



Chief Compliance Office
900 University Avenue
365 Skye Hall
Riverside, CA 92521

March 24, 2021

Dr. Jason E. Stajich
Chair of the Academic Senate
UCR Academic Senate

Via email – jason.stajich@ucr.edu

Re: Anti-Bullying Policy

Dear Chair Stajich:

We are providing for Senate review a revised draft of a campus Anti-Bullying Policy. To aid in the review, this letter provides background and context on the purpose of the policy and summarizes the policy development process to date.

Background; Policy Goals. In 2017, President Napolitano released guidance to the UC system on [Abusive Conduct and Bullying in the Workplace](#). At UCR, this was supplemented and promoted through [Guidance from the UCR Provost](#). But neither document prohibited bullying or abusive conduct—these documents instead communicated the UC’s views regarding such conduct and explained how such conduct could, in some circumstances, be addressed under existing policies, e.g., APM – 015. Upon review and discussion with other UC campuses, there is a variety of approaches across campuses and within campuses for reporting cases of bullying and abusive conduct and for handling these cases.

The recent [Campus Culture Task Force Report](#) recognized the need to strengthen the campus’ commitment to addressing and eliminating bullying and abusive conduct. Therefore, last year, the Communications and Policy Coordination Group (CPCG), which includes representatives of the Academic Personnel Office, the Senate, Student Affairs, Human Resources, the Ombuds, and other campus divisions, began the policy development process for a new Anti-Bullying Policy (previously referred to as the Prohibition on Bullying and Abusive Conduct by Employees and Non-Affiliates policy).

Policy Development Process; Previous Senate Review. The draft policy was initially modeled on policies and guidelines from other UC campuses, including Berkeley and Merced. While the policy was still being drafted—and so somewhat prematurely (due to an apparent miscommunication or misunderstanding, our apologies)—it was provided by the UCR Academic Senate for review, which prompted a number of comments and questions from Senate committees in August 2020. This important feedback was carefully considered as CPCG worked to further refine the draft. CPCG also collected feedback from other stakeholders.

The revised draft policy includes a number of key changes based on Senate feedback including the following:

- The policy now specifically references existing reporting and grievance processes in Section IV(C)(1):
 - if conduct is discriminatory, it should be reported to Title IX/EOAA
 - employees may have additional grievance options (specific options provided in a footnote: i.e. PPSM 70, APM 140, and Senate Bylaw 335)
 - if bullying is alleged against a Senate faculty member, a disciplinary complaint may be filed under the Faculty Code of Conduct (APM 015, Section II.C.8), under procedures in UCR's Senate Bylaws, Appendix 5
 - anyone may file a report under UC Whistleblower Hotline
- A paragraph discussing anonymity has been added to Section IV(D), Confidentiality and Anonymity:
 - Noted that in many situations if the identity of the person alleged to have experienced the Bullying or Abusive Conduct cannot be identified, then investigation or disciplinary action may not be possible under University and campus personnel policies
- Deleted Appendix B: Consequences and Remedial Actions of Bullying or Abusive Conduct for [Non-Represented] Faculty Members. Overall the appendix appeared to cause more confusion than clarity. A few selected portions of the appendix were moved into the main body of the policy, such as:
 - The language on mentorship has been incorporated into the Section IV, Policy
 - The language on reporting violations of the policy under the Faculty Code of Conduct (APM 015 Section II.C.8) has been incorporated into the Reporting Options section
- Deleted Appendix C as it also appeared to add more confusion than clarification.

Closing and Next Steps. Enclosed for review by the Academic Senate is the updated draft of the Anti-Bullying policy, including a clean version, a redline version (tracked changes since the last review by the Senate), and a document noting additional key changes to the policy from the previous draft to the current draft.

We look forward to the second round of Senate review and resulting feedback. If you have any questions about the draft policy, please reach out to me at kiersten.boyce@ucr.edu or Ian Harazduk, Compliance Analyst & Privacy Officer, at ian.harazduk@ucr.edu.

Sincerely,



Kiersten Boyce
Associate Vice Chancellor and Chief Compliance Officer

Enclosures:

1. Anti-Bullying policy (clean copy)
2. Anti-Bullying policy (redline copy)
3. Key Revisions to Draft Policy



UCR Policies and Procedures

Policy Title: Anti-Bullying

Policy Number: 650-XX

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:	N/A - First Version
Date of Last Review:	XX/XX/XXXX

I. Policy Summary

Every member of the University of California, Riverside (UCR) community has a fundamental right to be treated with respect. These rights are acknowledged in UC Regents Policy 1111: Statement of Ethical Values and Standards of Ethical Conduct 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 and cohesiveness of the University community; 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 encourages reporting of Bullying or Abusive Conduct by all campus constituents, and requires reporting by supervisors, managers, and administrators.

II. Scope

This policy applies to all UC Riverside employees and non-affiliates. Employees include all administrators and staff and all faculty and other academic appointees, including graduate student employees, postdoctoral scholars, fellows and visiting scholars.¹ Non-affiliates include vendors, contractors, subcontractors, consultants, visitors and invitees. This policy applies to the Workplace as defined in Section III below.

¹ Students are also subject to the Policies Applying to Campus Activities, Organizations, and Student (PACAOS); depending on the circumstances, their conduct may be regulated by this policy, the PACAOS, or both.

This policy sets a standard for employee conduct. It does not replace or supplant existing complaint and disciplinary procedures.

III. Definitions

Bullying or Abusive Conduct - behavior that a reasonable person would find hostile or offensive, and unrelated to or incompatible with the University's legitimate business or educational interests, and is severe or pervasive. Bullying or 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. See Section IV(A)(2) for further guidance regarding Bullying and Abusive Conduct.

Workplace: For purposes of this policy, "workplace" means when Bullying or Abusive Conduct occur:

1. on University property. Any location owned, leased, or rented by the Regents of the University of California on behalf of UCR. 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.
2. in connection with University employment or in the context of a University employment or education program, activity or service (including, for example, University-sponsored study abroad, research, on-line courses, remote working, health services, or internship programs); or
3. off University property and outside the context of a University employment or education program, activity or service, but has continuing adverse effects on—or creates a hostile environment for students, employees or third parties while on—University property or in any University program, activity or service.

IV. Policy

A. General

1. UCR is dedicated to maintaining a respectful Workplace that is free from Bullying or Abusive Conduct. Bullying or Abusive Conduct by UCR employees and non-affiliates is 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 procedures and/or Collective Bargaining Agreements (See Section IV(C) below).
2. 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. Managers, supervisors, and department heads

should address, early on in a new employee's career, the unit and University's expectations about maintaining a respectful environment for all and from refraining from engaging in Bullying or Abusive Conduct. Each unit should also continually work to prevent Bullying or Abusive Conduct through communication of standards and expectations and on early intervention when there is evidence of such conduct.

3. 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.

Interpersonal conflicts, unpleasant supervisory interactions or other conduct that is hostile and offensive but does not rise to the level of Bullying or Abusive Conduct may be addressed with a supervisor, manager, or other administrator and handled through performance management or other appropriate actions (See FAQs).

B. Relationship to Sexual Harassment or Protected-Category Discrimination.

Sometimes Bullying or Abusive Conduct is or 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), UC Policy on Discrimination and Harassment in the Workplace and UCR Policy on [Discrimination, Harassment, and Retaliation Complaint and Resolution](#) (650-75). Allegations of behavior violating these policies should be reported to the Title IX, Equal Opportunity & 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 Discrimination policies, the portion outside may be addressed by this policy.

C. Reporting & Resolution.

1. Reporting Options. Generally, a UCR employee or student who experiences or

witnesses Bullying or Abusive Conduct prohibited by this Policy should report such behaviors to their immediate supervisor, manager, or administrator who is not a party to the alleged violation.

Supervisors, managers, and administrators who witness or receive a report of Bullying or Abusive Conduct are **required** to notify the appropriate department head (unless the report is about the head) and Employee and Labor Relations (ELR)—if related to staff—or Academic Personnel Office (APO)—if related to academic personnel.

Additional reporting or complaint options may exist under other University policies, depending on the identity of the reporter, the identity of the person alleged to have engaged in the Bullying and Abusive Conduct, and the nature of the Bullying and Abusive Conduct:

- a. Bullying that is discriminatory in nature should be reported to the Office of Title IX, Equal Opportunity & Affirmative Action.
 - b. Employees may have additional grievance options.²
 - c. If the person alleged to have engaged in the Bullying or Abusive Conduct is a Senate faculty member, a disciplinary complaint may be filed under the Faculty Code of Conduct (APM 015, Section II.C.8), under procedures in UCR's Senate Bylaws, Appendix 5.
 - d. Anyone may file a report, which may be anonymous, with the UC systemwide Whistleblower Hotline
2. Response to Complaints and Reports. UCR will take appropriate action to stop Bullying or Abusive Conduct in the Workplace. Generally, the supervisor or manager of the department in which the Bullying or Abusive Conduct is reported to have occurred should address the matter, in consultation with ELR and APO, as appropriate. If assistance is needed in addressing the report, a supervisor, manager, or administrator should contact the appropriate office as outlined below (see Section VI for contact information) for advice or assistance. Appropriate action may range from an educational conversation, to counseling, to disciplinary action (in accordance with applicable personnel procedures and collective bargaining agreements).

In some situations, formal investigation may be required to establish whether Bullying or Abusive Conduct occurred, particularly where the alleged misconduct is severe and would, if substantiated, warrant serious corrective actions or the Bullying or Abusive Conduct continues or recurs after management efforts to address it (See Frequently Asked Questions).

3. False Reports Prohibited. 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

² These additional grievance options may include:

- Employees in the Professional & Support Staff (PSS) and Managers & Senior Professionals (MSP) personnel groups may file a complaint under PPSM 70 with Employee & Labor Relations (HR).
- Non-Senate academic appointees may file a grievance under APM 140, with the Academic Personnel Office.
- Senate faculty may pursue a grievance with the Senate Committee on Promotion & Tenure, if their "rights and privileges" have been violated, in accordance with Senate Bylaw 335.

in bad faith. A report that is not substantiated is not necessarily a bad faith report; a bad faith report is a knowingly false complaint.

D. Confidentiality and Anonymity. 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 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.

If you would like to report anonymously, this can be done through the UC Whistleblower Hotline referenced in Section VI. When complaints and reports are received anonymously, 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. In many situations, if the identity of the person alleged to have experienced the Bullying or Abusive Conduct cannot be identified, investigation or disciplinary action may not be possible under University and campus personnel policies.

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.

V. Responsibilities

- A. All persons covered by this Policy are expected to respect the rights and welfare of others in the workplace and on University properties.
- B. All persons covered by this Policy are expected to comply with this policy and participate fully in investigations by supplying honest, accurate, and complete information to investigating staff or officers.
- C. All persons covered by this Policy are encouraged to 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 and applicable personnel policies and procedures, 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 including ensuring that applicable personnel policies are followed.
- F. ELR, APO, and the Chief Compliance Office will serve as resources to assist with policy implementation, training, and advice regarding measures that can be taken to prevent Bullying or Abusive Conduct.

VI. Campus Resources

Contact	Resource	Phone	E-mail
Chief Compliance Office	Policy Guidance and Formal Investigations	(951) 827-1128	
Campus Advocacy, Resources & Education (CARE Office)	Campus Advocate for Sexual Violence, Domestic Violence, and Stalking	(951) 827-6225	advocate@ucr.edu
Counseling & Psychological Services (CAPS)	Student Confidential Resources and Counseling	(951) 827-5531	
Faculty & Staff Assistance Program (FSAP)	Employee Confidential Resources and Counseling	(951) 781-0510 (800) 266-0510	eap@pro-resources.org
Office of Legal Affairs	Campus Counsel	(951) 827-5077	
UCR Office of the Ombuds	Ombudsperson	(951) 827-3213	ombuds@ucr.edu
UCR Police Department (UCPD)	Emergency Response	(951) 827-5222	
Title IX, Equal Opportunity & Affirmative Action	Discrimination and Harassment Reporting	(951) 827-7070	titleX@ucr.edu
UC Whistleblower Hotline	Reporting Improper Governmental Activities	(800) 403-4744	ucop.edu/uc-whistleblower
Academic Personnel Office (APO)	Academic Personnel Support and Guidance	(951) 827-2933	academicpersonnel@ucr.edu
Employee and Labor Relations (ELR)	Staff Support and Guidance	(951) 827-3641	

VII. References and Appendix

A. UCR Policies

- [UCR Principles of Community](#)
- [UCR 650-75 Discrimination, Harassment, and Retaliation Complaint and Resolution](#)
- [UCR 850-85 Violence Prevention in the UCR Community – Zero Tolerance for Violent Behavior](#)

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](#)
- [University of California Policy on Sexual Violence/Sexual Harassment \(SVSH\)](#)
- [University of California Policy on Discrimination, Harassment, and Affirmative Action](#)

- [in the Workplace](#)
- [University of California Policies Applying to Campus Activities, Organizations and Students \(PACAOS\)](#)

C. Appendix

Frequently Asked Questions

VIII. Approval and Revision History

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

DRAFT

Frequently Asked Questions

FAQs Regarding Responsibilities Surrounding Bullying or Abusive Conduct

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

Managers, supervisors, and department heads should ensure that unit and University expectations are clear about maintaining a respectful environment for all and refraining from engaging in Bullying or Abusive Conduct. Each unit should work to prevent Bullying or Abusive Conduct through early intervention when there is evidence of such conduct. Knowing the risk factors that can contribute to Bullying or Abusive Conduct is also 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.³

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 IV(C)). Supervisors, managers, and administrators who receive a report of Bullying or Abusive Conduct **are required** to notify the supervisor or appropriate department head, and Employee Labor Relations (ELR) for staff or Academic Personnel Office (APO) for academic appointees.

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

You are encouraged, but not required, to report Bullying or Abusive Conduct that you witness or become aware of. 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 ELR or APO, 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.

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 or innuendo about others, orally or in writing, including via electronic means;

³ Magee, Christopher, et al. 2014. [Workplace bullying in Australia](#). Centre for Health Initiatives, University of Wollongong.

- 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;
- repeatedly telling jokes or anecdotes intended to demean others or make them feel unwelcome;
- purposefully excluding, isolating, or marginalizing a person from normal work or classroom activities;
- encouraging others to participate in any of the activities 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 are examples of conduct 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.

Can I still disagree with someone or suggest an alternative way of proceeding on a project without violating this policy?

Yes. UCR is dedicated to providing and maintaining a respectful workplace that is free from Bullying or Abusive Conduct that a "reasonable person" would find hostile or offensive. Bullying or Abusive Conduct must 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 (Section IV(A)(2)). Disagreements among colleagues or between supervisors and employees, including heated or assertive discussions, do not necessarily constitute Bullying or Abusive Conduct, which is distinguished by being threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance.

What is the difference between Violent Behavior (as defined in Violence Prevention in the UCR Community [850-85] policy) and Bullying or Abusive Conduct?

Bullying or Abusive Conduct is behavior that a reasonable person would find hostile, offensive, and unrelated to or incompatible with the University's legitimate business or educational interests. This may include verbal abuse or verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating. Violent Behavior includes unwanted aggressive physical action or contact, threats that convey the intent to cause physical harm to others or oneself, or disruptive behavior that may act as a warning sign to possible violence. Bullying or Abusive Conduct and Violent Behavior are prohibited and will not be tolerated in the Workplace.

Sometimes Bullying or Abusive Conduct co-occurs with Violent Behavior. If any member of the UCR community believes an action constitutes an imminent danger or threat to health and safety, they should immediately contact the Police. In all other instances, this conduct should be reported to one's supervisor, manager, an administrator, or to ELR or APO.

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

Yes, Bullying or Abusive Conduct may be communicated in writing or electronically and occur when a University employee is acting in the course and scope of employment, including online or other remote interactions, or if the conduct has continuing adverse effects on University property or in any University program, activity or service.

What are some examples of online bullying?

Any of the examples of Bullying or Abusive Conduct noted above that occur in an online environment may fall under this policy. In addition, particular examples of Bullying or Abusive Conduct that occurs online may include:

- circulating inappropriate or embarrassing photos or videos via e-mail, social media, or by other means;
- harassing or offensive behavior, such as using text messages, instant messaging, social media, or e-mail to harass or embarrass an individual or group of individuals;
- impersonating someone in order to post or message inappropriate content to others or to gain work-related or personal information about others;
- posting or sharing mean or destructive comments on internal message boards.

Reporting & Resolution FAQs

What if I am not sure whether certain behavior would fall under this policy?

If you have questions about whether specific behavior may constitute Bullying or Abusive Conduct, you should consult with your supervisor, manager, or other administrator. If you do not feel comfortable discussing the situation with those individuals, you may also contact ELR or APO, the University Ombuds, or the Locally Designated Official.

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 ELR or APO. To remain anonymous you may call the [Whistleblower Hotline](#) (see FAQ "Can I report Bullying or Abusive Conduct anonymously?"). For other contact information see Section VI 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 and how it should be addressed, including consultation with appropriate office(s). 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 IV(D)). If you have questions about 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.

In many situations, it will not be possible to investigate or discipline reported Bullying or Abusive Conduct if the identity of those who experienced or observed the Conduct is not disclosed.

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

You may report to APO (if your supervisor is an academic personnel) or ELR (if your supervisor is a staff member) or to another manager either above your supervisor or outside of your chain of supervision, or to the Locally Designated Official (Chief Compliance Office).

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.

What if I report Bullying or Abusive Conduct and nothing happens or the behavior gets worse?

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, particularly in situations where the reported conduct is not serious enough to violate the policy but is concerning, there may be action that could be taken to prevent the conduct from continuing, or to mitigate the impact of the conduct.

If after reporting, 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 IV(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 (note in many situations, this is not feasible unless findings have been made);
- alternative work arrangements.

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UCR Policies and Procedures

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

Policy Number: 650-

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:	N/A - First Version
Date of Last Review:	XX/XX/XXXX

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 Regents Policy 1111: Statement of Ethical Values and Standards of Ethical Conduct 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 and cohesiveness of the University community 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, eEmployees 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.

II. **Scope**

This policy applies to all UC Riverside eEmployees and nNon-affiliates. Employees include all administrators and staff and all faculty and other academic appointees, including

~~graduate student employees, postdoctoral scholars, fellows and visiting scholars.¹ Non-affiliates include vendors, contractors, subcontractors, consultants, visitors and invitees. This policy ~~It applies to all areas of the Workplace as defined in Section III below. University operations and programs and to all University facilities, including off-campus locations where University programs and business are conducted.~~~~

~~This policy sets a standard for employee conduct. It does not replace or supplant existing complaint and disciplinary procedures.~~

III. Definitions

Bullying or Abusive Conduct - behavior that a reasonable person would find hostile or offensive, and unrelated to or incompatible with the University's legitimate business or educational interests, and is severe or pervasive. Bullying or aAbusive 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. See Section IVH(A)(2) for further guidance regarding Bullying and Abusive Conduct.

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 when Bullying or Abusive Conduct occur:

1. -on University property. Any location owned, leased, or rented by the Regents of the University of California on behalf of UCR. 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.
2. in connection with University employment or in the context of a University employment or education program, activity or service (including, for example, University-sponsored study abroad, research, on-line courses, remote working, health services, or internship programs); or 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.
3. [off University property and outside the context of a University employment or education program, activity or service, but has continuing adverse effects on—or creates a hostile environment for students, employees or third parties while on—University property or in any University program, activity or service.]

¹ Students are also subject to the Policies Applying to Campus Activities, Organizations, and Student (PACAOS); depending on the circumstances, their conduct may be regulated by this policy, the PACAOS, or both.

IV. Policy

A. General

1. UCR is dedicated to maintaining a respectful Workplace that is free from Bullying and or Abusive Conduct. ~~Threats or acts of~~ Bullying or Abusive Conduct by UCR employees and non-affiliates are-is 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 procedures and/or Collective Bargaining Agreements (See Section IVH(C) below).
2. 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. Managers, supervisors, and department heads should address, early on in a new employee's career, the unit and University's expectations about maintaining a respectful environment for all and from refraining from engaging in Bullying or Abusive Conduct. Each unit should also continually work to prevent Bullying or Abusive Conduct through communication of standards and expectations and on early intervention when there is evidence of such conduct.
- ~~2.3.~~ 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, unpleasant supervisory interactions or other conduct that is hostile and offensive but does not rise to the level of Bullying or Abusive Conduct may be addressed with a supervisor, manager, or other administrator and handled through performance management or other supervisory

appropriate actions (See FAQs).]

[add reference to FAQ for more info on this and generally add references to FAQs where appropriate, throughout the policy]

B. Relationship to Sexual Harassment or Protected-Category Discrimination.

Sometimes Bullying or Abusive Conduct is or 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 Discrimination and Harassment in the Workplace and UCR Policy on Discrimination, Harassment, and Retaliation Complaint and Resolution (650-75). Allegations of behavior violating these policies should did be reported to the Title IX, Equal Employment Opportunity & Affirmative Action Office. To the extent an eEmployee 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 may be addressed by this policy.

B.C. Reporting & Resolution.

1. Reporting Options. Any Generally, a UCR employee or student who is the subject of experiences or witnesses to Bullying or Abusive Conduct by an eEmployee or nNon-affiliate prohibited by this Policy 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 who witness or receive a report of Bullying or Abusive Conduct are **required** to notify the appropriate department head (unless the report is about the head) and Employee and Labor Relations (ELR) (if related to staff) or Academic Personnel Office (APO) (if related to academic appointees personnel).

Additional reporting or complaint options may exist under other University policies, depending on the identity of the reporter, the identity of the person alleged to have engaged in the Bullying and Abusive Conduct, and the nature of the Bullying and Abusive Conduct:

- a. Bullying that is discriminatory in nature should be reported to the Office of Title IX, Equal Employment Opportunity & Affirmative Action.
- b. Employees may have additional grievance options.²
- c. If the person alleged to have engaged in the Bullying or Abusive Conduct is a

² These additional grievance options may include:

- Employees in the Professional & Support Staff (PSS) and Managers & Senior Professionals (MSP) personnel groups may file a complaint under PPSM 70 with Employee & Labor Relations (HR).
- Non-Senate academic appointees may file a grievance under APM 140, with the Academic Personnel Office.
- Senate faculty may pursue a grievance with the Senate Committee on Promotion & Tenure, if their "rights and privileges" have been violated, in accordance with Senate Bylaw 335.

Senate faculty member, a disciplinary complaint may be filed under the Faculty Code of Conduct (APM 015, Section II.C.8), under procedures in UCR's Senate Bylaws, Appendix 5.

d. Anyone may file a report, which may be anonymous, with the UC systemwide Whistleblower Hotline. (See [Reporting & Resolution FAQs] regarding anonymous reporting.)

4.—Response to Complaints and Reports.

2. UCR will take appropriate action to stop Bullying or Abusive Conduct in the Workplace. Generally, the supervisor or manager of the department in which the Bullying or Abusive Conduct is reported to have occurred should address the matter, in consultation with ELR and APO, as appropriate. If assistance is needed in addressing the report taking appropriate corrective action, a supervisor, manager, or administrator should contact the appropriate office as outlined below (see Section VI for contact information) for advice or assistance. Appropriate action may range from an educational conversation, to counseling, to disciplinary action (in accordance with applicable personnel procedures and collective bargaining agreements). (See Appendix A—Reporting & Resolution FAQs for additional information).

[To discuss: In some situations, formal investigation may be required to establish whether Bullying or Abusive Conduct occurred, particularly where the alleged misconduct is severe and would, if substantiated, warrant serious corrective actions or the Bullying or Abusive Conduct continues or recurs after management efforts to address it (See Appendix A Frequently Asked Questions).]

1. ———
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. mechanisms and procedures for addressing reports and complaints. consequences and remedial actions regarding non-represented faculty members and Appendix C for potential violations of the Faculty Code of Conduct (APM 015).)

1. -False Reports Prohibited. 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. -A report that is not substantiated is not necessarily a bad faith report; a bad faith report is a knowingly false complaint.

C.D. Confidentiality and Anonymity. 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.

If you would like to report anonymously, this can be done through the UC Whistleblower Hotline referenced in Section VI. When cComplaints and reports may beare made received anonymously, and 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. In many situations, if the identity of the person alleged to have experienced the Bullying or Abusive Conduct is withheldcannot be identified, investigation or disciplinary action will may not be possible under University and campus personnel policies.

~~D.~~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. For more information regarding retaliation, see the Retaliation FAQs for protected parties.

I.V. **Responsibilities**

- A. All employees persons covered by this Policy are expected to respect the rights and welfare of others in the workplace and on University properties.
- B. All persons covered by this Policy eEmployees are expected to comply with this policy and participate fully in investigations by supplying honest, accurate, and complete information to investigating staff or officers.
- C. All persons covered by this Policy eEmployees should are encouraged to 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 and applicable personnel policies and procedures, 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 implementinincluding ensuring that applicable personnel policies are followed. g any corrective action or discipline resulting from a violation of this policy.
- E.
- F. ELR, APO, and the Chief Compliance Office 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.

II.VI. Contact Informationampus Resources

Contact	Resource	Phone	E-mail
Chief Compliance Office	Policy Guidance and Formal Investigations	(951) 827-1128	
Campus Advocacy, Resources & Education (CARE Office)	Campus Advocate for Sexual Violence, Domestic Violence, and Stalking	(951) 827-6225	advocate@ucr.edu
Counseling & Psychological Services (CAPS)	Student Confidential Resources and Counseling	(951) 827-5531	
Faculty & Staff Assistance Program (FSAP)	Employee Confidential Resources and Counseling	(951) 781-0510 (800) 266-0510	eap@pro-resources.org
Office of Legal Affairs	Campus Counsel	(951) 827-5077	
UCR Office of the Ombuds	Ombudsperson	(951) 827-3213	ombuds@ucr.edu
UCR Police Department (UCPD)	Emergency Response	(951) 827-5222	
Title IX, and Equal Employment Opportunity & Affirmative Action	Discrimination and Harassment Reporting	(951) 827-7070	TitleIX@ucr.edu
UCOP Office of Ethics, Compliance, and Audit services		(510) 987-0479	ECAS@ucop.edu
UC Whistleblower Hotline	Reporting Improper Governmental Activities	(800) 403-4744	ucop.edu/uc-whistleblower
Academic Personnel Office (APO)	Academic Personnel Support and Guidance	(951) 827-2933	academicpersonnel@ucr.edu
Employee and Labor Relations (ELR)	Staff Support and Guidance	(951) 827-26723641	

III.VII. Appendices and References and Appendix

A. UCR Policies

- [UCR Principles of Community](#)
- [UCR 650-75 Discrimination, Harassment, and Retaliation Complaint and Resolution](#)
- [UCR 850-85 Violence Prevention in the UCR Community – Zero Tolerance for Violent Behavior](#)

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](#)
- [University of California Policy on Sexual Violence/Sexual Harassment \(SVSH\)](#)

- University of California Policy on Discrimination and Harassment in the Workplace
- University of California Policies Applying to Campus Activities, Organizations and Students (PACAOS)

C. Appendices

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

IV.VIII. Approval and Revision History

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

Appendix A: Frequently Asked Questions

FAQs Regarding Responsibilities Surrounding Bullying or Abusive Conduct

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

Managers, supervisors, and department heads should ensure that unit and University expectations are clear about maintaining a respectful environment for all and from refraining from engaging in Bullying or Abusive Conduct. Each unit should work to prevent Bullying or Abusive Conduct through early intervention when there is evidence of such conduct. Knowing the risk factors that can contribute to Bullying or Abusive Conduct is also 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.³

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 IV(C)). Supervisors, managers, and administrators who receive a report of Bullying or Abusive Conduct **are required** to notify the supervisor or appropriate department head, and Employee Labor Relations (ELR) for staff or Academic Personnel Office (APO) 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 that you witness or become aware of.~~ 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 ELR Employee Labor Relations or APO 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.~~

³ Magee, Christopher, et al. 2014. Workplace bullying in Australia. Centre for Health Initiatives, University of Wollongong.

~~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.⁴~~

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 or innuendo 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 repeatedly~~ 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 are examples of conduct 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.

Can I still disagree with someone or suggest an alternative way of proceeding on a project without violating this policy?

Yes. UCR is dedicated to providing and maintaining a respectful workplace that is free from

⁴ Magee, Christopher, et al. 2014. Workplace bullying in Australia. Centre for Health Initiatives, University of Wollongong.

Bullying or Abusive Conduct that a “reasonable person” would find hostile or offensive. Bullying or Abusive Conduct must 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 (Section IV(A)(2)). Disagreements among colleagues or between supervisors and employees, including heated or assertive discussions, do not necessarily constitute Bullying or Abusive Conduct, which is distinguished by being threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance.

What is the difference between Violent Behavior (as defined in Violence Prevention in the UCR Community [850-85] policy) and Bullying or Abusive Conduct?

Bullying or Abusive Conduct is behavior that a reasonable person would find hostile, offensive, and unrelated to or incompatible with the University’s legitimate business or educational interests. This may include verbal abuse or verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating. Violent Behavior includes unwanted aggressive physical action or contact, threats that convey the intent to cause physical harm to others or oneself, or disruptive behavior that may act as a warning sign to possible violence. Bullying or Abusive Conduct and Violent Behavior are prohibited and will not be tolerated in the Workplace.

Sometimes Bullying or Abusive Conduct co-occurs with Violent Behavior. If any member of the UCR community believes an action constitutes an imminent danger or threat to health and safety, they should immediately contact the Police. In all other instances, this conduct should be reported to one’s supervisor, manager, or an administrator, or to ELR or APO.

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

Yes, Bullying or Abusive Conduct may be communicated in writing or electronically and occur when a University employee is acting in the course and scope of employment, including online or other remote interactions, or if the conduct has continuing adverse effects on University property or in any University program, activity or service.

What are some examples of online bullying?

Any of the examples of Bullying or Abusive Conduct noted above that occur in an online environment may fall under this policy. In addition, particular examples of Bullying or Abusive Conduct that occurs online may include:

- circulating inappropriate or embarrassing photos or videos via e-mail, social media, or by other means;
- harassing or offensive behavior, such as using text messages, instant messaging, social media, or e-mail to harass or embarrass an individual or group of individuals;
- impersonating someone in order to post or message inappropriate content to others or to gain work-related or personal information about others;
- posting or sharing mean or destructive comments on internal message boards.

Reporting & Resolution FAQs

What if I am not sure whether certain behavior would fall under this policy?

If you have questions about whether specific behavior may constitute Bullying or Abusive Conduct, you should consult with your supervisor, manager, or other administrator. If you do not

feel comfortable discussing the situation with those individuals, you may also contact ~~ELR Employee Labor Relations~~ or ~~APO Academic Personnel Office~~, the University Ombuds, or the Locally Designated Official.

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](#) (see FAQ "[Can I report Bullying or Abusive Conduct anonymously?](#)"). For other contact information see Section VI 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 and how it should be addressed, including consultation with appropriate office(s). ~~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 IVH(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.

In many situations, it will not be possible to investigate or discipline reported Bullying or Abusive Conduct if the identity of those who experienced or observed the Conduct is not disclosed.

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

You may report to APO (if your supervisor is an academic personnel) or ELR Employee Labor Relations (if your supervisor is a staff member) or ~~Academic Personnel Office~~, to another manager either above your supervisor or outside of your chain of supervision, or to the Locally

Designated Official (Chief Compliance Office).

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 or the behavior gets worse?

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, particularly in situations where the reported conduct is not serious enough to violate the policy but is concerning, there may be action that could be taken to prevent the conduct from continuing, or 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 after reporting, 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 IVH(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~~ resolution. 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 (note in many situations, this is not feasible unless findings have

- |
- been made):
alternative work arrangements.

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

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

1. Department — 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 or a report or complaint of Bullying or Abusive Conduct, the department chair should consult with [] regarding the appropriate response. If the matter is not elevated (see item 23 below), appropriate departmental responses may include:
 - that behavior may be crossing the line in terms of such conduct, the unit head should reminding the employee in question of expectations. In some instances, matters are best dealt with via
 - counseling, executive or coaching (typically at the faculty member's expense)
 - oOther mediation, 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 other measures to avoid continuation/repetition of the alleged Bully or Abusive Conduct 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. [For APO review and consideration of CAP comments:] — 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.~~

~~32. **Discipline**~~

~~Bullying or Abusive Behavior that constitutes a serious violation of the Policy is particularly egregious or that exhibits a documented pattern can be a violation of the Faculty Code of Conduct (APM 015) aSection II.C.8) s noted in Appendix C below. 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 Opportunity & Affirmative Action Office. Allegations sent to the VPAR/VPAP or Title IX/EEQAA will be investigated as set forth in campus policy: see policies linked at UGR 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.54: 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.65: 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."~~

Key Revisions to Draft Policy

This provides a summary of key revisions to the policy from the previously reviewed draft by the Academic Senate (June 22, 2020):

- The definitions of “Employee” and “Non-Affiliate” have been moved up into the Section II, Scope. The scope also states outright that the policy sets a standard for employee conduct, but does not supplant existing and disciplinary procedures.
- Definition of Bullying or Abusive conduct includes language that it must be “severe or pervasive”
- Definition of Workplace now includes not only conduct that occurs on university property, but also conduct:
 - in connection with University employment or in the context of a University employment or education program, activity, or service
 - off University property and outside the context of University employment or education program, activity or service, but has continuing adverse effects on University property or in any University program, activity or service
- Section IV, Policy now includes language about proactive measures that can be taken to prevent Bullying or Abusive Conduct
- Separated section entitled “Reporting Options” and “Response to Complaints and Reports”
 - Existing reporting and grievance processes now referenced in the policy:
 - if conduct is discriminatory, it should be reported to Title IX/EOAA
 - employees may have additional grievance options (specific options provided in a footnote: i.e. PPSM 70, APM 140, and Senate Bylaw 335)
 - If bullying is alleged against a Senate faculty member, a disciplinary complaint may be filed under the Faculty Code of Conduct (APM 015, Section II.C.8), under procedures in UCR’s Senate Bylaws, Appendix 5
 - Anyone may file a report under UC Whistleblower Hotline
 - Specifically noted that it should generally be the supervisor or manager of the department that addresses reports, in consultation with ELR and APO
 - Included (for discussion) in the policy that investigations may be required to establish whether Bullying or Abusive Conduct occurred, particularly if severe and, if substantiated, would result in serious corrective actions or if conduct recurs after management action to address it
 - Additional language included that false reports are prohibited and that a bad faith report is a knowingly false report
- Added Anonymity to the Confidentiality section
 - Noted that in many situations if the identity of the person alleged to have experienced the Bullying or Abusive Conduct cannot be identified, then investigation or disciplinary action may not be possible under University and campus personnel policies
- Re-formatted FAQ sections to begin with the responsibilities of preventing misconduct, moving to classifying certain behaviors, and then on to how to report and resolve misconduct and finally potential disciplinary actions. Additional language included in FAQs:
 - “Can I still disagree with someone or suggest an alternative way of proceeding on a project without violating this policy?”
 - “What is the difference between Violent Behavior (as defined in Violence Prevention in the UCR Community [850-85] policy) and Bullying or Abusive Conduct?”
 - “What are some examples of online bullying?”
- Deleted Appendix B: Consequences and Remedial Actions of Bullying or Abusive Conduct for [Non-Represented] Faculty Members. Overall the appendix appeared to cause more confusion

than clarity. A few selected portions of the appendix were moved into the main body of the policy, such as:

- The language on mentorship has been incorporated into the Section IV, Policy
- The language on reporting violations of the policy under the Faculty Code of Conduct (APM 015 Section II.C.8) has been incorporated into the Reporting Options section
- Deleted Appendix C as it also appeared to add more confusion than clarification.