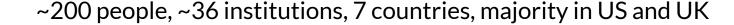
Hugh Lippincott ICHEP 2024

LZ is a world leading dark matter experiment See <u>Dan Kodroff</u>, <u>Nicolas Angelides</u>



Lawrence Berkeley National Laboratory is lead lab under the US Department of Energy

Sanford Underground Research Facility in South Dakota is host lab

Top level responsibility with Institutional Board - one vote per institution

Elected single spokesperson

Executive Board, mixed elected and ex officio









- Original code of conduct adopted in 2018 (¾ majority vote in IB)
- Mostly aspirational
 - "Foster an inclusive collaboration environment supportive of sound scientific research"
 - "LZ collaborators should act in concordance with...a safe environment free of harassment, intimidation, bullying, bias, discrimination or mistreatment of any kind."
 - "Behaviors and language acceptable to one person may not be to another"
 - "Unacceptable conduct may warrant further action. For example, code violations could result in consequences, up to sanctions by the IB [Institutional Board, comprised of PIs] according to the LZ Governance Policy"



- "Unacceptable conduct may warrant further action. For example, code violations could result in consequences, up to sanctions by the IB according to the LZ Governance Policy"
 - Not explicitly spelled out how this would have actually worked
 - Who would report to whom?
 - How is a report discussed?
 - Not explicit that IB can expel members but generally assumed
- Clause never used in practice



- Other supporting infrastructure
 - E&I committee created to write initial CoC, selects Ombudspeople, who are primary resource within collaboration. Membership is pseudo-open to those who are interested. Participation varies over time
 - Ombudspeople
 - Two collaborators, ideally one from US and one from Europe
 - Staggered two year terms to maintain some institutional memory
 - Confidential resource to LZ collaborators who are experiencing conflicts or disputes as part of their LZ activities
 - Ombudspeople maintain a list of institutional resources to refer people to if needed

Experience through 2022



- LZ ombudspersons were and are used with some frequency
- What worked well?
 - Two ombudspeople helpful
 - Options on who to contact
 - Consultation with one another (with permission re: confidentiality)
 - Ombuds chosen from those who don't have a perceived conflict-of-interest (eg., Physics Coordinator, Spokesperson are not allowed to serve in those roles).
- What could work better?
 - Ombudspersons have no formal training in DEI issues and how to do this job expertly.
 - Members are sometimes reticent to contact ombudspersons directly (hear secondhand).



- Work-Life Balance survey was taken in Nov-Dec 2021
 - Received external help from expert to process survey comments
 - Several comments about collaboration members behaving poorly in various contexts
- Around same time some members were involved in mediation of an internal conflict with DOE <u>Alternative Dispute Resolution office</u>
- Conclusion from both paths was a need to update our Governance
 - Explicit recommendation from final report on Work-Life Balance "Collectively meet to determine specific consequences for harm in alignment with existing Code of Conduct"

LZ Community Agreement - Timeline

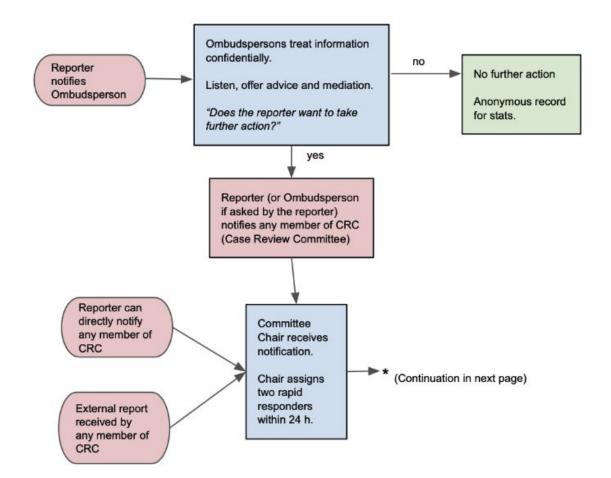


- March October 2022 first draft of new community agreement
 - Addressing issues that are "non-reportable" or "legal", but create a negative work/professional environment
 - Draft proposal exists containing an internal "review" and "enforcement" mechanism
- October 2022 Open discussion in Institutional Board
 - Addition of focus on quick intervention, including rapid response with restorative goals
- November 2022 <u>Code of Conduct Workshop held at Fermilab</u>
- January 2023-April 2023
 - Community Agreement Task Force wrote updated draft
- June 2023 Ratification of new Community Agreement



- Creation of Case Review Committee (CRC)
 - 5 members, all from IB, elected by full collaboration membership
 - Two year terms
 - Chair chosen by elected CRC convenor-level position
- "Report" initiates process
 - Rapid Response Team de-escalation, mediation if amenable
 - o Initial review "Is this a violation?"
 - Information gathering
 - Extended review
 - Recommendation of consequences
 - IB review if consequence requires it
- Report from CRC to IB every six months
 - Potential for revision





If the reporter

LBNL L&C Office

included in further

representative

proceedings

wishes the

process to

proceed



Committee process: < 2 weeks < 2 additional weeks

Rapid Response Team

(try to maintain confidentiality to the extent possible, but not guaranteed)

If judged necessary, immediate action to quickly de-escalate conflict, perform restorative measures, or limit interactions of relevant parties, ensuring safety of all collaboration members

Initial Review First Round of
information-gathering,
the 2 rapid responders
serve as investigators
(names withheld to the
extent possible during
investigation)

If reporter does not wish for action to be taken, the CRC will review the case and determine whether any additional action must be taken.

Process terminates with records submitted to the LBNL FAIR ICD system, revealed to later cases.

Reporter is free to ask for the process to proceed at any later time.

Investigators present the findings to the 3 remaining members of CRC

Entire committee learn names. Discussions within CRC are confidential and kept within the CRC. If conflict of interest results in recusal of a member no information will be shared with them.

vote: "Do the actions described in the notification constitute a violation of the CA, if they happened as described?"

no

Inform

 reporter of the decision not to proceed, and the process terminates.

Statement regarding report, process, and surrounding details is recorded by the Chair in the LBNL FAIR ICD system.

Hearing at IB

Committee presents facts of case in abstract (identities withheld to the extent possible).

IB votes on penalty motion proposed by committee.

If IB endorses a sanction, the identity of the party who violated the CA become known.

Inform

Extended review -

Second round of

ring, then fuller

violation occur?"

по

discussion

vote: "Did a

Inform

-reporter

information-gathe

-the other party -the other party

Records are held, revealed to later cases Records are held, revealed to later cases

yes

Determination

recommended

sanction

(vote)

-reporter

Recommendation

to the IB

CRC action or

recommendation to

Operations Manager



- Potential consequence
 - Private warning
 - Recommendation for further mediation
 - Loss/suspension of access to shared LZ infrastructure
 - LZ slack
 - LZ housing in South Dakota
 - Suspension from representation at consequences
 - Loss of committee memberships
- IB-level consequences require IB vote
 - Loss of IB-elected/appointed Collaboration position
 - Expulsion

LZ Community Agreement - Training



- A lesson from every discussion on these issues is the need for more/better training
- Civilian/Bystander in person training led by <u>DOE Alternative Dispute Resolution</u> office at January 2023 collaboration meeting
- About 20 LZ collaborators in relevant positions received mediation training from the <u>Dispute Settlement Center</u> over zoom in January 2024
 - Supported by the LZ Operations Office
- Further trainings desired and under discussion
- People who take on CA relevant roles (Spokes, CRC) advised to talk to their employers before agreeing



- In effect for ~1 year
- Cases have been reported to CRC, and the process has been followed
- CRC proposed changes to CA in latest summary to IB, approved this month:
 - Evolution of role of LBL "helper" organizations (DEI office, FAIR office)
 - Original vision of fully engaging in the process not practical
 - Clarify that guidance may be sought but is not required
 - Appeal process -any case may be contested with complaint to the IB
 - Notifications at close of case who receives report?
 - Add Executive Board as potential recipients of final, anonymized case report
- Intent for CA to be a living document revisions are desired as we learn how things work