UC Abusive Conduct Policy Overview
Spring Quarter Chairs Meeting
May 24, 2023
Abusive Conduct in the Workplace Policy

Issued in December 2022

Effective January 1, 2023

Definition of Abusive Conduct in the Workplace:

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

- Please ensure that all your faculty, non-faculty academic appointees, and staff complete the **one-time mandatory** Abusive Conduct in the Workplace training. It is available at: [https://uclc.uci.edu](https://uclc.uci.edu)

- If you observe conduct that may constitute Abusive Conduct (as defined by Policy), you have a responsibility to address such conduct immediately. By:
  - Consult AP, HR, or OAISC regarding appropriate next steps, even if the incident(s) appear(s) to be resolved.
  - This consultation will help support you in responding to the report and may result in the matter being escalated or referred to another office or process, such as for investigation. Consultation will also ensure that the incident is tracked appropriately.

- If you receive a report that may constitute Abusive Conduct, you must immediately submit the report to the applicable office. How to report:
  - University Hotline: (800) 403-4744, OR
  - Online: [www.universityofcalifornia.edu/hotline](http://www.universityofcalifornia.edu/hotline)
| Abusive and/or insulting language (written, electronic or verbal) |
| Spreading false information or malicious rumors |
| Yelling, screaming, threats, implicit threats, or insults |
| Encouraging others to act, singly or in a group, to intimidate or harass other individuals |
| Repeated or egregious comments about a person’s appearance, lifestyle, family, culture, country of origin, visa status, religious/spiritual/philosophical beliefs, or political views in a manner not covered by the University’s policies prohibiting discrimination |
| Teasing or making someone the brunt of pranks or practical jokes |
| Interfering with a person’s personal property or work equipment without a legitimate business or educational purpose |
| Circulating photos, videos, or information via e-mail, text messages, social media, or other means without a legitimate business or educational purpose |
| Making unwanted physical contact or encroaching on another individual’s personal space, in ways that would cause discomfort and unease, in a manner not covered by the University’s Sexual Violence and Sexual Harassment policy |
| Purposefully excluding, isolating, or marginalizing a person from normal work activities for non-legitimate business purposes |
| Repeated demands that the individual do tasks or take actions that are inconsistent with that individual’s job, are not that individual’s responsibility, for which the employee does not have authority |
| Repeatedly refusing to take “no” for an answer when the individual is within the individual’s right to decline a demand |
| Pressuring an individual to provide information that the individual is not authorized to release (or may not even possess) |
| Making threats to block a person’s academic or other advancement, opportunities, or continued employment at the University without a legitimate business or educational purpose |
| Sabotaging or undermining a person’s work performance |

What is Abusive Conduct in the workplace (examples)
What is NOT Abusive Conduct in the workplace (examples)

- negative performance appraisals
- constructive criticism
- negative assessments or grades
- Coaching

- Restricting access to sensitive and confidential information for legitimate business reasons
- Scheduling regular or ongoing meetings to address performance issues
- Setting ambitious performance goals to align with departmental goals
- Investigating alleged misconduct or violation of University policy

- Counseling or disciplining an employee for performance, engaging in misconduct, or violating University policy
- Engaging in assertive behavior
- Having a disagreement
- Making unpopular statements or articulating positions on controversial issues

- Participating in debates and expressing differences of opinion about academic decisions
- Participating in a formal complaint resolution or grievance process
- Exercising academic freedom
What happens once a report is received?

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

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

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

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