
Effective date: March 8, 2022

I. Purpose and Scope

A. Purpose: The University of Utah (University) is committed to an academic and work environment that promotes, facilitates, and encourages mutual respect and collegial relationships. The University is committed to maintaining and promoting trust amongst all University employees in an ongoing effort by all employees to be collectively responsible, set a positive example, and treat each other with professionalism, courtesy, civility and respect in all interactions. This creates the strong culture that is vital for the success of the individual as well as the whole organization. The University complies with state laws that prohibit abusive conduct in the workplace. This policy addresses abusive conduct, as that term is defined in this policy. To the extent that abusive conduct also meets the definition of discrimination or harassment under Policy 1-012, that policy and its related regulations shall dictate the process for addressing the discriminatory and/or harassing behavior.

B. Scope: This policy applies to all University of Utah employees and all academic and administrative units of the University, including University of Utah Hospitals and Clinics.

II. Definitions

For the purposes of this policy, the terms, as defined in Policy 5-001 – Employee Definitions, apply.

A. “Abusive Conduct” means physical, verbal, or nonverbal conduct by an employee toward another employee (such as derogatory remarks, insults, or epithets) that based on the severity, nature, or frequency of the conduct, a reasonable person would determine any of the following:

1. intends to intimidate, humiliate, or cause unwarranted distress;
2. exploits an employee’s known physical or psychological disability; or

3. is unwarranted and results in substantial physical or psychological harm as a result of intimidation, humiliation, or distress.

B. “Administrative Filer” means an employee who submits a report of abusive conduct on behalf of the reporting employee.

C. “Reporting Employee” means an employee who was a recipient of the abusive conduct.

D. “Respondent” means an employee accused of having perpetuated abusive conduct towards another employee.

E. “University Authority” means a supervisor, manager or other leader within the reporting employee’s chain of command, including authorized designees.

III. Policy

A. Abusive Conduct

1. The University is committed to providing an environment for employees that promotes mutual respect and is free from abusive conduct.

2. An employee who engages in abusive conduct may be subject to discipline under this policy even if the abusive conduct occurs outside of scheduled work time or work location.

3. The following actions do not constitute abusive conduct:

   a. Appropriate disciplinary or administrative actions;

   b. Appropriate developmental, critical, performance-related feedback;

   c. Reasonable work assignments or job reassignments; or

   d. Reasonable differences in styles of management, communication, expression, or opinion.
4. Once a report of abusive conduct has been filed, the respondent and reporting employee or administrative filer may not communicate regarding the allegations in the report. Further, the respondent, the respondent’s supervisor, or any other University authority on behalf of the respondent may not retaliate against the reporting employee or any administrative filer for filing a report of abusive conduct.

B. Abusive Conduct Reporting and Resolution Process

1. The process for reporting and resolving abusive conduct varies depending on the classification of the responding employee, and is described in the following rules:

   a. for a responding employee who is a faculty member, Rule R1-021C;

   b. for a responding employee who is a University of Utah Hospital and Clinics staff member, Rule R1-021B; and

   c. for a responding employee other than a faculty member or University of Utah Hospitals and Clinics staff member, Rule R1-021A.

C. Abusive Conduct Training.

1. The University shall provide annual training to all employees regarding abusive conduct in the workplace.

   a. Training shall include information regarding what constitutes abusive conduct, how to prevent it, and options available under this Policy.

   b. Departments and units shall ensure employees complete training within a reasonable time after hire and at least every year thereafter.

   c. Training records shall be kept by University Human Resources Management (UHRM) and University of Utah Hospitals and Clinics Human Resources (UUHC HR) regarding completion of training and the date training was last completed.
IV. Rules, Procedures, Guidelines, Forms and other Related Resources

A. Rules.

1. **R1-021-A** Abusive Conduct Reporting and Resolution Process for University Staff (non-UUHC), Academic Staff, Educational Trainees, Postdoctoral Fellows and Medical Housestaff.

2. **R1-021-B** Abusive Conduct Reporting and Resolution Process for UUHC Staff.

3. **R1-021-C** Abusive Conduct Reporting and Resolution Process for University Faculty.

B. Procedures.

[reserved]

C. Guidelines.

[reserved]

D. Forms.

[reserved]

E. Other related resource materials.

[reserved]

V. References

Utah Code Section 67-26-203
Utah System of Higher Education (formerly Utah Board of Regents) Rule R831

School of Medicine Professional Conduct Policy for Faculty Professional Conduct of University of Utah Health Medical Providers Ethical Standards and Code of Conduct Handbook

**Policy 5-001**: Personnel Definitions

**Policy 5-106**: Equal Opportunity and Nondiscrimination in Employment

**Policy 5-111**: Corrective Actions and Termination Policy for Staff

**Policy 5-205**: Code of Conduct for Staff

**Policy 1-012**: University Non-discrimination Policy

**Policy 6-309**: Academic Staff, Educational Trainees, Postdoctoral Fellows and Medical Housestaff

**Policy 6-316**: Code of Faculty Rights and Responsibilities

**VI. Contacts**

The designated contact officials for this Regulation are

A. Policy Owner (primary contact person for questions and advice): Director of Employee Relations for Human Resources
B. Policy Officer: Chief Human Resources Officer

See Rule R1-001 for the roles and authority of policy owners and officers.

VII. History

Renumbering

[not applicable]

Revision History:

A. Current Version: Revision 1.

1. Approved by -- Academic Senate February 7, 2022 and Board of Trustees March 8, 2022, with effective date of March 8, 2022.

2. Legislative History Revision 1.

B. Earlier versions:

1. Revision 0. Interim Policy 1-021, Revision 0, and the accompanying Interim Rules 1-021A, 1-021B, and 1-021C, were adopted on December 8, 2020, by University President Ruth Watkins, with designated effective date of January 1, 2021.

   Legislative History of Revision 0