

ETH Zürich
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Zürich, 26 July 2017

Re: Faculty Recourse and Code of Conduct

Dear Prof. Guzzella / Dear Lino,

As senior, female members of the faculty of ETH Zürich, we commend you, the other members of the ETH Zürich Executive Board and the Associate Vice President for Equal Opportunities for your initiative in formulating a general Code of Conduct for all members of the ETH Zürich community. We are aware that the documents are currently being circulated through the different ETH bodies and departments for feedback and wish to contribute to this process. The implementation of the Code of Conduct is highly appreciated by us and we consider this an important step to increase awareness and to define procedures for cases of non-compliance.

One issue emerging from our discussion concerns the question of whether a general Code of Conduct, can address all the issues relevant for specific constituencies. It is particularly difficult to address specific issues relevant to faculty in a general document. For this reason, many universities (e.g., the University of California, Berkeley) have implemented a Faculty Code of Conduct.¹ We propose to consider the implementation of such a Faculty Code of Conduct or to extend/revise the current regulations at ETH to establish clear processes for faculty. We would be glad to have the opportunity to support the ETH Zürich on this matter.

We feel that it is particularly important that the role and responsibilities of an Ombudsperson are kept strictly separate from that of an Investigative Officer. The major function of an Ombudsperson is “to provide confidential and informal assistance”; he or she “is neither an advocate for any individual nor the organization, but rather is an advocate for fairness, who acts as a source of information and referral, and aids in answering individual’s questions, and assists in the resolution of concerns and critical situations. In considering any given instance or concern, the point of view of all parties that might be involved are taken into account”.² This role is incompatible with the responsibility for conducting formal investigations and making disciplinary recommendations.

In the UC Berkeley document, in the section on “Disciplinary Procedures and Sanctions”, this is regulated by stating:

1. A faculty member who is accused of wrong-doing has recourse and assistance through a faculty committee (the “Panel of Counselors” at UCB). (*Note that an alternative might be an externally-appointed lawyer.*)

¹ http://apo.chance.berkeley.edu/faculty_misconduct_015.pdf

² <http://www.ombudsassociation.org/Resources/Resource-Library/Tools-for-Ombuds-Office-Operations/Academic-PD.aspx>

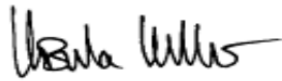
2. An Investigative Officer or Committee is appointed to “investigate the allegations and determine whether sufficient credible evidence can be produced to support a finding of misconduct”.

We feel that the establishment of a general Code of Conduct is an important action for ETH Zürich to take and that it should be accompanied by the development and implementation of a Faculty Code of Conduct.

We appreciate your consideration of this request,



Prof. Dr. Janet Hering (USYS,
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Prof. Dr. Ursula Keller (PHYS)



Prof. Dr. Kristina Shea (MAVT)



Prof. Dr. Olga Sorkine-Hornung
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