



# Helping Hesitant Bystanders Identify Their Options: A Checklist with Examples and Ideas to Consider

MARY ROWE

## ABSTRACT

Organizational Bystanders sometimes act heroically in emergencies. Less well known are the bystanders who act very effectively, in quiet ways, in reaction to (potentially) unacceptable behavior. In addition, many bystanders (and bystanders of bystanders) consider action, but hesitate. There are many reasons why hesitation is understandable and may be appropriate. However, in many situations, hesitation can turn into effective action. Drawing on examples from ombuds practice, this article aims to assist organizational ombuds in helping hesitant bystanders identify and evaluate their options. The article includes a checklist of questions for hesitant bystanders that ombuds may find useful—and adds to the literature about why bystanders do or do not decide to act after learning of unacceptable behavior. The checklist may also be useful to those engaged in training programs for bystanders and others who provide support to hesitant bystanders.

## KEYWORDS

hesitant bystanders, organizational ombuds, ombuds options, conflict management systems, bystander training, bystanders of bystanders.

## ACKNOWLEDGEMENTS

I thank many hundreds of constituents who came to discuss their hesitation as bystanders, former colleagues Dr. Clarence Williams, Dr. Thomas Zgambo, and Toni Robinson JD, who taught me a lot about the importance of bystanders, and two very helpful anonymous reviewers.



Bystanders—people who observe or learn about unacceptable behavior or a problematic situation but are not knowingly engaged in executing or planning that behavior or situation—often get a bad rap for inaction. However, in my experience, many visitors in my organizational ombuds practice were very helpful bystanders. Quite frequently bystanders—and the bystanders of bystanders, who learn of an event from a bystander—were my first sources of information about very serious issues, and this is not uncommon (Rowe, 2019; Borum & Rowe, 2021). In addition, as we know from the news, bystanders often save lives in an emergency.

And, in fact, the first question bystanders must address is whether they are facing an emergency. If they do not act at once, may the consequences of their inaction be serious and perhaps irrevocable? Bystanders also may need to address some situations promptly if they know their information is unique and crucial to preventing harm. In urgent situations, bystanders may need to use their best judgment immediately—alone, or together with the resources available. In circumstances when they have time to think about a situation, many bystanders—and bystanders of bystanders—do hesitate when they see unacceptable behavior (Rowe et al., 2009). Many are simply afraid to act, and there are other significant barriers to action (Rowe, 2018). Many hesitate even when they would really like to help.

Hesitant bystanders frequently consult organizational ombuds and other supporters. An ombuds in this situation will of course be acting as a confidential and informal resource. A bystander might give permission for an ombuds to act—and the ombuds may or may not agree to do so at their own discretion. An organizational ombuds—by the IOA Standards of Practice for their profession—would not act on their own in a case, without permission, except in the very rare case where the ombuds judges there to be an imminent risk of serious harm. But the ombuds will do their best to offer options.

As it turns out, if there is no emergency with lives at stake, hesitation may be very appropriate for many reasons. As just a few examples, some people who are the targets of unacceptable behavior do not want others acting on their behalf—and some might want help but might wish first to discuss what will be done. Some bystanders have not yet had a chance to thoroughly understand the situation. Some bystanders know they may have misunderstood what they have heard or read or seen; some are concerned that they might have been told falsehoods by someone out to hurt another person. And many bystanders simply wish to discuss their own interests in the situation with someone trustworthy.

The purpose of this essay is to provide a checklist—and examples of bystander actions—to provide ideas for bystanders who are considering action and seeking options. Context and local cultures are all-important, but these ideas may be useful—with necessary adaptations to context—in most organizations and communities. This checklist may also be useful to organizational ombuds and others who are consulted by hesitant bystanders. (See “A Checklist of Ideas for the Hesitant Bystander to Consider.”)



<b>A CHECKLIST OF IDEAS FOR THE HESITANT BYSTANDER TO CONSIDER</b>
1. Do I have enough accurate information about the issues, about all relevant rules, and about my options?
2. Who are important stakeholders here? That is, whose interests are at stake, and do I need to consult with all or some of these stakeholders?
3. With whom can I safely discuss the importance of this matter? If I feel uncomfortable and scared about the information that I have; what options do I have? Can I find a way to get a fair-minded authority to observe and deal with this, without involving myself?
4. Might there be a way to deny the (potential) offender's access to resources used in the unacceptable behavior?
5. Could I derail or deflect the unacceptable behavior unobtrusively, perhaps with humor?
6. Could I ask respectful questions of the person of concern (or group) that might dissuade them from unacceptable behavior?
7. Would it be better to act together with others (for example, the person targeted by the behavior, or other bystanders) to stop the behavior?
8. Is there any way the whole situation could pivot—that is, be turned around for a positive outcome?
9. Could the offender(s) be blocked from the person or people targeted by their behavior and/or can those targeted be protected from the offender(s)?
10. What are all the options for reporting the behavior?
11. Are there ways I could support the person or people affected by the unacceptable behavior?
12. Going forward, what could I do about preventing this specific kind of unacceptable behavior in the future?
13. What can I do to help make it easier for other bystanders to find receptive resources?
14. In summary, after reviewing my responses to the questions above: what are the potential risks and benefits for me, and for the person(s) affected by the unacceptable behavior, if I act—or do nothing?

### **SOME EXAMPLES DRAWN FROM OMBUDS PRACTICE**

In the following examples—drawn from several different ombuds practices and disguised and de-identified—bystanders chose various options that illustrate one or more of the ideas above. Sometimes they learned more sides to the story or learned they had been misinformed. Some felt themselves or others at risk and acted anonymously. Sometimes they decided not to act because they wanted to wait and see. Sometimes the person(s) most at risk from unacceptable behavior did not wish others to step in. Sometimes bystanders *did* act directly, alone or with others, but in other cases they chose an option that resulted in successful action by a person in authority. Sometimes the bystander took an action and felt that the results were disappointing. However, often the actions of bystanders seemed to make a huge difference in clearing up a problem. Powerful bystanders sometimes appeared to have been the only people able to constrain or stop the unacceptable behavior of other powerful people.



What kind of steps do bystanders usually take? Bystander responses that I observed frequently in my ombuds office include: i) gathering information and identifying safe options, ii) interrupting unacceptable behavior; iii) preventing unacceptable behavior; iv) “pivoting” the situation; v) reporting behavior to authorities, including doing so anonymously; vi) offering to help a person facing an unacceptable situation; vii) organizing around concerns; and viii) building a stronger community.

## I. GATHERING INFORMATION AND IDENTIFYING SAFE OPTIONS

In my ombuds practice, many bystanders asked whether they should act in a situation, and, if so, how best to do so. Bystanders who are unsure how to proceed often observe behavior for a time. They may collect data, keep diaries, check in with other stakeholders, consult with resources like an ombuds, and work to develop safe options—including the option of remaining anonymous. Over 42 years as an organizational ombuds at a major university, I heard from many staff who came to see me about issues that seemed delicate or puzzling. Some were bystanders and some were the *bystanders of bystanders* who supported bystanders in responsible actions.

- An administrative assistant had noticed a student in tears on Mondays, in a stall in the bathroom, and came to see me the fourth time this happened, asking “Should something be done?” We talked about possible ways to find out. My visitor decided to leave a note for the student and then came to tell me what happened when they spoke. The student had thanked my visitor and explained that they had insufficient money after sending money home. The staff member introduced the student to a student dean who could listen and help with some money—and with ideas about ways to support the family back home.
- A faculty member mentioned a postdoc researcher from Africa who was getting intra-university postal mail very late. After noting how often this happened, my visitor felt there might be discrimination. After discussion with me, the faculty member decided simply to ask the postdoc about the issue. The postdoc responded with thanks, but definitely “did not want help dealing with it.” The faculty member told me later that the mail problem had cleared up and surmised that the postdoc had taken effective action.
- Three different staff members came to tell me of friends in their department who had warned them about a man who seemed to be touching himself when women were alone with him; they asked if they could refer their friends to me. As events unfolded, two of the friends decided they did not want to be involved. One who came to see me decided to go to the department head, who dealt with the situation together with a social worker from the employee assistance program (EAP).
- Several support staff told me of a co-worker who spoke disrespectfully about international students behind their backs; these staff had been afraid to speak up until a “bystander of these bystanders”—who had come to consult with me—offered to accompany them in a discussion with the co-worker who made the disrespectful comments. The little group dropped by my office afterward to tell me the story and to say that they felt they had been successful.
- Another visitor was a brand-new faculty member who kept a careful diary about perceived bullying in the lab next door. This faculty member was hesitant to speak up directly—and knew also that those being bullied were scared—but hoped to refer the students next door to me, “without getting anyone into trouble.” After discussion of the delicacy of the situation, the faculty member chose the option of simply discussing



“resources available to students” at a department meeting. In subsequent discussions with the faculty member, I learned that the department head thereafter had begun to invite “all the students from each lab” to iterative lunches throughout the year and that the situation in the particular lab was much improved.

- A support staff person was disturbed by allegations of sexual assault that had been made about a lecturer who was widely admired. The staff person was very concerned about the assault if it was true—and also was concerned about rumors if the story was not true. (A group of bystanders were considering holding a protest meeting.) After coming to see the ombuds, the staff person chose an option that got the information to the university head of security—who acted immediately. In the conversation that day between the head of security and the lecturer, the latter proffered a passport and photographs proving that he had been out of the country during the semester in question.

## II. INTERRUPTING UNACCEPTABLE BEHAVIOR

Some bystanders do decide to take direct action; one option is simply to interrupt a specific instance of problematic behavior. This can sometimes be done without animus or with humor.

- One hot summer I went to a secretarial luncheon in an engineering department to talk about effective bystander behavior. To my great delight, I was almost immediately invited back—by co-workers of one of the secretaries—to hear of “an effective example.” It seemed that a particular professor that summer was loudly chewing out students, in public, in a large, well-populated lab; the lab secretary had listened for a few minutes. The professor and secretary had worked together for many years with deep reciprocal respect, but... the secretary was concerned about the tirade. Loading up a tray with lemonade and glasses, the secretary entered the lab, and stood beside the professor—who obviously continued. The secretary dropped the tray, and that stopped the tirade. The professor apparently was very startled—and then laughed. I heard later from the professor, who—after debriefing from the secretary—came to talk with me about “teaching methods in the lab and self-improvement.”
- Asking civil, relevant questions of an apparent perpetrator can also be an effective way to interrupt behavior. At a dorm party, an undergraduate overheard a little group in the dorm planning, as part of a hazing ritual, to kidnap a freshman. The eavesdropper chose to take action directly and was able to engage first one and then another of the planning group. In these conversations, the eavesdropper unobtrusively but repeatedly asked if the group understood that this form of hazing could be seen as a felony. I was told that the plan for hazing got changed—and, also, the annual ritual.

## III. PREVENTING UNACCEPTABLE BEHAVIOR

Some bystanders decide to act, sometimes with others, in ways that help prevent undesirable action from occurring.

- For example, an undergraduate heard rumors of many plans for an annual celebration that was infamous for its loud, crude, alcohol-laden antics and allegedly illegal behavior. The undergraduate decided to link with other bystanders and for them to name themselves “Official Student Observers” for the celebration. They recruited associates to have one-on-one conversations with those planning the festivities, including what were described as creative conversations with the alumni who had funded illegal activities in the past. These actions were reported to have stopped most misbehavior at the specific celebration and in subsequent years.



- In another case, a staff member for a major summer program was organizing a one-month field trip. The secretary heard rumors and discussions from some older participants who were called “mentors,” about a subgroup of “mean bullies.” Apparently, these older students were planning to make the first-year students “their personal servants, for the summer” when everyone got on site. After several discussions with the ombuds about possible options, the staff member decided to reorganize assignments in such a way that those who had plotted were each assigned to different time slots—and the first-year students each were in subgroups with respectful “mentors.”

#### IV. “PIVOTING” THE SITUATION

Sometimes, creative bystanders have found ways to pivot a situation by encouraging or instigating positive alternatives for potential or active perpetrators—or for the situation as a whole.

- For instance, a graduate student at a house party watched as a first-year student came in and then watched as older undergraduates plied her with drinks. A bit later the graduate student saw one of the older undergraduate students leading the very drunk young woman toward stairs going up in the house. The graduate student went over quickly and asked the apparent wrongdoer for support in getting the young woman to the Medical Department. The man who had been leading the woman up the stairs then helped get her to the car so the graduate student could get the woman to help.
- In another case, senior leadership were talking with a wealthy major donor at a party. A new member of the leadership group, who is Black, came up to the group. The donor turned to the newcomer with outstretched wine glass and asked for a “refill.” One of the senior officers smoothly intercepted the glass, asking the donor, “Could I get you some food as well?” Another in the leadership group turned to their new member and the donor, saying, “I am so glad to be able to introduce two of my most distinguished colleagues. And there is so much to tell you about each other, the introduction may take a few minutes.”

#### V. REPORTING BEHAVIOR TO AUTHORITIES

Bystanders may hesitate about reporting unacceptable behavior to the authorities on their own. This is especially true for people who work from home or on virtual teams or are new to their position, or for any other reason do not know or do not trust the relevant managers (see Rowe, 2021a for more on the barriers bystanders face). Usually, however, there are several relevant authorities—and usually there are many ways to get information where it needs to go. As it turns out, bystanders regularly report unacceptable behavior and situations to authorities—alone or with others, once or repeatedly, in writing or orally, identifiably or anonymously, formally or informally, immediately or later, directly or indirectly, and with few salient details or with exhaustive information.

- A group of students and postdocs discussed what they saw as unacceptable behavior by academic supervisors. They chose to pull together a generic list of common forms of bullying in their academic department. They printed many copies and, at night, slipped the copies under the doors of all the relevant senior officers. These senior leaders were startled to realize that many others had gotten the list. They took the matter seriously, called a long series of meetings to learn more, and laid plans for widespread improvement of professional behavior.



- A frightened janitor took a photo of something that seemed peculiar in a basement hall. After the janitor discussed options with co-workers, a print of the photo went anonymously into the personal mailbox for the building manager. The manager investigated that same day and dealt with a serious concern.
- A research assistant—who happened to know the local ombuds—made his way on a weekend to pick up papers in a lab to which he had just been assigned. He became concerned about unsafe working conditions in the lab when he found a toxic-chemicals alarm had been turned off. He did not know what to do and was very scared, so called the ombuds. The two immediately agreed that the ombuds would make a phone call, shielding the identity of the source. The call led to an immediate intervention.

Over the years, I was sometimes consulted by troubled or frightened visitors who wanted to remain completely anonymous. Often it was possible to help such a bystander with an indirect action so the behavior of a (potential) offender could come to the attention of an inside resource or outside authority. I remember many examples. Some visitors were concerned about a family member, or close friend, or a roommate or their supervisor. A few had known of an illegal activity, like keeping a weapon at work, and wanted to see it stopped. A few visitors wanted to make amends when they felt they should have stopped unacceptable behavior. A few had eavesdropped, or peered into someone's electronic device, or by accident received private information. A few were concerned about getting someone into trouble for sleeping on the job. A few were afraid of retribution from a violent family member or retaliation for getting someone fired. Some were concerned that their information might not be correct. In these situations, we would work out a way to get information to a manager or authority who could handle the concern.

- One evening after hours I got a call from someone who saw light in my window. This person told me that someone in a chemistry lab might be cooking up aphrodisiacs late at night. In another case, there were concerns about apparent misuse of federal government property in a university-affiliated lab on a nearby military base. In these two cases, and in other cases like them, the option chosen by my callers was for me to make a call to the appropriate safety inspectors and audit officials—to give them generic information about the possible criminal behavior—while shielding information about my source and without naming a possible offender. Safety and Audit then did successful, generic, “routine spot-checks” to investigate (see Rowe, 2021b for more on generic options).
- I had an unusual case of concern about someone in another organization. I decided nevertheless that I might possibly help, because it was a call about an alum who graduated many years ago and was now working at a famous financial firm. The alum was apparently “parking stocks,” an illegal method for concealing stock ownership. An anonymous bystander at the firm had called a department head at the university where I was an ombuds to ask what to do and the department head had called me. In this case, with the department head's permission, I called my ombuds counterpart in the financial firm with facts that could indicate a possible problem. I said nothing about any specific person of concern or the sources of the information. I was later told by my ombuds colleague that this call resulted in a thorough, generic spot-check. Although in cases of this sort I often did not hear about the outcome—and never asked—sometimes I got a warm thank you.
- In another instance, I heard from an alum that employees might be starting a lucrative business on weekends repairing private vehicles in a university building. A neighbor had called the alum who called me. The option chosen by my caller was that I would call the relevant department head to ask if anything was amiss, and that I would offer relevant, non-identifying information. It was easy then for the relevant supervisor to institute formal sign-in and time sheets for everyone using the workshop, and the alum called me back to say that the problem was solved.



Over my years as an ombuds, hundreds of people consulted me about how they might draft—and then possibly send—a carefully constructed, civil letter to a person who was harassing or bullying them. (Rowe, 2021c). A direct approach by a target to an offender is of course only one option open to those who has experienced harassment or bullying, but it often works to stop the behavior of concern. An ombuds can support a visitor to collect their facts and evidence into the draft of a carefully structured letter. The statements of assembled facts can then be used in many different options, like a formal grievance. But if the writer wishes first to try a direct approach, they may decide to send the letter to the offender. At that stage, if the letter does not work on its own, the letter can be used, in a formal grievance procedure, as additional evidence of the offense—if the letter writer can prove that it had been delivered. That is, a signed, dated and delivered letter can be used in a formal grievance as evidence to show that the letter writer perceived a problem and tried to get it stopped.

At the university where I was an ombuds, many bystanders knew about this option of a tightly constructed letter that was originally invented for people who were the targets of unacceptable behavior. Some bystanders therefore worked with me on similar drafts of letters—to address unacceptable sexist or racist or religiously intolerant or bullying behavior toward others—that they had observed as bystanders. These bystanders might then try a direct approach to the perceived offender with a polite, factual letter, and then consider notifying someone in authority if their notes or letters did not work.

## VI. OFFERING TO HELP A PERSON EXPERIENCING AN UNACCEPTABLE SITUATION

Another common course of action chosen by some bystanders is to offer support or assistance to people they see facing unacceptable situations.

- In one case, an international postdoc was required to do personal work, year after year, for a faculty member who had arranged a visa for the postdoc. Living in the faculty member's house, the postdoc was required to cook and care for an aged parent of the faculty member for at least four hours every day for two years and sometimes overnight or for a long weekend. A bystander in the lab who learned of this concern was too afraid to help the postdoc alone. But dormitory mates of the bystander—bystanders of the bystander—stepped in to help. One helped the postdoc to go to the relevant department head. Another helped find alternative housing for the postdoc.

Over the years, there were numerous occasions when a more powerful person would help a less powerful person who was being mistreated. A senior graduate student in a lab—or postdoc or nearby faculty member—would reach out to help an undergrad who had been bullied. Once a bystander took a photo of petty sabotage in a lab to use as evidence of mean behavior perpetrated against a junior colleague. Sometimes bystanders of the original bystander joined in to help. Sometimes faculty members consulted with me and with department heads about how to help someone with an affiliation to our university who was being harassed at another university or by someone at a professional association meeting. Sometimes a helpful, senior bystander would decide to accompany the person who had been harassed in making a complaint.

In the same way, staff and faculty, on occasion, would arrange to see that fair and objective references, or helpful introductions, were provided to a student or postdoc, faculty or staff member, whom they knew had been mistreated by peers or others—or wrongly accused of criminal behavior. Other colleagues often joined them in this support.

## VII. ORGANIZING AROUND CONCERNS





Occasionally, after witnessing incidents of unacceptable behavior at work, staff and support staff, faculty, postdocs, and graduate students decided to work together in a systems approach. As an example, a few bystanders would get together in a small affinity group to work on specific issues. Sometimes this happened after a training program, or after a scandal, or after a serious concern was made public about harm to individuals.

- In one instance, a group of graduate students—concerned about themselves and others—put up dozens of copies of the university harassment policy all over their department, with posters highlighting racism, sexism, religious bigotry, homophobia, and mistreatment of disabled colleagues. These copies were then widely discussed, and several people who had experienced unacceptable behavior made formal complaints.
- After hearing concerns, another group of graduate students decided to highlight the importance of good mentoring as an antidote to concerns about unacceptable mentoring. Their efforts led to a poster contest that brought in very creative posters from all over the university. Their efforts also encouraged many faculty members to organize discussions in their labs about mentoring issues.
- In my years as a university ombuds, several dozen groups of women in various departments and dorms discussed their concerns—and the concerns of others—about pornographic and/or racist and xenophobic posters and calendars. In several instances, these women were joined by men who shared the concerns. Some groups spoke with their bosses. Some requested that the ombuds talk with relevant vice presidents. Undergraduates who saw the pain of some of their classmates organized publicly against the showing of pornographic movies. Each of these options took time but ultimately resulted in much less pornography and fewer hateful posters.

Over the years, I heard numerous stories of bystanders who witnessed the struggles of colleagues and would report unsafe walkways and steps in winter, objects left on the handicap ramps, accessible doors that did not work, the need for a lift at an entrance, the need for better signage, the need for ASL interpreters at public meetings, the need for a safe and quiet prayer room, the need to order halal and/or kosher meals for a meeting, or the need for alternatives for evening meetings for parents with young children.

Sometimes the concerns of bystanders related to the values and mission of the organization—for example, how to deal with matters of religion on campus. In several cases, the proponents of one faith were uncomfortable about actions by members of another faith. These issues often came first to the ombuds office from bystanders who witnessed the pain of colleagues. Many of these cases resulted in hours of mediation and collaborative problem-solving.

## VIII. BUILDING A STRONGER COMMUNITY

In addition to responding to specific instances of unacceptable behavior, alert bystanders can also work to help build a stronger, more inclusive sense of community within an organization. Over the years, I heard from dozens of students helping to build community in living groups. Bystanders often would notice if someone just stayed in their room, or did not talk at parties, or ate alone, or had nowhere to go on holidays or inadequate winter clothes in winter or needed very private medical attention. There were many professors and administrative staff members who would reach out to a new postdoc or faculty member who seemed very lonely, deeply distracted, anxious, or in personal grief.



One aspect of a healthy organizational community is receptiveness to issues raised by bystanders. “Receptiveness” can be taught—and deliberately role-modeled—by senior employees. At the university where I was an ombuds, there were professors who made a point of training teaching assistants and research assistants to be receptive and fair with students who came in with concerns about other students. There were also department heads who made a point of helping new faculty to be receptive and fair to bystanders in their classes and labs who had concerns about other students or about safety issues. Sometimes a bystander would raise an issue, like the need for a lift for wheelchair visitors—and appropriate signage—that resulted in a systemic change. And then there was the facilities staff member who encouraged bystanders in the dorms to be mindful about reporting safety issues through a cheerful poster with the words: What? When? Where?

### **A CHOICE OF OPTIONS FOR BYSTANDERS AND THE BYSTANDERS OF BYSTANDERS**

Over the years, the risks and benefits of various possible actions may have been the most common topic brought up by the bystanders—and bystanders of bystanders—who came to talk with me. Often, in my office, we would first discuss the nature of the concern at hand and the urgency, if any, of a decision. We might outline the issues and the likely importance and urgency of each issue, in the context of the rules and norms of the organization and of the information available.

Occasionally a bystander might sit with me in visit after visit, discussing whose interests were at stake, including their own, for each option they were considering. Were they at risk themselves? Did they have a right to act on their own—or did someone else have more of a right to act? Or should they ask me if I would consider action? What information existed and what was needed? What resources might there be for each option? How long might each option take? The bystander (or a bystander of a bystander) would usually be relieved that safe and reasonable options existed. Sometimes they concluded that the real situation was quite different than they had thought, and they (and I) were relieved that they had refrained from acting too quickly. However, in numerous other cases, a bystander’s thoughtful actions made a difference to one person—or to several people—and sometimes to many people and the organization itself.



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### AUTHOR'S BIO

**Mary P. Rowe** is an Adjunct Professor of Negotiation and Conflict Management at the MIT Sloan School of Management and taught this subject for twenty years. She served for almost 42 years as an organizational ombuds reporting directly to five presidents of MIT. She thanks the constituents who trusted her and the many managers who support generic options and systemic change. ([mrowe@mit.edu](mailto:mrowe@mit.edu))