

Dear NAA member,

In keeping with the goals of Diversity, Equality, Inclusion, and Belonging (DEIB), the Internal Grievances sub-committee of the Continuing Education Committee will be presenting a session on bystander responsibilities at the Members-Only session of the NAA Annual Meeting in Denver.

In preparation for that session, we hope you will complete the following brief survey to give us a better understanding of how current NAA members view their roles as potential bystanders.

Thank you so very much.

The Internal Grievances Sub-Committee

SURVEY

1. During the New Members' introductory speeches each one in thanked and named their NAA mentors. Only one of the new members was a minority – a person of color. As she left the stage, you hear an NAA audience member next to you observe to another member, "Nice that we are becoming more diverse, but do you think she's a Christian?"

What would be your response (check all that apply)?

- Say/do nothing, this is not my concern.
 - Try to distract the perpetrator(s) by interrupting the offensive behavior.
 - Check in with the victim afterwards to see if they need support or wish to report the behavior.
 - Respond directly in the moment to call out the perpetrator's behavior or language.
 - Speak directly to the perpetrator(s) alone at your first opportunity.
 - Ask for assistance from a third party – e.g., an ombudsperson tasked by the organization with dealing with such behavior.
2. You are on a committee with Arianna, Alex, Carol, and Joe. Alex is the chair of the committee. During a committee meeting, Arianna makes a suggestion regarding her recommendation for a next step in the committee's work. Chiming in, Joe repeats the same suggestion and briefly states why he is putting forth that suggestion. Alex says, "Great idea, Joe," and moves on to the next item on his agenda. Joe knows it was not his idea, as do you and Arianna.

What would be your response (check all that apply)?

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3. You are at a reception for the new Academy members and observe the following exchange. Jody Green (age 47), who was just inducted into the NAA, is talking with two long-time Academy members, Bob Taylor and Janet Palumbo who were inducted in 1984 and 1989 respectively. Jody comments on how difficult it was to get the required number and variety of cases to apply for membership. Janet laughs and says, "Oh my goodness, I was told not to apply unless I had at least 100 cases", and Bob notes that he was deferred because his 90 cases were mostly from one pair of parties in the steel industry. They both chuckle and tell Jody they wish they'd been able to apply under such reduced standards.

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4. At an NAA cocktail reception, you notice a clearly inebriated member "cornering" a new female member who has her back to a wall, standing extremely close to her with his hands on her shoulders as he talks with her. She looks uncomfortable and trapped, but seems reluctant to react to him, since she is brand new. and he is an older well-respected member with some outstanding published articles and books on arbitration.

What would be your response (check all that apply)?

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Check in with the victim afterwards to see if they need support or wish to report the behavior.

Respond directly in the moment to call out the perpetrator's behavior or language

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5. Kwame Ogando, an attorney and newly admitted NAA member is seated at a table with other academy members during lunch at an NAA meeting. While introducing himself that morning, he noted that he has been in the labor management field for more than 20 years, and has lived in the US for more than thirty years, including attending Yale law school for his J.D. In the midst of what began as a casual conversation during that lunch, a senior member of the NAA says to Kwame, "I am having a difficult time understanding you. Where did you say you were from?" When Kwame explains that he spent the first 15 years of his life in Nigeria, that same senior member comments, "I'm having trouble understanding you, so I wonder how your clients can deal with your accent? I'm just asking, because I know parts of the country that will not select you because of your strong accent." Kwame smiles weakly and points out that he has been hearing cases all over the US with considerable success.

What would be your response (check all that apply)?

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Check in with the victim afterwards to see if they need support or wish to report the behavior.

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6. At an NAA Regional Meeting, featuring a panel that includes a newer woman NAA member from that region, the panelists are asked to present challenging cases they have heard in which there was an issue of just cause and discuss how they evaluated their case to reach a decision on the issue. After the newer member presents her case,

the male moderator says to the audience, "Well, you can certainly tell she's new at this." Another male panelist chimes in and strongly agrees with the moderator. Their criticisms continue in this vein, with them interrupting any time the panelist tries to justify the reasoning behind her decision, and the audience clearly becomes awkwardly uncomfortable watching their attack. When time runs out, and the moderator announces the break for lunch, the newer NAA member is so embarrassed she is about to skip lunch and head home.

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7. At the new members' luncheon, two established members of the NAA are seated with a newly admitted minority member. As they are leaving the luncheon, you hear one of them remark, "Well, you can see the DEIB's hand in this. She interned with XXX and clearly came in on his coat tails. I'll bet she couldn't have made it in on her own."

What would be your response (check all that apply)?

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Is there another way in which you might have handled these situations? If so, please specify:
