

Mediation for bullying, sexual harassment and other community problems

Julia Wise, January 2021

Who might use this: EA organizations, projects, or groups considering mediation for handling some types of problems.

Summary: There are mixed opinions on whether mediation is appropriate for situations with a serious power imbalance including bullying, sexual harassment, and intimate partner violence. If you decide to use mediation for a situation like that, there are steps that can help limit the power imbalance. In some cases I don't think it's appropriate to do face-to-face mediation at all.

About this document: Periodically I hear about organizations or community groups within EA and rationality that use some form of mediation to handle disputes or other problems. In some cases this seems to work well, and in other cases not. I wanted to learn more about what's considered best practice for when and how to use mediation, in particular for sexual harassment complaints. This writeup presents what I found, mostly relevant to sexual harassment but with some sections on workplace bullying and intimate partner violence. Most of it is excerpts from other people's work. The parts that refer to the legal system are about the US legal system.

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Informal vs. formal mediation

When people in EA and rationality refer to using mediation, they often mean a community member helping others talk through a conflict.

Standard guidance assumes that the mediator has formal training and is brought in from outside, rather than a community member who knows any of the parties or has any stake in the matter.

[This site](#) has listings for professional mediators (mostly in the US).

If your organization wants to use a professional mediator or other professional service ([other example](#)) and cannot afford to hire a professional, there may be funding available. You can ask me at julia.wise@centreforeffectivealtruism.org and I can find out for you.

How mediation works

Mediation as referred to in law seems to have emerged mostly in the 1980s as a cheaper way of resolving matters that would otherwise go to court. "Mediation, which originated as a tool in the resolution of labor disputes, later emerged as an alternative or an adjunct to traditional means of handling neighborhood and community conflicts, environmental issues, and divorce and family disputes." [Source](#)

Some mediation happens in a quasi-legal context, with everyone's attorneys present, and the question of an eventual financial settlement in everyone's mind. This is pretty different from the typical case where mediation is used in the EA / rationality community, where the budget is typically lower and the interactions less formal (for example consisting of community members with a dispute but no formal legal relationship to each other.)

Description of standard mediation:

"In its simplest form "[m]ediation is a process through which two or more disputing parties negotiate a voluntary settlement of their difference with the help of a 'third party' (the mediator) who typically has no stake in the outcome." . . . Experienced mediators are adept at investigation, empathy, persuasion, invention, and distraction.' Using these skills, the mediator will: "encourage exchanges of information, . . . help the parties to understand each other's views, . . . promote a productive level of emotional expression, . . . help the parties realistically assess alternatives to settlement,... encourage flexibility,... stimulate the parties to suggest creative settlements, . . . and invent solutions that meet the fundamental interests of all the parties. ' In practice, mediation usually involves several overlapping stages: "introduction of the process by the mediator;" "presentation of viewpoints by each of the parties;" emotional expressions by the parties; "caucusing [the mediator meeting privately with a party] to discuss confidential information;" "exploration of alternative solutions" and forging an agreement that the parties find acceptable. In the early stages, mediators work "to establish their integrity, competence and concern for the parties" and their positions. Later, through the use of "active" listening and

open-ended questions, mediators are able to gather the information necessary to serve as a foundation for the ensuing discussions. As the session continues, it is common for mediators to meet with each side separately in a "caucus" to discover additional information that the party did not want to share in the joint session with the other disputant present. During this private meeting, the mediator may challenge the party's position and attempt to persuade him or her to hear and understand the other side's viewpoint. In later caucuses, the mediator may suggest alternative settlement terms or test the parties' positions on proposals already discussed. "Mediators expect the parties to speak frankly in caucuses and may do so themselves in ways that would create hostility if done in a joint session. Through a series of these joint and separate sessions, the mediator structures the parties' negotiations, encourages cooperative bargaining, and helps them reach a resolution that is satisfactory for all concerned." [Source](#)

How voluntary is mediation?

In theory mediation should always be voluntary, but as one [source](#) puts it: "We all make choices that are not autonomous but that we are free to reject. It is in this sense that mediation is voluntary; it relies both on coercive external pressures and on an individual's decision to participate."

Purpose of mediation: Reconciliation, not evaluation

Mediation is not aimed at fact-finding.

"There is no need in mediation to reach an agreement on "the true facts," nor is it necessary to decide which party is more credible. Sometimes the parties can agree on what happened, and sometimes they cannot; the important point is that each side is heard, understood, and respected." ([Source](#)) This can work well in some cases, as where the problem is mainly a misunderstanding or difference of opinion.

In other cases it might be important for the employer or the community to know key facts (such as whether someone is repeatedly violating other people's boundaries or making baseless accusations). When using a process that focuses on reaching closure and moving on, other goals like warning others may not be possible if everyone has agreed to confidentiality.

Some authors argue that for this reason, a more formal process like a hearing or lawsuit is appropriate for sexual harassment because it focuses on fact-finding, objectivity, and the condemnation of wrongdoing. [This piece](#) describes mediation for sexual harassment as "a system that effectively trades justice for harmony." Another writes "Mediation is not appropriate for all types of cases. Some are better suited for a mechanism that involves fact-finding and decision making. This is particularly true where, ultimately, we need to draw bright lines delineating acceptable behavior in the workplace." ([Source](#))

Others point out that many victims of harassment are unwilling to go through a formal and public process, and that mediation may be the best realistic option even if it does not serve justice.

“If we are honest, mediators must acknowledge that the desire to avoid formal proceedings provides much of the motivation that renders mediation effective. While some might argue that mediation is simply allowing harassers and their institutions to cover up the extent of the problem, it seems clear that if no informal channels for the pursuit of grievances existed, the great majority of sexual harassment situations would remain the private burden of those who are victimized.” ([Source](#))

Confidentiality

In the US, confidentiality of mediation is enforced differently in different states. Laws protecting mediators from being called to testify in court may only apply to mediators with formal qualifications rather than someone mediating in a more informal role. [More](#)

It's standard for mediation to include a confidentiality agreement. I don't fully understand what limits this places on people - for example, if you agree to confidentiality during mediation, you presumably agree not to share information you learn from others during the session. But does it limit you from speaking about things you already knew, such as your own experience?

I'm also not clear on whether you can take *action* based on what you hear during mediation even if you do not *disclose* it. For example, if an employer learns during mediation that their employee behaved badly, can they fire the employee for it? In at least some cases it seems ok, as in the case where an employee was [fired](#) for telling his employer “You can take your proposal and shove it up your ass and fire me” during mediation, which apparently was not considered confidential, as the quote was published in a court ruling about the firing.

I don't understand how confidentiality works here, and you should probably get legal advice specific to your state or country if you're considering any kind of formal agreement about confidentiality.

When is mediation inappropriate?

“A prevailing sentiment among many mediators is that mediation is inappropriate when there has been conjugal violence. One of the primary reasons mediation is avoided is because of the imbalance of power between the batterer and the victim. This imbalance makes it impossible for the weaker party to enter into an agreement freely, knowingly, and without fear or coercion. Mediation under those conditions risks reaching an unfair agreement tainted by intimidation.” ([Source](#))

“Mediation and arbitration place the parties on equal footing and ask them to negotiate an agreement for future behavior. Beyond failing to punish assailants for their crimes, this process implies that victims share responsibility for the illegal conduct and requires them to agree to modify their own behavior in exchange for the assailants' promises not to commit further crimes.

. . . mediation and arbitration should never be used as alternatives to prosecution in cases involving physical violence." - United States Commission on Civil Rights

There's disagreement about whether mediation is appropriate for workplace bullying. "In the individual pre-mediation session with the alleged bully, it will be necessary for the mediator to ascertain their perspective on why the bullying behaviour took place and whether they understand the impact of their behaviour on the victim. If the mediator can gauge whether the bully has insight into their behaviour which may not have been maliciously intended and is willing to acknowledge its impact, in this case, there is a reasonable prospect that both the parties will have the capacity to mediate to resolve the crisis." ([Source](#))

Others argue mediation is never suitable for workplace bullying: "The defining feature of workplace bullying allegations is the power imbalance between the bully and their target, which is exacerbated if the employer is also the bully. Mediation in such conditions is likely to reinforce the dynamic and worsen the situation" ([Source](#))

"The mediation process assumes that all parties involved in the mediation are 'sufficiently capable' of negotiating and reaching a mediated agreement with each other as equals in the process. In cases involving workplace bullying or any type of family violence, this is a false assumption; individuals experiencing abuse, violence, or similar interactions are disempowered their ability to deal effectively with their abusers are diminished." ([Source](#))

Again, the perfect might be the enemy of the good. If the victim is unwilling to go through any more formal process, something like mediation might be better than nothing. I'm also not sure how to think about cases where abuse may be mutual.

On sexual harassment

Many of the sources I read are from the 1990s, after the Hill vs. Thomas hearing created national attention on sexual harassment. A typical passage: "Women use broader definitions of sexual harassment, and therefore are more likely to define specific behaviors as harassment. Women also find sexual harassment to be more serious than do men. Men are significantly less likely to perceive behavior as harassing, and are likely to perceive a woman's friendly behavior as a sign of sexual interest and availability." ([Source](#)) A landmark 1990 [case](#) used the standard of what a "reasonable woman" would consider harassment rather than the more traditional "reasonable person" standard. "The court in *Ellison* accepted the assumption that men and women have different views of what constitutes harassment. This difference is based at least in part on a woman's greater susceptibility to sexual assault than a man. As a result, the court reasoned that even faced with "mild" harassment, a woman "may understandably worry whether a harasser's conduct is merely a prelude to violent sexual assault.'" ([Source](#))

I'm not sure how well these sources represent current views or reality 30 years later, among community members who grew up with different norms around gender and sexuality.

None of the sources I found (again, mostly from the 1990s) gave serious attention to any kind of sexual harassment other than men harassing women. At this point, I assume we all acknowledge that people of any gender can experience or commit sexual harassment. I also think gender dynamics are somewhat different than they were a generation ago.

What do people want in sexual harassment cases?

A university ombudsperson writes: “In a very large number of harassment situations the person harassed prefers not to bring charges through a procedure that requires a formal hearing. Most of the people who approach me with a complaint of sexual harassment make clear early on that they do not want to bring formal charges. Frequently, they also make clear that if their only option is a formal hearing, they will not proceed with the complaint. While in some instances this reluctance to proceed is the result of fear of retaliation, more often than not such reluctance is separate from any such fear. Nor, in my experience, is hesitation about following a formal complaint route related to the ambiguity of the situation giving rise to the charge of harassment. Often those who have been blatantly harassed are as wary of bringing a formal charge as those who are not even sure themselves that what they are experiencing is harassment.” ([Source](#))

Mary Rowe’s work based on her decades as an ombudsperson at MIT identified these things that complainants often want ([source](#), p 53, with elaboration on each one):

1. They want the harassment to stop.
2. They want things to go back to normal.
3. They fear retaliation.
4. They do not want to get a reputation as a troublemaker.
5. They do not want to get the person who harassed them in trouble.
6. They blame themselves.
7. They are concerned about the loss of privacy if they pursue their complaint.
8. They do not want to lose control of the complaint.
9. They feel they have no conclusive proof and that they have limited skills in establishing the truth.
10. They are often interested in an outcome that will prevent the same thing from happening to others.

Howard Gadlin gives a corresponding list of what he sees the accused as wanting:

1. They want things to go back to normal.
2. They are afraid of punishment.
3. They are concerned about their reputation.
4. They are concerned about confidentiality.
5. They do not want to lose control of the complaint.
6. They blame the accuser, not themselves.

An [overview](#) of a large number of workplace cases of sexual harassment: “In the experience of one ombudsman involved with over 6000 sexual harassment victims, over seventy-five percent

of victims express serious concern about some form of retaliatory or adverse consequences flowing from their complaint. They are often worried not only about disapproval from co-workers and supervisors, but also about the complaint straining their personal relationships at home. The harasser needs to know what specific behavior caused offense and will likely appreciate the chance to explain his behavior to the victim. Because harassers may be unaware that their conduct was offensive, much less unlawful, some accused are interested in a forum where they can express remorse and will not be treated as stereotypical harassers. ...Like the victim, the accused harasser would like to return to work as quickly as possible, after a confidential resolution. Confidentiality is important to the accused because he is concerned about his reputation and afraid of the possible repercussions on his relationships with others at work.”

Face-to-face vs shuttle mediation

There's debate about whether or when face-to-face mediation is appropriate for topics like harassment or abuse. Some sources see it as important that the complainant have the opportunity to personally confront the harasser. Apology may be an important outcome of mediation, and this is most effective when done face-to-face.

In other cases, at least one party may not be willing to be in the same room with each other, or the mediator may decide that everyone being in the same room isn't viable. Then they might use “[shuttle mediation](#)” where the mediator moves between meetings with the parties in different rooms. ([Other source](#) more pessimistic about shuttle mediation)

One mediator at a university writes that of the 110 sexual harassment cases they have worked on, “I have used full mediation sessions in approximately one third, and mediation-like shuttle intervention in many of the remainder...”

I have found two major modifications to traditional community and family mediation practices to be of enormous help. First, I hold individual sessions-- often several individual sessions before joint sessions. Typically, mediators do not meet separately with the disputants prior to the first mediation session. Usually, both parties are present and each tells his or her story to the mediator in the presence of the other party. In sexual harassment mediations, I find it useful to meet first with each party separately, often over several separate sessions, before bringing the parties together. I developed this approach because of a concern that the mediation not become an extension of the harassment: individual sessions allow for the venting of the powerful emotions associated with harassment and for some assessment of the probability of reaching an agreement satisfactory to both parties. By beginning with a sort of shuttle diplomacy, there is generally considerable movement away from positional posturing over the course of the individual sessions. Central to these sessions is helping the parties identify the underlying interests they hope to satisfy through mediation.” ([Source](#))

“A key selling point of mediation is that it provides a victim of sexual harassment the opportunity to “tell him to his face” and regain self-esteem and a “sense of competence” in a manner unavailable through formal adjudication processes. However, as Howard Gadlin and others

have noted, despite the claim for confrontation as an advantage of mediation, many sexual harassment victims are reluctant to meet with, let alone confront, their harasser. . . . Where a coworker or supervisor's sexually harassing conduct manipulates or coerces an individual, the notion that a mediation can propel the victim onto equal footing with the harasser is "magical thinking" at its best. . . . In such a context, face-to-face confrontation can only increase the vulnerability of the victim by opening her or him to further manipulation or additional abuse." ([Source](#))

"The mediator can structure the mediation to account for any power imbalances between the parties. This is, in fact, the mediator's job - to neutralize power imbalances. The mediator may choose, for example, to suspend the initial joint meeting so that the parties are not forced to meet face-to-face at the outset of the mediation. In fact, the mediator may not require that the parties ever negotiate face-to-face because of the sensitivity of issues in a sexual harassment dispute."

Selecting a mediator

"While all mediators will bring internal biases to the mediation, an effective mediator works toward impartiality, avoiding any conduct indicative of partiality. A good mediator is inclusive, and can communicate with a wide variety of individuals regardless of their gender, economic status, race, or other characteristics. Overcoming internal biases to build the trust of the parties in a sexual harassment dispute can be a serious challenge for the mediator, as 'mediators must seek to build trust-and more trust-in an environment customarily viewed as male-dominated and formalistic.' As such, it is often a good idea to select a mediator with significant experience dealing with situations involving an abuse of power, which is a key element of a sexual harassment dispute. Overall, the goal of the mediator is to level the playing field so that even the un-represented or under-represented claimant can participate in the mediation and reach a fair agreement."

"More than with other kinds of disputes, it is my impression that trust, even faith in the mediator, is necessary if the process is to have a chance of success. It may or may not be possible to reestablish trust between the parties. But more important than restoring that trust is knowing when it is inappropriate to even attempt to reestablish it. From the disputants' points of view, a mediator who moves prematurely to rebuild shattered trust in a harassment case is one who has not believed or understood the story of the dispute. To the degree that trust between the parties can be reestablished, it is usually a consequence of mediation rather than a prelude to it. Reestablishing trust depends mostly on how the mediator is able to handle the discrepancies in power between disputants (when they exist), the volatility of emotions that goes along with issues of sexuality and power, and the divergent orientations toward blame and responsibility that characterize one of the main differences between the accuser and the accused." ([Source](#))

Power imbalance

“Imbalance of power between the disputants is a problem that mediators must often face. A great imbalance makes it impossible to resolve the dispute fairly because the weaker party cannot negotiate on an equal basis. There are different views on how to deal with a power imbalance. Some mediators advocate "rebalancing" the power during the session" while others recommend terminating the meeting. The pivotal criterion is whether there is "a substantial power disparity" between the disputants. If this exists, mediation is "inappropriate because it threatens to exploit the apparent powerlessness of one disputant." Because dealing with a power imbalance can be difficult and risky, it is imperative that the mediator be sensitive to its presence. If the mediator perceives the power imbalance to be so serious and unchangeable that an agreement would be unfair, then the mediator should terminate the process." Power can be based on a variety of factors including personality, strategic positions, tactical positions, or gender. . .

Of course, the risk in "balancing" the power is that the mediator then ceases being neutral and impartial, and instead takes on the role of advocate for the weaker party. At best, the mediator can act to help weaker parties effectively utilize whatever power they do possess.” [Source](#)

“Perhaps more than with any other type of mediation I have conducted, imbalance of power is a crucial problem in sexual harassment. In many instances, it is an imbalance of power that helps define the situation as sexual harassment. In addition, the same disparities of status and power that contribute to the harassment situation would be present in a one-to-one negotiation session. (It is noteworthy how many people accused of harassment actually propose settling the issue by meeting alone with the person bringing the charge in order to work it out together.) Typically significant disparities exist between the parties in their skills, experience, and intellectual or emotional abilities to negotiate. Very often, gender-based differences in orientation to conflict that incline women to settle for less than they would like and make men inclined to demand more than they are entitled to are also at work. Equally common is an uneven familiarity with or access to relevant information, rules, regulations, and procedures that pertain to the workings of the institution. Finally, there is also the presence or sense of mental or even physical intimidation (I always ensure that a table or some such physical barrier stands between the parties when conducting sexual harassment mediations)...

“The mediator must maintain a balance in the discourse that takes place between the two parties and ensure that the more articulate person does not take control of the process. The use of private sessions and frequent and active reframing so that major points raised are restated in the common voice of the mediator are crucial to maintaining a balance of power in the mediation.” [\(Source\)](#)

Who else should be at the session

From a university setting: “I encourage disputants to work with an adviser/support person throughout the mediation. For the most part, mediators prefer to exclude all but the disputants from the mediation. My preference for including advisers began because many of the people

pursuing sexual harassment grievances had already formed strong working alliance with a counselor and were hesitant about proceeding without that person's presence and support. . . . Although reluctant at first to proceed with advisers present, I quickly found that advisers, in addition to providing support through a stressful procedure, could help the disputants to assess realistically the settlement options developed in the course of mediation. And, since many of the advisers are sensitive to the issue of sexual harassment, advisers have also been important in helping the person accused of sexual harassment understand the situation from the point of view of the person harassed. It is also my sense that the presence of advisers tends to balance out real and perceived disparities in power between the disputants. This affects both disputants positively. For the person bringing the harassment charge, the presence of an adviser who has heard her story and has the responsibility to act as an advocate is often crucial in providing a sense of security that cannot be achieved merely by the presence of the mediator. In addition, if the adviser is someone with professional or academic standing in the institution, the impact of differences in status between the disputants seems to be diminished.” [\(Source\)](#)

In a workplace setting, a victim/complainant would typically have a lawyer representing them present during mediation: “An imbalance of power can also exist between the complainant employee and the accused harasser. This disparity may be based on a combination of ‘personality, strategic position, tactical position, and gender.’ The harasser is unlikely to be disadvantaged during the mediation because the goal of both the harasser and the employer, who is represented by counsel, is largely the same: to avoid liability for the alleged harassment. The power imbalances of the employer and harasser combine to create an especially disadvantageous situation for an unrepresented victim. These potential disparities in power make counsel for the victim a practical necessity. . . . Counsel for the victim, as well as for the employer, however, must act in an advisory, not adversarial capacity.” [\(Source\)](#)

About who else might attend in addition: “When spouses and significant others attend the mediation, the attorneys and mediator may need to make tactical decisions about whether, how, and when to include them. In some cases, acknowledgement of improper conduct and complicity may be important to resolution; but the presence of a spouse or significant other who has a personal stake in his or her partner's ‘innocence’ may interfere with or prevent this. In such cases, it may be helpful to arrange for the harasser and harassee to talk alone with the mediator, or to excuse all support people from a separate caucus or joint session, in order to fully develop the facts and permit the parties to make necessary acknowledgements and apologies.” [\(Source\)](#)

Outcomes of mediation

Some resources indicate that a common situation is that a man accused of sexual harassment doesn't understand why his behavior made a woman uncomfortable, and perhaps feels he was just being friendly or flattering. In these cases, the literature treats the best-case scenario is that the complainant explains the effect it had on her, and the man voices understanding, apologizes, and says he will not do it again.

Importantly, these sources are typically from the 1990s, and I don't know how common this kind of male-female gap in understanding still is. My guess is that since Me Too there is much more shared knowledge of the kind of thing that's typically considered sexual harassment (although definitions still shift, and there will still be disagreements or misunderstandings about specific situations).

Within EA, I have heard of cases of genuine misunderstanding about things like "how close is appropriate to stand to people in the workplace?" where there may be a cultural difference or different personal styles, and where feedback like "this is making people uncomfortable" does result in genuine effort to change. That feedback could probably be given via a more informal conversation rather than mediation, though.

Both the literature and my experience indicate that while some cases are basically misunderstandings or reasonable differences of interpretation, others are more egregious.

In workplace sexual harassment mediation, outcomes might include "a written, confidential apology from the harasser and the employer or both, with or without a direct verbal apology during the mediation; the employer's promise to institute sexual harassment training, implement a new policy, or improve or better enforce an existing policy; an offer of transfer or promotion in lieu of job loss; job modification; letters of reference and recommendation; payments in the nature of severance pay; educational funding to provide an opportunity for career change or advancement; acknowledgement of wrongdoing by senior management; employee discipline that "sends a message"; and payment of attorney fees and mediation fees, often in addition to money damages." ([Source](#))

"Even in the 'he said, she said' cases in which the facts remain in dispute, mediation can result in a settlement when each side has the opportunity to tell its story even without the parties having to agree on the facts." ([Source](#))

When a mediator should quit

[This piece](#) gives opinions from a divorce mediator on when and how to withdraw. "In one case, the wife dumped a cup of water on the husband when he made a proposal she really didn't like. I knew that she had smashed his car window once, so I concluded that this was a pattern of impulsive behavior and I terminated the mediation on the spot."

Also quoted above in section on power imbalance: "If the mediator perceives the power imbalance to be so serious and unchangeable that an agreement would be unfair, then the mediator should terminate the process." ([Source](#))

If not mediation, then what?

This won't be a full look at the other options, but I'll touch on them:

Formal processes

Some of the sources I read push for a formal fact-finding process like a lawsuit, criminal charges, or a university hearing as an alternative to mediation.

Many victims will choose not to pursue a formal process because of

- Cost
- Publicity
- Lack of evidence means they are unlikely to be able to prove anything to the standard of the law
- Uncertainty about how bad the situation actually was or if they were to blame
- Fear of retaliation

So while we can remind people that these more formal processes are an option, often they won't want them. It may still be worth encouraging them to talk to a university administrator, a lawyer, or the police to get more information and decide if they'd want to go forward.

[Legal resource on sexual harassment](#) (US only)

[Free legal advice on sexual assault or sexual harassment](#) (US only)

Restorative justice and transformative justice

As far as I can tell, these are typically processes that are used after a criminal conviction, as an alternative to traditional punishments. It gives a chance for victims of crime to tell offenders about the effects on them, and often receive a fuller apology than was possible during the legal process. It's sometimes used outside the legal system ([example](#)) but as far as I can tell, only after there is agreement about what happened. [Restorative justice](#)

Outside investigator

There are firms that specialize in being neutral investigators for things like workplace sexual harassment. These are [some investigators](#) that one organization looked at working with. They can interview people and review correspondence or other evidence and produce a report about what they think happened.

Employers

In a workplace situation, employers may investigate and decide if they know enough about a situation to warrant some kind of disciplinary action, including firing. Even if they aren't sure enough about one situation to act, they may be in a position to notice and act on future problems.

Public statements

People may decide to tell their story publicly. In cases of serious power imbalance, this may be one of the better options. Readers may still be unsure of the reliability of a published account, especially if the account is anonymous.

The whisper network

Flawed, but sometimes the best option people have. Examples [in favor of](#) and [against](#) some effects of the spreadsheet that started the Me Too movement. (In that case obviously it went fully public rather than remaining at the whisper stage, but I think the pros and cons are illustrated here.)

Ombudsperson / Community contact people

[What is an ombudsperson?](#)

Example: [community contact people](#) in effective altruism

Sources / more reading

Reading recommendations if you're going to try to mediate or work with a mediator:

- Gazeley piece [here](#) beginning on page 65. Includes theoretical overview, but toward the end includes helpful practical info along the lines of “people will have been too nervous to eat beforehand, so have food available because it’s going to take a while.”
- Gadlin piece [here](#) beginning on page 49. Based on 8 years as the ombudsman at a large university and handling 110 mediation cases on sexual harassment. Includes views on trends in these cases, as well as practical tips like how to set up the room.

More general resources:

- [Ground rules](#) for mediating in cases of domestic violence
- [Generic checklist](#) for when mediation is viable
- [Non-disclosure agreements and the Me Too movement](#)