

UCR Policies and Procedures

Policy Title: Prohibition on Bullying and Abusive Conduct by Employees and Non-Affiliates

Policy Number:

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| Responsible Officer: | Executive Vice Chancellor and Provost Vice Chancellor of Planning, Budget, & Administration |
| Policy Administrator: | Human Resources Academic Personnel Office |
| Origination Date: | XX/XX/XXXX |
| Date of Revision: | |
| Date of Last Review: | |

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| Contact: | |
| Email: | |
| Phone: | |

I. Policy Summary and Scope

Every member of the University of California, Riverside (UCR) community has a fundamental right to be treated with respect. These rights are acknowledged in the UC Ethical Values and the UCR Principles of Community. Bullying or Abusive Conduct, and other harassing or disruptive behavior impinge on that right. Additionally, Bullying or Abusive Conduct may undermine morale and lead to stress; disrupt the functioning of the University by creating a hostile working environment; interfere with individuals' ability to learn, teach, research and work; and undermine a culture of compliance and ethics, particularly when engaged in by a person in a position of relative power or authority towards someone in a lesser position. Accordingly, under this policy, Employees are prohibited from engaging in Bullying or Abusive Conduct.

This policy is intended to prevent and respond to Bullying or Abusive Conduct at UCR. It is not intended to supplant existing complaint, grievance or disciplinary processes. It encourages reporting of Bullying or Abusive Conduct by all campus constituents, and requires reporting by supervisors, managers, and administrators.

This policy applies to all UC Riverside Employees and Non-affiliates. It applies to all areas of University operations and programs and to all University facilities, including off-campus locations where University programs and business are conducted.

II. Definitions

Bullying or Abusive Conduct - behavior that a reasonable person would find hostile,

offensive, and unrelated to or incompatible with the University's legitimate business or educational interests. Abusive conduct may include verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. Such behavior may take many forms including physical, oral, or written acts or behaviors. Ordinarily, a *single* act or behavior will not constitute prohibited conduct unless especially severe and egregious.

Employees: All administrators, staff, faculty, and other academic appointees, including graduate student employees, postdoctoral scholars, fellows and visiting scholars.

Non-affiliates: Vendors, contractors, subcontractors, consultants, visitors and invitees.

Workplace: For purposes of this policy, "workplace" means any location owned, leased, or rented by the Regents of the University of California on behalf of UCR or any location where a University employee is acting in the course and scope of employment. This includes, but is not limited to, buildings, grounds, and surrounding perimeters, including parking lots, field locations, and classrooms. It also includes vehicles when those vehicles are used for University business.

III. Policy

A. General

1. UCR is dedicated to maintaining a respectful workplace that is free from Bullying and Abusive Conduct. Threats or acts of Bullying or Abusive Conduct by UCR Employees and Non-affiliates are prohibited in the workplace. Any UCR Employee found to be in violation of this policy may be subject to discipline up to and including dismissal pursuant to applicable University Personnel Policies and/or Collective Bargaining Agreements (See Section III(C) below).
2. Bullying or Abusive Conduct should be distinguished from behavior that may be unpleasant or unwelcome by the recipient yet is appropriate in order to carry out certain instructional, advisory, or supervisory responsibilities. It is important to distinguish between abusive conduct and appropriate workplace supervision.

Reasonable supervisory actions, when carried out in an appropriate manner, include, but are not limited to:

- providing performance appraisals, including negative evaluations;
- coaching or providing constructive feedback;
- providing frank appraisals of student's work in the classroom, service as teaching or research assistants, or performance in laboratories and other research facilities;
- monitoring or restricting access to sensitive information for legitimate business reasons;
- scheduling ongoing meetings to address performance issues;
- setting aggressive performance goals to help meet departmental goals;
- monitoring performance;
- counseling or disciplining an employee for misconduct; and
- investigating alleged misconduct.

Differences of opinion, interpersonal conflicts, and occasional problems in working relationships are an inevitable part of work life and do not necessarily constitute Bullying or Abusive Conduct.

[Supervisory actions, interpersonal conflicts or other conduct that is hostile and offensive but does not rise to the level of Bullying or Abusive Conduct may be addressed through performance management or other supervisory actions.]

B. Relationship to Sexual Harassment or Protected-Category Discrimination

Sometimes Bullying or Abusive Conduct co-occurs with behaviors that qualify as sexual harassment or protected category discrimination. The University has policies to address these specific concerns: see the UC Policy on [Sexual Violence/Sexual Harassment \(SVSH\)](#) and the UC Policy on [Discrimination and Harassment in the Workplace](#). Allegations of behavior violating these policies should be reported to the Title IX, Equal Employment & Affirmative Action Office. To the extent an Employee may be engaged in Bullying or Abusive Conduct of others that falls both within and outside the SVSH and Workplace Discrimination policies, the portion outside is addressed by this policy.

C. Reporting & Resolution

Any UCR employee or student who is the subject of or witness to Bullying or Abusive Conduct by an Employee or Non-affiliate should report such behaviors to their immediate supervisor or a manager or administrator who is not a party to the alleged violation. If they witness or receive a report of Bullying or Abusive Conduct, supervisors, managers, and administrators are required to notify the appropriate department head and Employee and Labor Relations (if related to staff) or Academic Personnel Office (if related to academic appointees).

1. UCR will take appropriate action to stop Bullying or Abusive Conduct in the Workplace. If assistance is needed in taking appropriate corrective action, a supervisor, manager, or administrator should contact the appropriate office as outlined below (see Section V for contact information) for advice or assistance. Appropriate action may range from an educational conversation, to counseling, to disciplinary action (See Appendix A – Reporting & Resolution FAQs for additional information).
2. Supervisors, managers, and administrators shall implement appropriate corrective or disciplinary action related to violations of this policy in accordance with applicable personnel procedures and collective bargaining agreements.

Allegations of Bullying or Abusive Conduct are serious and have the potential for causing great harm if made without justification. Therefore, it is a violation of this policy for an individual to file a report of Bullying or Abusive Conduct in bad faith. An individual found to have filed a report in bad faith has violated this policy and will be subject to disciplinary action.

D. Confidentiality

The University shall protect the identity of individuals reporting Bullying or Abusive Conduct to the extent permitted or required by law and University policy. The University will act to the extent possible on the basis of anonymous complaints where it has a reasonable belief, based on sufficient evidence, that there has been a violation of this

policy. The University will maintain the confidentiality of reports to the extent possible, but may need to make disclosures to complete a fair review of the reported behavior and to undertake appropriate corrective action and discipline.

E. Retaliation

It is a violation of this policy to retaliate against anyone acting in good faith who has made a report of Bullying or Abusive Conduct in the Workplace, who has reported witnessing, or who has been involved in the reporting of, investigating or responding to Bullying or Abusive Conduct. It is also a violation of this policy to take adverse action against a person solely because they are an actual or potential victim of Bullying or Abusive Conduct in the Workplace. Those found responsible for retaliatory action will be subject to discipline up to and including dismissal or termination.

IV. Responsibilities

- A. All employees are expected to respect the rights and welfare of others in the workplace and on University properties.
- B. All Employees are expected to comply with this policy and participate fully in investigations by supplying information to investigating staff or officers.
- C. All Employees should report Bullying or Abusive Conduct that they experience or witness.
- D. Supervisors, managers and administrators are required to report and address Bullying or Abusive Conduct in accordance with this policy, in coordination with ELR and/or APO.
- E. ELR and APO will work with supervisors, managers and administrators to address Bullying or Abusive Conduct in the Workplace and are responsible for implementing any corrective action or discipline resulting from a violation of this policy.
- F. ELR, APO, CCO will serve as resources to assist with policy implementation, training, and advice regarding measures that can be taken to prevent Bullying or Abusive Conduct. They will likewise provide guidance to departments regarding their responsibilities and assist in the development of a corrective action plan to manage Bullying and Abusive Conduct.

V. Contact Information

| Subject | Contact | Phone | E-mail |
|-------------------------|--|----------------------------------|-----------------------|
| Primary Contact | Chief Compliance Office | (951) 827-1128 | |
| UCR CARE Office | Campus Advocacy, Resources & Education | (951) 827-6225 | |
| UCR CAPS | Counseling & Psychological Services | (951) 827-5531 | |
| FSAP | Faculty & Staff Assistance Program | (951) 781-0510 (800) 266-0510 | eap@pro-resources.org |
| Office of Legal Affairs | | (951) 827-5077 | |

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| Ombuds | Ombudsperson | (951) 827-3213 | ombuds@ucr.edu |
| UCPD | UCR Police Department | (951) 827-5222 | |
| Title IX and EE/AA | Title IX and Equal Employment/Affirmative Action | | TitleIX@ucr.edu |
| ECAS | UCOP Office of Ethics, Compliance, and Audit services | (510) 987-0479 | ECAS@ucop.edu |
| UC Whistleblower Hotline | | (800) 403-4744 | ucop.edu/uc-whistleblower |
| UCR APO | Academic Personnel Office | | |
| UCR ELR | Employee and Labor Relations | (951) 827-2672 | |

VI. Appendices and References

A. *UCR Policies*

- UCR Principles of Community
- UCR 650-75

B. *University of California Policies*

- University of California Statement of Ethical Values and Standards of Ethical Conduct
- University of California Regulations Governing the Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California
- University of California Personnel Policies for Staff Members
- University of California Academic Personnel Policy
- University of California Bargaining Units & Contracts
- University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment

C. *Appendices*

- Appendix A: Frequently Asked Questions
- Appendix B: Consequences and Remedial Actions of Bullying or Abusive Conduct for Faculty Members
- Appendix C: When Bullying and Other Abusive Conduct Constitute Potential Violations of the Faculty Code of Conduct (APM 015)

VII. Approval and Revision History

This policy was approved by [title of campus official] on [_____].

Appendix A: Frequently Asked Questions

Reporting & Resolution FAQs

If I want to make a report of Bullying or Abusive Conduct, who do I contact?

A report of abusive conduct may be made to your supervisor, or other manager or administrator, or to Employee and Labor Relations (ELR) or the Academic Personnel Office (APO). To remain anonymous you may call the [Whistleblower Hotline](#). For other contact information see Section V of the policy.

What will happen once I make a report of Bullying or Abusive Conduct?

The University will take steps to address the matter. This may include an initial assessment to determine whether the report includes conduct covered under this policy. In some cases, data collection or a limited inquiry may be necessary to make this determination. In addition, the investigative unit may need to communicate with the reporter in order to gather additional information, as necessary. In certain cases, interim measures may be warranted in order to stop the alleged conduct, prevent retaliation, or otherwise mitigate the situation. A report may also warrant a formal investigation, which could include notification of such to the parties, interviews of the parties and witnesses, collection of evidence, and an investigative report.

Therefore, depending on the circumstances, the resolution may include informal intervention to end any prohibited conduct or a more formal disciplinary process. This policy sets a standard for employee conduct. It does not replace or supplant existing complaint and disciplinary procedures. The reporting individual does not have the right to insist upon, participate in or know about the discipline resulting from a report.

Does my report have to be in writing?

No. It may be helpful to provide information in writing, but you may make an oral report. If the oral report contains sufficient information the University will respond as it would for a written report.

Can I report Bullying or Abusive Conduct anonymously?

Yes. The University will act to the extent possible on the basis of anonymous complaints where it has a reasonable belief that there has been a violation of this policy and sufficient information to proceed (Section III(D)). If you have questions about whether specific behavior may constitute Bullying or Abusive Conduct or whether you have sufficient information to form the basis of a report, you should consult with Employee Labor Relations or Academic Personnel Office, the University Ombuds, or the Locally Designated Official before making the report.

Where should I report if I am subjected to Bullying or Abusive Conduct by my immediate supervisor?

You may report to Employee Labor Relations or Academic Personnel Office, to another manager either above your supervisor or outside of your chain of supervision, or to the Locally Designated Official.

Should I report Bullying or Abusive Conduct that has happened in the past?

This policy is intended to address abusive conduct that occurs on or after the implementation date of this policy. If the abusive conduct occurred prior to the implementation date of this policy and was reported, it may already have been addressed. If the abusive conduct occurred prior to

the implementation date of this policy and was not reported, the conduct may still be reported under existing complaint and disciplinary procedures for potential violations of other University policies. For example, if the conduct was both abusive and discriminatory, you could report the discriminatory conduct to the Compliance Office, ELR or APO.

What if I report Bullying or Abusive Conduct and nothing happens?

The purpose of this policy is to address and prevent Bullying or Abusive Conduct as defined within the policy. It is important to note that not all conduct that may be considered abusive by a reporter will be considered abusive conduct under the policy. In this case, there may be no consequence for the behavior. However, even when a finding of 'no policy violation' is found following an investigation (if one occurs), there may be actions that the supervisor can take to mitigate the impact of the conduct on the reporter. The goal of the policy is to detect Bullying or Abusive Conduct through reporting, to prevent the target of this conduct from further abuse, and to rectify any adverse action they experienced as a result of the conduct.

What if I report and the behavior continues or gets worse?

If the behavior continues or gets worse, contact your supervisor or the office to which you made the original complaint. If this is not effective or if you feel that you are being retaliated against for reporting or being a witness to a report, contact Employee Labor Relations, the Academic Personnel Office, or the Locally Designated Official (Section III(E)). You may also choose to file a formal complaint under existing personnel procedures and collective bargaining agreements.

Disciplinary Action FAQs

If a violation of this policy is found, what is the range of disciplinary action that may be taken?

Any UCR employee found to be in violation of this policy may be subject to discipline up to and including dismissal pursuant to applicable University Personnel Policies and/or Collective Bargaining Agreements.

What are some possible outcomes and remedies, other than discipline?

One option for addressing abusive conduct is informal corrective action. This may include a review of the facts, but typically does not include any formal investigation. Options for corrective action may include:

- obtaining an agreement between parties;
- physically separating the parties;
- placing limitations on contact between the parties;
- changing reporting lines;
- alternative work arrangements

FAQs about What Does and Does Not Constitute Bullying or Abusive Conduct

What are some examples of Bullying or Abusive Conduct that might fall under this policy?

Examples of bullying or abusive conduct include:

- persistent or egregious use of demeaning, insulting, or offensive language directed at staff, students, or faculty;

- spreading misinformation or malicious rumors about others, orally or in writing, including via electronic means;
- repeated behavior, correspondence, or language that frightens, humiliates, belittles, or degrades;
- criticism or feedback that is delivered with yelling, screaming, threats, or insults;
- making repeated inappropriate comments about a person's appearance, habits, or interests;
- regularly teasing or making someone the brunt of pranks or practical jokes;
- continually telling jokes or anecdotes intended to demean others or make them feel unwelcome;
- circulating inappropriate or embarrassing photos or videos via e-mail, social media, or by other means;
- purposefully excluding, isolating, or marginalizing a person from normal work or classroom activities;
- encouraging others to participate in any of the activities listed above, or any activities related to those listed above.

How do I know if something is Bullying or Abusive Conduct or just unpleasant interactions?

It is important to recognize that not all interactions that may be unpleasant are necessarily bullying, such as delivery of constructive criticism, negative performance review, or a simple disagreement. The following examples that may not, when taken alone, be Bullying or Abusive Conduct:

- rude behavior;
- failure to engage in social niceties or being unfriendly;
- having a dour, unwelcoming, selfish, narcissistic, and/or cold personality;
- being assertive, strong willed, or failing to give what some might see as due deference.

Is Bullying or Abusive Conduct in *electronic form or through social media* covered under this policy?

Yes, abusive conduct and/or acts may be communicated in writing or electronically.

FAQs Regarding Responsibilities Surrounding Bullying or Abusive Conduct

Am I required to report abusive conduct?

All employees are **encouraged** to report Bullying or Abusive Conduct to their supervisors or an administrator who is not a party to the alleged violation (Section III(C)). Supervisors, managers, administrators and employees who receive a report of Bullying or Abusive Conduct **are required** to notify the supervisor or appropriate department head, and Employee Labor Relations for staff or Academic Personnel Office for academic appointees.

What is my responsibility if I witness abusive conduct? What if I am a by-stander or I just know about it?

You are encouraged, but not required, to report Bullying or Abusive Conduct, even if you are just a by-stander or witness. If you have heard that Bullying or Abusive Conduct is occurring, but have not witnessed it, you may wish to reach out to the target to encourage them to report the conduct. You should not make a report of Bullying or Abusive Conduct based on gossip or second-hand reports. A better approach would be to talk directly with the individuals affected to make sure they are aware of their options under this policy. If you are uncertain what to do, you

should consult with Employee Labor Relations or Academic Personnel Office, or the Ombuds or Locally Designated Official to determine if you have sufficient information to make a report or if there are other options for improving the climate in the Workplace.

As a manager, supervisor, department head, what can I do to help prevent Bullying or Abusive Conduct?

Each unit has an obligation to promote and maintain a culture in which it is clear that Bullying or Abusive Conduct are contrary to its norms and expectations and, thus, cannot be condoned or tolerated. It is the expectation that all faculty, staff, and students are aware of this policy. Each unit should work to prevent Bullying or Abusive Conduct through communication of standards and expectations and on early intervention when there is evidence of such conduct by an Employee or Non-Affiliate.

Knowing the risk factors that can contribute to Bullying or Abusive Conduct is useful for making preventive changes to a workplace environment. Research suggests that workplace bullying is primarily caused by frustrations such as job stress, high-pressure environments, changes in power dynamics, and mismanagement of normal workplace conflict. Bullying is more likely in settings with large power imbalances in which competitive behavior is rewarded or seen as normal. Bullying is exacerbated in workplace environments without clear, enforced expectations regarding respectful behavior.¹

¹ Magee, Christopher, et al. 2014. [Workplace bullying in Australia](#). Centre for Health Initiatives, University of Wollongong.

Appendix B: Consequences and Remedial Actions of Bullying or Abusive Conduct for Faculty Members

Consequences and responses to Bullying or Abusive Conduct can be divided into three broad categories:

1. *Mentorship, Remediation, and Intervention*

Supervisors, department chairs, or a faculty mentor should address, early on in a new employee's career, the unit and University's expectations about maintaining a respectful environment for all and refraining from engaging in Bullying or Abusive Conduct. When there is evidence that behavior may be crossing the line in terms of such conduct, the unit head should remind the employee in question of expectations. In some instances, matters are best dealt with via counseling, executive coaching, consulting with the Office of the Ombuds, or by bringing in an outside third party. The Vice Provost for Administrative Resolution (or Vice Provost for Academic Personnel for non-senate, non-represented faculty) can be consulted about appropriate means of remediation, which may include asking the faculty member to work with an executive coach or pursue counseling (typically at the faculty member's expense); arranging for someone to meet with the department or school to facilitate reconciliation and improved means of operation; or arrive at other means to ameliorate the situation (e.g., require the faculty member to make requests of staff through a specific individual such as the departmental MSO or chair).

2. *Personnel Reviews: Bullying or Abusive Conduct as Representing Poor Performance*

Patterns of Bullying or Abusive Conduct, or other disruptive behavior can have bearing on personnel reviews. Specifically, as set forth in APM 210, faculty are evaluated on three dimensions: research, teaching (which encompasses mentoring), and service. Although the merit and promotion process is not intended nor should it be used to discipline behavior, if the behavior has an adverse impact on research, teaching, or service, such that an evaluation of the candidate's performance on any or all those dimensions is lower than it would have been but for the behavior, then the behavior has bearing on how the candidate advances under the University's merit-and-promotion system.

Although Bullying or Abusive Conduct are not explicitly included in the Criteria for Appointment, Promotion, and Appraisal outlined in APM 210–1d, that omission should not be mistaken as an intent to exclude such matters from academic personnel reviews. APM 210–1d clearly states that the criteria enumerated there are “intended to serve as guides for *minimum standards*” (emphasis added) and, thus, are not intended “*to set boundaries to exclude other elements of performance that may be considered*” (emphasis added). Moreover, APM 210–1a instructs review committees “to consider professional integrity” as part of academic personnel reviews, directing reviewers to the AAUP's 1987 Statement on Professional Ethics as a guide. The AAUP Statement, which is printed as an appendix to APM 210–1, condemns harassment and disrespect of students and fellow faculty as being incompatible with ethical professional behavior for university faculty.

The following is a non-exhaustive list of examples of Bullying or Abusive Conduct that could adversely affect an assessment of a candidate's research, teaching, or service.

- **Research (including creative activities).** Bullying or Abusive Conduct that leads to dysfunction in a laboratory or other collective research enterprise; dissolution of a research partnership; abandoning of a line of research; a loss of funding; delays in the completing of projects; or outside investigators choosing not to collaborate with UC

Riverside personnel could adversely affect the assessment of research, perhaps leading to a lower evaluation of the research record than would have occurred but for the behavior in question.

- **Teaching and Mentoring.** Bullying or Abusive Conduct that adversely affects learning represents poor teaching or mentorship. An atmosphere of bullying or abusive conduct can inhibit learning by discouraging students from asking questions, attending class, engaging in discussion, going out on a limb, or expressing opinions that differ from those espoused by the professor. Because stress and lack of confidence have been shown to inhibit learning and academic performance, Bullying or Abusive Conduct that has the effect of adding to students' and advisees' stress or that undermines their confidence constitutes poor teaching and mentorship. Although some instances of Bullying or Abusive Conduct may well be documented in end-of-term student evaluations and similar student feedback, not all Bullying or Abusive Conduct will be so captured.

- **Service.** There are ways in which Bullying or Abusive Conduct can be seen to constitute poor service. This is especially true when the behavior adversely affects the functioning of a department, school, or college; hence, the behavior constitutes a negative contribution to the University's mission. Among the ways in which Bullying or Abusive Conduct can adversely affect a department are:
 - staff demoralization, which can lead to poor staff performance, missed days of work, loss of key staff, difficulty recruiting new staff;
 - disproportionate allocation of staff, faculty, or other academic time;
 - unproductive or dysfunctional department or committee meetings; or
 - other impediments to smooth departmental functioning. Bullying or Abusive Conduct can also impede the functioning of department, college, campus, or Senate committees and, as such, would also represent poor performance with respect to service on those committees.

- **Faculty Recruitment, Retention, and Other Personnel Matters.** In some instances, Bullying or Abusive Conduct can have adverse effects on faculty recruitment or retention; for example, leading to the failure of a recruitment effort or causing a colleague to leave the department, school, or even the University. Bullying or Abusive Conduct can also have adverse effects on how the academic personnel cases of other faculty are conducted. In some circumstances, such effects on recruitment, retention, or personnel matters would constitute violations of the Faculty Code of Conduct (APM 015) and should be dealt with accordingly. Even behavior that is not a violation of the Faculty Code of Conduct may adversely affect the University. Because of the potential difficulty in apportioning this poor performance across the three areas of review, a department chair, dean, or other assessor of performance can make note of such poor performance in a Chair's letter or Dean's letter that accompanies the review of an M/P file, without seeking to apportion it among the three areas of review.

As is true of all assessments contained in academic personnel cases, assessments of poor performance arising from the candidate's Bullying or Abusive Conduct towards others should be properly documented (cite, e.g., negative student narrative statements, complaints from colleagues and staff, documentation of lost staff time, warnings issued but ignored, etc.) such that the candidate (i) understands the basis for the assessment and (ii) can offer a rebuttal, explanation, or provide context as the candidate deems appropriate. Specifically, assessments of poor performance for which Bullying or Abusive Conduct are the proximate cause or deemed *per se* to constitute the poor performance must comply with the fairness guarantees contained in APM 160, 210, and 220–80.

While it is recognized that negative assessments of colleagues can be fraught, it is nonetheless the obligation of department chairs and deans to make such assessments. The role of a department chair or dean is not to be an advocate for the department's (school's, college's) faculty members, but rather to provide thoughtful and honest assessment of them.

3. *Discipline*

Behavior that is particularly egregious or that exhibits a documented pattern can be a violation of the Faculty Code of Conduct (APM 015). Behavior that can be considered a violation of APM 015 must be handled under the provisions of APM 016 and Senate Bylaws 334–337.

Allegations of Bullying or Abusive Conduct that represents a violation of the faculty code of conduct (APM 015) should be sent to the Vice Provost for Administrative Resolution (VPAR) (or the Vice Provost for Academic Personnel (VPAP) for non-senate, non-represented faculty). Those allegations that involve discrimination on the basis of gender, race, or other protected status, as well as any allegations that involve sexual harassment or sexual violence, should be sent to the Title IX, Equal Employment & Affirmative Action Office. Allegations sent to the VPAR/VPAP or Title IX/EEAA will be investigated as set forth in campus policy: see policies linked at [UCR Faculty Code of Conduct](#) and [Title IX/EEAA Office](#).

Appendix C: When Bullying and Other Abusive Conduct Constitute Potential Violations of the Faculty Code of Conduct (APM 015)

Part II of Section 015 of the Academic Personnel Manual stipulates a code of conduct to which faculty are expected to adhere and lists specific examples of conduct considered a violation of that code. Both in terms of the general principles articulated in APM 015 and with respect to the specific examples set forth there, Bullying or Abusive Conduct can represent violations of the Faculty Code of Conduct. Although the following is **not** intended as an exhaustive list of ways in which Bullying or Abusive Conduct can constitute a violation of the Faculty Code of Conduct, attention is nevertheless called to the following prohibited behaviors under APM 015:

- Section II.A.1(a): Bullying or Abusive Conduct that has the effect of being an arbitrary denial of access to instruction.
- Section II.A.2: Bullying or Abusive Conduct that represents harassment against a student on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition, genetic information, service in the uniformed services, because of age or citizenship or for other arbitrary or personal reasons.
- Section II.A.4: Bullying or Abusive Conduct that can reasonably be construed as use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons.
- Section II.A.5: Bullying or Abusive Conduct that can be reasonably construed as intimidation in the classroom.
- Section II.C.1: Bullying or Abusive Conduct that intentionally disrupts the functions or activities of the University.
- Section II.C.4: Bullying or Abusive Conduct that can reasonably be construed to represent forcible detention, threats of physical harm to, or harassment of another member of the University community that interferes with that person's performance of University activities.
- Section II.C.5 and II.D.2: Bullying or Abusive Conduct that constitutes discrimination, including harassment, against University employees or individuals seeking employment; providing services pursuant to a contract; or applying for or engaged in an unpaid internship, volunteer capacity, or training program leading to employment on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition, service in the uniformed services, because of age or citizenship, or for other arbitrary or personal reasons.
- Section II.C.7 and Section II.D.4: Bullying or Abusive Conduct that can reasonably be construed to violate University policy against discrimination against employees on the basis of disability.
- Section II.C.8: Bullying or Abusive Conduct that constitutes a serious violation of University policies governing the professional conduct of faculty, including but not limited to violence in the workplace.
- Section II.D.1: "Making evaluations of the professional competence of faculty members by criteria not directly reflective of professional performance."