

Dear Professor Mesot

Dear members of the ETHZ Executive Board

As a follow-up to the meeting with the ETH Board on September 23rd 2020, the ETH Women Professors Forum (WPF) has established an internal working group to contribute to the review and improvement of the grievance procedures at both ETH Zurich and EPFL. ETH Zurich has recently adopted a new version of the *Guidelines for inappropriate behavior* and is currently in the process of revising the procedures on *scientific integrity and research misconduct*.

With this letter, we would like to constructively contribute to the ongoing process of revision, and in particular, we propose two actions:

- 1) We would like to draw your attention to the fact that the ongoing cases are being processed under the procedures currently in place, for which modifications are sought. We believe that the main concerns with the current guidelines stem, on one side, from lack of clarity and, on the other side, from the limited opportunities for training in mediation for the role of the ombudsperson and confidant, who play key roles in resolving these cases. For those reasons, we would like to propose a pragmatic approach to tackling these ongoing grievance cases, which will not have the chance to be evaluated under the prism of the revised regulations. We propose to offer the possibility for those involved in open cases to provide input regarding their procedures to an independent lawyer, who could be defined upon joint recommendation of the Vice President for Personnel Development and Leadership (VPPL) and the ETHZ arm of the WPF. The lawyer's task would be to summarize the input received in an anonymized report to be shared with the ETHZ executive board, the WPF and the bodies undertaking the revision of grievance procedures. The goal of such an undertaking is to identify systemic issues that the revised version of the procedure can be designed to address. In essence, this input would serve as an opportunity to better delineate the scope of the procedural revision. We would limit this exchange to professors involved in grievance cases (*investigations regarding scientific misconduct and administrative or disciplinary investigations*) that are open as of December 18th, 2020.
- 2) We propose to establish a one-time *ad hoc* review committee, external to the institution, that would review closed cases for the purpose of ensuring that newly proposed procedures avoid any previous procedural issues. We propose a specific composition for this committee. It should comprise at least three members, two with expertise in administrative law, and one with expertise in conflict resolution and mediation. The members could be proposed by an external expert. The members of the committee would have to be approved by the ETHZ SL, the WPF Executive Board, and the Professorial Assembly. The committee would be tasked with reviewing closed cases, since 2015, in order to identify procedural misunderstandings and difficulties. This exercise would entail no reconsideration of any outcome, but would simply aim to gather knowledge from previous procedures. The goal of the exercise would be to ensure that the newly proposed procedures are transparent and fair for all parties involved. Naturally, the review of all cases would be an impossible task, however, we suggest that the committee be provided with a full list of closed cases to select from, including – among others – those recommended by the WPF. In essence, this effort represents a second pro-active approach to ensuring that the new procedures are fine-tuned, leveraging past experience as an opportunity to learn. A confidential report would be provided to the president with a candid evaluation of the proposed procedures. Additionally, we suggest that a short summary of the outcome, freed of specific mentions to names or parties, and subject to approval by the ETHZ SL, be made public. This is an important step toward transparency, indicating the willingness of ETHZ to acknowledge structural issues in the grievance system and to push internally for an informed revision that will ultimately benefit the institution and all its members.

This letter has been put to vote to the ETHZ arm of the WPF membership with an outcome of 26 votes in favor and 3 negative votes (along with 11 abstentions).

With best regards, Eleni Chatzi, WPF co-vice Chair
On behalf of the ETHZ arm of the WPF