

Report of the Ombudsperson for Nondiscrimination

*Respectfully submitted by Cheshire Calhoun
for the period October 3, 2012, to September 12, 2013*

There was one main case:

I was approached in January 2013 by a job candidate about her interviewing situation, which appeared to involve both discrimination on the basis of a disability—medical complications that precluded travel—and pregnancy. In brief, after an initial phone interview, she was invited for a campus visit as one of three finalists. Because she was unable to travel as a result of her pregnancy complications, she was demoted from one of three finalists to a backup in case one of the other two—who were able to travel—were not offered and did not accept the position. I had multiple email conversations with the job candidate and phone conversations with both the director of HR and the department chair; this was in part to do fact finding, in part to recommend alternative ways of conducting the various portions of the on-campus interview, including teaching, and in part to try to persuade the director of HR to re-consult with their legal counsel and institutional administrators (which he did). The institution continued to insist that physically seeing the campus environs was a critical part of the interview process. In this process, I consulted with the chairs of the inclusiveness committee and the committee for the defense of the professional rights of philosophers. The institution did not advertise in JFP, so this case does not involve a violation of the APA's requirement that advertisers be in compliance with the APA's nondiscrimination statement. I understand that the chair of the inclusiveness committee, Anita Silvers, is bringing this case to the board as a test case for the enforcement of the nondiscrimination policy. I provided her with a complete account of the communications connected to this case.

There were two other complaints, neither one falling in the Ombudsperson's purview, that I offered some advice on:

1. February 7, I received a complaint about ideological discrimination in one of the groups that holds sessions at the APA. The group, according to the complaint, has outside funding and is hostile to work that does not tow the party line. I informed the complainant that this falls outside the purview of the ombudsperson for nondiscrimination and recommended that he contact the secretary-treasurers of the divisions to get information on what freedoms groups have to determine the content of sessions and what constraints they operate under.
2. April 1, Amy Ferrer forwarded a complaint from a commentator at an APA session. The female commentator on an otherwise all male panel. The chair did not invite the speaker to respond to her comments, but did invite the speaker to respond to the male commentators. The chair also asked the male commentators if they have further remarks to make during the question session, and said that he had read their papers. He did not ask the female commentator for further remarks or mention that he had read her paper. I recommended that this was something that the inclusiveness committee and the committee on the status of women might wish to take up.

3. May 2, I was contacted by a faculty member who had a variety of complaints about his institution including the constitution of a hiring committee that did not comply with institutional by-laws, the failure of the provost to disband this hiring committee after an institutional review committee had determined that there were multiple violations of the by-laws, failure to consult with him about whom to interview and make an offer to despite the fact that he was one of only two philosophy faculty and had been at the institution for decades, and failure to take seriously the female candidates. He also was fearful that he was going to be fired. I informed him that most of his concerns were not within my purview and advised him multiple times that he needed to consult with the chair of the committee for the defense of the professional rights of philosophers. He was unwilling to do this. He was unwilling for the APA to consider in any formal way a complaint of discriminatory hiring practices, and his worries about being fired were entirely speculative. So I simply offered some advice about the kinds of information that he could collect in order to be prepared should his job actually be threatened.

Amy Ferrer consulted with me and others on two ads submitted for JFP. We agreed that they were not in compliance with the nondiscrimination statement.

As *ex officio* member of the inclusiveness committee, I participated in that committee's review of grant proposals.

As *ex officio* member of the committee on the status and future of the profession, I have participated in a subcommittee tasked with developing a statement on dual careers (the two body problem).

As *ex officio* member of the committee for the defense of the professional rights of philosophers, I have participated in some but not all of that committee's deliberations.

I served on the three-person selection committee for the members of the ad hoc committee on sexual harassment.