



Potential Strategies For Those Who Witness Or Experience Uncivil Behavior

Introduction and Disclaimer

All members of the health care team may become targets of workplace bullying and harassment. Provided below are some common scenarios that may occur in the workplace environment, followed by suggestions for individuals faced with these situations.

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In every situation and to the extent the reader deems it appropriate, the reader should consult a person of their own choosing including, as appropriate, any advisor, ombudsperson, legal counsel, or other professional.

Scenario 1

What to do if you experience microaggressions at work

1. **Consider initiating a conversation** with the offending person using the ACTION framework: (1) Ask clarifying questions to assist with understanding intentions; (2) ask with **Curiosity** rather than with judgment; (3) Tell what you observed, explaining in a factual manner why it was problematic; (4) Impact exploration—discuss the impact of the behavior or actions; (5) Own your own thoughts and feelings and share them; (6) Next steps – request that appropriate action be taken.
2. In an environment in which microaggressions are common, it may be impossible or personally taxing to respond to every microaggression. Prioritizing self-awareness with a focus on **strengthening your own resilience** may help you navigate a difficult situation.



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3. **Active bystanders or upstanders** should also consider responding in the moment; the ACTION framework may be helpful.

Scenario 2

What to do if bias may be affecting your professional opportunities

1. If the bias is unconscious/implicit, consider initiating a conversation with the offending person using the ACTION framework: (1) Ask clarifying questions to assist with understanding intentions; (2) ask with Curiosity rather than with judgment; (3) Tell what you observed, explaining in a factual manner why it was problematic; (4) Impact exploration—discuss the impact of the behavior or actions; (5) Own your own thoughts and feelings and share them; (6) Next steps – request that appropriate action be taken.
2. Consider discussing the issue with your supervisor, training director, or other person in leadership to better understand your situation and discuss remedies.
3. If the bias is overt, and limiting professional opportunities, consider reporting the offense as in Scenario #4, below. Bias on the basis of a protected class, such as race or sex, may be illegal.

Scenario 3

What to do if you experience bullying in the workplace

1. Focus on your own safety and well-being first. Get to a safe place if you feel uncomfortable or in any danger.
2. Document key events and details. Include the date, time, and location of the event(s) and the individuals/witnesses involved. Preserve any relevant text messages, emails, photos, or social media posts. Discuss the event(s) with someone you trust.
3. Review your institution's policies on bullying and harassment, particularly the reporting guidelines. Bullying in itself is not a legally actionable behavior, unlike harassment.
4. If you believe doing so would pose no physical risk, consider speaking directly to the person in the presence of a witness to discuss and describe the inappropriate behavior, and ask them to stop. Keep in mind that approaching the individual with a demeanor that is calm or with a question about whether they realize they offended you can be an effective way to help the offending individual better recognize their problem behavior.



5. If you decide to report the bullying, **follow your institutional reporting guidelines**, and consider seeking legal advice. If your institution does not have a specific policy, consider going to a senior leader or someone in Human Resources.

Scenario 4

What to do if you experience racial or sexual discrimination

1. **Document key events and details**, electronically or on paper, as soon as you can. Include the date, time, and location of the event(s) and the individuals/witnesses involved. Preserve any relevant text messages, emails, photos, or social media posts. Discuss the event(s) with someone you trust.
2. **Review your institution's anti-discrimination policy**, particularly the reporting guidelines if applicable. Decide whether you want to report the discrimination and consider your desired outcome. If you are at a university or educational institution, understand that some employees may be "mandatory reporters," legally required to report incidents of alleged discrimination on the basis of sex or gender to the organization's Title IX Office. Examples of mandatory reporters include deans, provosts, and department/division heads. If you are unsure, ask the person you are talking to if they can maintain confidentiality before disclosing anything or consult with your Human Resources or other relevant department.
3. **Consider seeking legal counsel** from someone experienced in employment discrimination law.

Scenario 5

What to do if you experience sexual harassment

1. **Focus on your own safety and well-being first**. Get to a safe place if you feel uncomfortable or in any danger.
2. **Document key events and details**, electronically or on paper, as soon as you can. Include the date, time, and location of the event(s) and the individuals/witnesses involved. Preserve any relevant text messages, emails, photos, or social media posts. Discuss the event(s) with someone you trust.
3. **Review your institution's sexual harassment policy**, particularly the reporting guidelines. Decide whether you want to report the harassment and consider your desired outcome. If you are at a university or educational institution, understand that some employees may be "mandatory reporters," legally



- required to report incidents of alleged harassment on the basis of sex or gender to the organization's Title IX Office. Examples of mandatory reporters include deans, provosts, and department/division heads. If you are unsure, ask the person you are talking to if they can maintain confidentiality before disclosing anything or consult with your Human Resources or other relevant department.
4. If you decide not to report the harassment, continue to document events as they occur. However, **be aware that if you decide not to report or delay reporting**, it may affect your later rights to bring legal action. For example, many states have 6 or 12-month deadlines for discrimination complaints (or "charges") with the EEOC (sexual harassment is considered discrimination by the EEOC, so sexual harassment victims should file discrimination complaints). Check the EEOC's website to find your state's deadline.
 5. If you believe doing so would pose no physical risk, **consider speaking directly to the person** in the presence of a witness to discuss and describe the inappropriate behavior, and ask them to stop. Keep in mind that approaching the individual with a demeanor that is calm or with a question about whether they realize they offended you can be an effective way to help the offending individual better recognize their problem behavior.
 6. If you decide to report the harassment, **follow your institutional reporting guidelines**, and also consider seeking legal advice. If your institution does not have a harassment policy, consider going to a senior leader or someone in Human Resources or the equivalent for faculty or trainees. If this is not possible, you can file a complaint directly with the Equal Employment Opportunity Commission. Even if you don't report the harassment, consider speaking with a trusted colleague or an ombudsperson, if available.

Scenario 6

What to do if you witness sexual harassment, discrimination, or bullying

1. **Consider an immediate intervention** to support someone who is being harassed, discriminated against, or bullied.
2. **The Five D's** provide bystanders with a range of options to respond to witnessing harassment: (1) **Direct**: consider confronting the harasser, describing the behavior, and asking them to stop; (2) **Distract**: stop the incident through interruption – ask a question, start an unrelated conversation, physically interrupt the incident, or find a reason to call the person out of that space; (3) **Delegate**: contact an appropriate third party to



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- intervene, such as a supervisor, human resources officer, security officer or another colleague; (4) **Delay**: If you aren't able or choose not to intervene in the moment, follow up with the targeted individual afterwards. You can offer acknowledgement and empathy, and can ask whether they need additional support, resources, or documentation of the incident. You can also intervene with the harasser later and let them know that you found their behavior inappropriate; (5) **Document** all the relevant key details and ask the targeted individual what they would like done with the documentation; do not share it without their consent.
3. If you are in a supervisory role or leadership position (i.e., are a 'mandatory reporter'), **you may have an obligation to report** and seek prompt and proper remedial action in response to unlawful discrimination or harassment; discuss with your HR representative if you are unsure of your responsibilities.
 4. After discussing the incident(s) with the targeted individual, **consider reporting the behavior**, following your institution's policies.

Suggested reading (references)

[What to Do if You're Being Sexually Harassed. The New York Times.](#)

[Time Limits for Filing a Charge. U.S. Equal Employment Opportunity Commission.](#)

Cheung F, Ganote CM, Souza TJ. [Microaggressions and microresistance: Supporting and empowering students. In: Faculty Focus Special Report: Diversity and Inclusion in the College Classroom.](#) Madison, WI: Magna Publications, 2016.

[Know Your Rights: Witnessing Sexual Harassment at Work. National Partnership for Women & Families.](#)

[Hollaback! Bystander Intervention Training.](#)