

UC Abusive Conduct Policy Overview

Spring Quarter Chairs Meeting

May 24, 2023

Abusive Conduct in the Workplace Policy

Issued in December 2022

Effective January 1, 2023

Definition of Abusive Conduct in the Workplace:

- “Abusive Conduct is harassing or threatening behavior that is sufficiently severe, persistent, or pervasive conduct in the Workplace that denies, adversely limits, or interferes with a person’s participation in or benefit from the education, employment, or other programs or activities of the University. The conduct creates an environment, whether intended or not, that a reasonable person would find to be intimidating or offensive and unrelated to the University’s legitimate educational, employment, and business interests.”

Role of the Chairs

- Please ensure that all your faculty, non-faculty academic appointees, and staff) complete the **one-time mandatory** Abusive Conduct in the Workplace training. It is available at: <https://uclc.uci.edu>
- If you observe conduct that may constitute Abusive Conduct (as defined by Policy), you have a responsibility to address such conduct immediately. By:
 - ✓ Consult AP, HR, or OAISC regarding appropriate next steps, even if the incident(s) appear(s) to be resolved.
 - ✓ This consultation will help support you in responding to the report and may result in the matter being escalated or referred to another office or process, such as for investigation. Consultation will also ensure that the incident is tracked appropriately.
- If you receive a report that may constitute Abusive Conduct, you must immediately submit the report to the applicable office. How to report:
 - University Hotline: (800) 403-4744, OR
 - Online: www.universityofcalifornia.edu/hotline

What is Abusive Conduct in the workplace (examples)

abusive and/or insulting language
(written, electronic or verbal)

Spreading false information or
malicious rumors

yelling, screaming, threats, implicit
threats, or insults

Encouraging others to act, singly or in
a group, to intimidate or harass other
individuals

repeated or egregious comments
about a person's appearance, lifestyle,
family, culture, country of origin, visa
status, religious/spiritual/philosophical
beliefs, or political views in a manner
not covered by the University's policies
prohibiting discrimination

Teasing or making someone the brunt
of pranks or practical jokes

Interfering with a person's personal
property or work equipment without a
legitimate business or educational
purpose

Circulating photos, videos, or
information via e-mail, text messages,
social media, or other means without a
legitimate business or educational
purpose

Making unwanted physical contact or
encroaching on another individual's
personal space, in ways that would
cause discomfort and unease, in a
manner not covered by the
University's Sexual Violence and
Sexual Harassment policy

Purposefully excluding, isolating, or
marginalizing a person from normal
work activities for non-legitimate
business purposes

Repeated demands that the individual
do tasks or take actions that are
inconsistent with that individual's job,
are not that individual's responsibility,
for which the employee does not have
authority

repeatedly refusing to take "no" for an
answer when the individual is within
the individual's right to decline a
demand

pressuring an individual to provide
information that the individual is not
authorized to release (or may not even
possess)

Making threats to block a person's
academic or other advancement,
opportunities, or continued
employment at the University without
a legitimate business or educational
purpose

Sabotaging or undermining a person's
work performance

What is NOT Abusive Conduct in the workplace (examples)

negative performance
appraisals

constructive criticism

negative assessments or
grades

Coaching

Restricting access to
sensitive and confidential
information for legitimate
business reasons

Scheduling regular or
ongoing meetings to
address performance issues

Setting ambitious
performance goals to align
with departmental goals

Investigating alleged
misconduct or violation of
University policy

Counseling or disciplining
an employee for
performance, engaging in
misconduct, or violating
University policy

Engaging in assertive
behavior

Having a disagreement

Making unpopular
statements or articulating
positions on controversial
issues

Participating in debates and
expressing differences of
opinion about academic
decisions

Participating in a formal
complaint resolution or
grievance process

Exercising academic
freedom

What happens once a report is received?

Report of abusive conduct is triaged and routed to the responsible office for a preliminary review of the allegation to determine how to proceed and whether an investigation is warranted.

If an investigation is not warranted, AP will consider mediation, referral to other UCI entities, interim measures, and other alternatives aimed at fostering or restoring collaborative relations or environment, when applicable.

Complainant has the option of filing a grievance/personnel complaint, in addition to the abusive conduct complaint.

If investigation is warranted, it should be conducted within 120 business days from the notice of investigation to the parties.

Academic Personnel Office Contacts

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