conflict, a task force determined by the AAVSO Board President). In conducting a thorough investigation of any complaint, the investigating party will seek, to the extent possible consistent with a thorough investigation, to maintain confidentiality. All persons will be instructed to treat the investigation as confidential and not to discuss the allegations with other persons. AAVSO will expect honest and full disclosure of facts by all parties involved.

If, as a result of the investigation, it is determined by the relevant task force charged with reviewing the investigation results that any individual engaged in conduct that either constitutes Prohibited Harassment or otherwise violates AAVSO's policies or rules of conduct, the Board will ensure that appropriate corrective or disciplinary action will be taken. Such actions may include, without limitation and at AAVSO's sole discretion, eliminating contact between the individuals involved in the incident, mandatory training and/or counseling, demotion, suspension or termination of employment, membership, or of the individual's relationship with AAVSO. In addition, the AAVSO Executive Director and the President of the AAVSO Board will meet after the investigation with the individuals to make certain that any improper conduct has stopped, and that there has been no discrimination or retaliatory action.

While this policy sets forth AAVSO's goals of promoting an environment that is free of Prohibited Harassment, this policy is not designed or intended to limit AAVSO's authority to discipline or to take remedial action for an individual's conduct which it deems unacceptable, regardless of whether that conduct satisfies the definitions of Prohibited Harassment.

C. Retaliation Prohibited:

It is against AAVSO policy to retaliate against any person for filing a complaint of Prohibited Harassment or for cooperating in an investigation of such a Complaint. AAVSO will not tolerate any retaliation against anyone who in good faith reports an incident of alleged Prohibited Harassment or who cooperates in an investigation. If an individual is found to have violated this non-retaliation policy, he or she may be subject to disciplinary action, including where appropriate, suspension, dismissal, termination of membership and/or of individual's relationship with the AAVSO.

D. Other Information:

AAVSO strongly encourages individuals to bring any concerns about possible Prohibited Harassment to its attention through the procedures set forth above. Employees may also direct inquiries or reports concerning Prohibited Harassment to the agencies responsible for governmental enforcement of employment discrimination laws in the locations in which they work.

E. State and Federal Remedies

In addition to the above, if you believe you have been subjected to sexual harassment or harassment or discrimination based on your membership in a Protected Class, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

The United States Equal Employment Opportunity Commission ("EEOC") (link to <https://www.eeoc.gov/field/boston/index.cfm>)

The Massachusetts Commission Against Discrimination ("MCAD") (link to <http://www.mass.gov/mcad/>)

REFERENCES – RESOURCES

There are many sources of ethics information and case studies appropriate to astronomers, including the following:

- American Astronomical Society: AAS Code of Ethics
- American Physical Society: APS Guidelines for Professional Conduct
- Dept. of Health and Human Services Office of Research Integrity: ORI Introduction to the Responsible Conduct of Research
- Federal Research Misconduct Policy
- National Academies: On Being a Scientist: A Guide to Responsible Conduct in Research
- InterAcademy Board: Doing Global Science: A Guide to Responsible Conduct in the Global Research Enterprise
- National Science Foundation: NSF Grant Policy Manual: Conflict of Interest Policies
- Examination of the Scientific Review Process: Ten Best Practice Suggestions for an Improved Process, Ilana Harrus, 2015
- Agree: Creating the Office of the Ombudsman
- WorkSafeBC: How to Recognize Workplace Bullying and Harassment
- Harvard Faculty of Arts and Sciences: Sexual & Gender-Based Harassment Policy/Resources
- NSF Press Statement 16-002: The National Science Foundation [NSF] Will Not Tolerate Harassment at Grantee Institutions
- NASA Anti-Harassment Policy and Procedures
- Dept. of Health and Human Services Office for Human Research Protections
- American Educational Research Association Code of Ethics
- Regulations and Ethical Considerations for Astronomy Education Research III: A Suggested Code of Ethics, Erik Brogt et al., Astronomy Education Review, 2008
- APS Forum on Education: Human Subjects Research Training and Physics Education