

LSST Dark Energy Science Collaboration  
Professional Conduct Policies

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Drafted by the DESC Professional Conduct Committee: Alina Kiessling (chair), Seth Digel, Scott Dodelson, Hiranya Peiris, Kara Ponder, and Anze Slosar

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# DESC Code of Conduct

The Rubin Observatory Legacy Survey of Space and Time Dark Energy Science Collaboration (DESC) is a large collaboration with members from diverse backgrounds. We strive for an inclusive and respectful environment for collaboration members independent of their background, age, and stage or path of career. Collaboration members should pay particular attention to interactions with students and postdoctoral researchers.

## Discrimination

Members of the DESC should treat each other with equity and respect, regardless of personal attributes including but not limited to: (alphabetically) age, disability, ethnicity, gender, gender expression, gender identity, lactation, nationality, physical appearance, political affiliation, pregnancy, race, religion, sexual orientation, and status as a caregiver (including as a parent).

## Harassment

DESC does not tolerate verbal, non-verbal or physical harassment of any kind.

Behaviors and language acceptable to one person may not be to another. Members must make every effort to ensure that words and actions communicate respect for others.

In particular, sexual harassment is not tolerated in DESC, including but not limited to inappropriate verbal and physical conduct, unwelcome sexual advances, and requests for sexual favors.

## Bullying

Bullying in any form, including but not limited to physical bullying, verbal abuse, disparagement, intimidation, exclusion, spreading personal rumors, is not tolerated in DESC.

## Scientific Misconduct

Members of the Collaboration must perform research in a well-documented and ethically sound manner. Falsification of data or results, plagiarism, violations of the DESC Publication Policy, taking credit for others' work or any other scientific misconduct will not be tolerated.

## DESC Meetings

When DESC members come together in person for meetings, the Code of Conduct does not change, although some aspects of it become more relevant. The Meeting Code of Conduct highlights considerations related to professional behavior and communications. All attendees at DESC-sponsored meetings must agree to the Meeting Code of Conduct at registration. DESC in-person meetings will have two Meeting Contact Persons

to support compliance with the Meeting Code of Conduct. The role and function of the Meeting Contact Persons is outlined in the DESC Meeting Contact Person Policy.

## Implementation

All DESC members are expected to abide by this Code of Conduct, and prospective members must agree to the terms of the Code of Conduct as a condition of acceptance into the Collaboration. DESC members are granted membership privileges at the discretion of the DESC Collaboration Council, and such privileges may be revoked by DESC Management upon reasonable grounds, including but not limited to violations of this Code of Conduct.

Any member of DESC with a concern about a violation of the Code of Conduct for DESC-related work may make a formal complaint to the DESC Spokesperson or Deputy Spokesperson. The DESC Spokesperson Team will serve as the primary contact during the grievance process.

If the complaint relates to DESC Management, it should be reported to any member of the Collaboration Council, in which case the Council Co-chairs (or designated Council members) will serve as the primary contact.

If the member is unsure of whether they wish to make a complaint, they may contact one of the DESC Ombudspersons for confidential consultation under the DESC Ombudsperson Policy.

In the case of a formal complaint, the primary contact will designate an independent 3-person committee of DESC Full Members to hear both sides of the complaint, consult witnesses if appropriate, and make recommendations for any resulting actions.

Individuals to whom complaints are reported or who are consulted during the grievance process should disclose conflicts of interest and recuse themselves from administering or investigating complaints.

The primary contact is responsible for ensuring the timely resolution of the complaint, and will directly communicate the outcome of the investigation to the complainant(s) and the respondent(s). If the complaint is upheld, DESC Management [or the Council, for complaints related to DESC Management] will have a range of actions at their disposal to remedy the situation, up to and including removal from DESC.

In addition, DESC Management reserves the right to remove a member from DESC without formal investigation based on sanction or censure by another collaboration, an institution, or professional society for activity that constitutes a violation of a code of conduct or would place DESC members at risk.

Members are expected to act in good faith and provide truthful statements to the best of their ability. Retaliation toward a member who pursues any of the avenues described above, or toward anyone assisting either in the Ombuds process or in the investigation of a formal complaint, is a violation of this Code.

A formal complaint may need to be discussed with the parties involved in it and with witnesses during the investigation, and with the most relevant members of DESC leadership if the grievance process could significantly affect normal DESC activities. However, the identities of the complainant(s) and the respondent(s) will be treated confidentially to the greatest extent possible.

To preserve information between Spokesperson terms, each primary contact will submit encrypted summaries of all formally resolved Code of Conduct violations for recordkeeping to the SLAC Legal counsel, while retaining the encryption keys. These summaries shall be encrypted such that SLAC Legal counsel does not have access to any underlying information, but a primary contact may query SLAC Legal counsel for relevant summaries. These summaries will be retained until the end of Rubin Operations plus two years.

Each primary contact will be responsible for passing all retained encryption keys to the next incoming Spokesperson, thus maintaining continuity. During resolution of a Code of Conduct violation, a primary contact will be provided all relevant encryption keys to access relevant summaries provided by the SLAC Legal counsel.

## Limitations of this Code

In no circumstance does the DESC Code of Conduct supplant laws or institutional policies or requirements to which members of DESC or home institutions are subject, including reporting requirements these individuals or entities may have. It is understood that DESC members may report allegations of violations to home institutions, government agencies, or local authorities for investigation per applicable laws, regulations, and policies. The DESC Ombudspersons are available for confidential consultation about any DESC-related issue or concern (see the DESC Ombudsperson Policy for further details).

This Code of Conduct shall not be construed as creating any employer-employee, joint venture, partnership, duty, trust, obligation to pay, or other relationship between DESC, member institutions, grantors, funding institutions or agencies, home institutions, or members, including DESC Management and committees. Although DESC encourages all members to abide by this Code of Conduct, DESC remains a voluntary member body, and members and their affiliated institutions waive any and all claims, liabilities, or damages against DESC, member institutions, grantors, funding institutions or agencies, home institutions, and DESC members involved in implementing the Code of Conduct arising from the enforcement of, or failure to enforce, this Code of Conduct.

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# DESC Meeting Code of Conduct

The LSST Dark Energy Science Collaboration (DESC) and the local organizers are committed to conducting meetings that are productive and enjoyable for everyone. DESC will not tolerate harassment of participants in any form and has adopted a Meeting Code of Conduct<sup>1</sup> (Meeting CoC) as part of the DESC CoC. By attending this DESC meeting you agree to:

- Behave professionally. Exclusionary or offensive comments or jokes related to personal attributes are not appropriate.
- Personal attributes covered by this policy include but are not limited to (alphabetically): age, disability, ethnicity, gender, gender expression, gender identity, lactation, nationality, physical appearance, political affiliation, pregnancy, race, religion, sexual orientation, and status as a caregiver (including as a parent).
- Unacceptable behavior includes, but is not limited to, sustained disruption of talks or other events, unwelcome physical contact, sexual attention or innuendo, intimidation, stalking, and recording of an individual without consent. Consent for photography may be assumed only when the subject is giving a talk during a DESC meeting.
- Communicate appropriately. Aim for a professional audience including people of many different backgrounds. Sexual language and imagery are not acceptable.
- Be kind. Do not insult or put down other meeting participants.

All participants are empowered to request that undesirable behavior be stopped. Participants asked to stop any behavior inconsistent with this Meeting CoC are expected to comply immediately. Each DESC in-person meeting will have two designated Meeting Contact Persons with the authority to take action up to and including requiring an attendee to leave a meeting. The DESC Meeting Contact Person Policy provides details of their role and function. In addition, any participant who wishes to discuss a violation of the Meeting CoC can speak, in confidence, to the Ombudspersons under the DESC Ombudsperson Policy, and/or institute a formal complaint with the Spokesperson or Deputy Spokesperson as outlined in the DESC CoC Implementation section.

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<sup>1</sup>The DESC Meeting CoC has been adapted from the London CoC, itself derived from documents by Software Carpentry, PyCon, and Geek Feminism, all under Creative Commons licenses.

# DESC Meeting Contact Person Policy

For each in-person LSST Dark Energy Science Collaboration (DESC) meeting (DESC-sponsored, organized, or funded), two persons are designated as Meeting Contact Persons. Their role is to support compliance with the DESC Meeting Code of Conduct (Meeting CoC) and to take action to resolve harmful situations. In addition, any participant who wishes to discuss a violation of the Meeting CoC can speak in confidence to the Ombudspersons under the DESC Ombudsperson Policy, and/or institute a formal complaint with the DESC Spokesperson or Deputy Spokesperson as outlined in the DESC CoC in the Implementation section.

The Meeting Contact Persons are available to meeting participants who are experiencing conflicts or disputes as part of the DESC meeting activities. The Meeting Contact Person will work together with the participants who consult them to identify options for managing and resolving disputes and conflicts. This includes providing advice and support, and taking action as needed to defuse a harmful situation, up to and including requiring the offender to leave the meeting.

The Meeting Coordinators will provide nominations for the Meeting Contact Persons to the DESC Collaboration Council at the initiation of the meeting planning. DESC Management and the Collaboration Council will be responsible for ratifying the appointment of the Meeting Contact Persons. The authority to act is afforded to the Meeting Contact Persons by the DESC Management and Collaboration Council and is in place throughout all meeting sessions and activities, including informal gatherings.

The Meeting Contact Persons will be full members of DESC who will be present for the duration of the Meeting. They will not be members of DESC Management or the Collaboration Council. They will have a strong understanding of DESC policies, their authority to act as Meeting Contact Persons under these policies, and will report their actions directly to the DESC Spokesperson or Deputy Spokesperson. All Meeting Contact Person decisions are final and not subject to appeal.

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# DESC Ombudsperson Policy

The LSST Dark Energy Science Collaboration (DESC) has two Ombudspersons who are available to members of DESC. The role of the Ombudspersons is to provide informal, confidential, nonjudgmental, impartial, and independent advice and arrange mediation for DESC members for the purposes of dispute resolution. Confidentiality is a privilege of the Ombudspersons and the only circumstances that there may be an exception to confidentiality is if the Ombudsperson is concerned by an imminent risk of serious harm, or if required by law in the applicable jurisdiction to anonymously report credible evidence of fraud, waste, or abuse concerning the use of government funds. As such, communications with an Ombudsperson do not constitute formal notice to the DESC or the individual's institute. If the individual would like to start formal proceedings, the Ombudsperson can provide guidance on the DESC process and referrals for institutional processes. The DESC process for formal complaints is outlined in the DESC Code of Conduct Implementation section.

There are two DESC Ombudspersons to provide a choice of whom to speak with, and to ensure that there is at least one Ombudsperson available at Collaboration meetings. The Ombudspersons are available to DESC members who are experiencing conflicts or disputes as part of their DESC activities. The Ombudspersons will work together with the members who consult them to identify options for managing and resolving disputes and conflicts. This includes providing advice and support, referring individuals to appropriate resources, organizing informal mediation, and ensuring that the DESC Spokesperson is made aware of any systemic issues in the collaboration, and regular reports of non-confidential information to the collaboration.

The DESC Collaboration Council appoints the Ombudspersons for a term of 4 years, with the option of renewal. Due consideration will be given to the diversity of the candidates. The DESC Ombudspersons will be full members of DESC, with a strong understanding of the organizational structure of the collaboration. They will not hold any other leadership positions within the collaboration and will report only to the DESC Spokesperson. They must familiarize themselves with the extensive materials available from the International Ombudsman Association available on their website: <https://www.ombudsassociation.org>. They should participate in the Foundations of Organizational Ombudsman Practice Course (or equivalent) offered by the International Ombudsman Association, if the course is available and DESC has sufficient funding.

DESC has chosen to adopt the role and function of the Ombudsperson as expressed by the International Ombudsman Association (with some additions and edits for gender neutrality): <https://www.ombudsassociation.org/what-is-an-organizational-ombuds>

## **The Organizational Ombudsperson—Role and Function**

The primary duties of an organizational ombudsperson are (1) to work with individuals and groups in an organization to explore and assist them in determining options to help resolve conflicts, problematic issues or concerns, and (2) to bring systemic concerns to the attention of the organization for resolution.

An organizational ombudsperson operates in a manner to preserve the confidentiality of those seeking services, maintains a neutral/impartial position with respect to the concerns raised, works at an informal level of the organizational system, and is independent of formal organizational structures. Successfully fulfilling that primary function in a manner consistent with the IOA Standards of Practice requires a number of activities on the part of the ombudsperson while precluding others.



Activities and functions most frequently undertaken by an ombudsperson include, but are not limited to:

- Listens and understands issues while remaining neutral with respect to the facts. The ombudsperson doesn't listen to judge or to decide who is right or wrong. The ombudsperson listens to understand the issue from the perspective of the individual. This is a critical step in developing options for resolution.
- Assists in reframing issues and developing and helping individuals evaluate options. This helps individuals identify the interests of various parties to the issues and helps focus efforts on potential options to meet those interests.
- Guides or coaches individuals to deal directly with other parties, including the use of formal resolution resources of the organization. An ombudsperson often seeks to help individuals improve their skill and their confidence in giving voice to their concerns directly.
- Refers individuals to appropriate resolution resources. An ombudsperson may refer individuals to one or more formal organizational resources that can potentially resolve the issue.
- Assists in surfacing issues to formal resolution channels. When an individual is unable or unwilling to surface a concern directly, the ombudsperson can assist by helping give voice to the concern and/or creating an awareness of the issue among appropriate decision-makers in the organization.
- Facilitates informal resolution processes. An ombudsperson may help to resolve issues between parties through various types of informal mediation.
- Identifies new issues and opportunities for systemic change for the organization. The unique positioning of the ombudsperson serves to provide unfiltered information that can produce insight to issues and resolutions. The ombudsperson is a source of detection and early warning of new issues and a source of suggestions of systemic change to improve existing processes.

What an ombudsperson does not do:

Because of the informal, neutral, confidential and independent positioning of an ombudsperson in an organization, they typically do not undertake the following roles or activities:

- Participate in formal investigations or play any role in a formal issue resolution process;
- Serve in any other organizational role that would compromise the neutrality of the ombudsperson role;
- Receive notice for the organization;
- Make binding decisions or mandate policies;
- Create or maintain records or reports for the organization;
- Provide representation or legal advice.

# Version History

- Mar 2021 (v1.2): Ombudsperson Policy amended to require training but not IOA membership.
- Nov 2021 (v1.3): “Implementation” Section of the Code of Conduct amended to provide more clarify on how confidentiality, conflicts of interest, and complaints related to DESC Management will be handled.
- Sep 2023 (v1.4): “Implementation” Section of the Code of Conduct amended to allow for record keeping between Spokesperson terms. Ombuds section now includes charge of regular reports ot the collaboration.