

UCR Policies and Procedures

Policy Title: Anti-Bullying

Policy Number: 650-XX

Responsible Officer:	Executive Vice Chancellor and Provost
Responsible Office:	Office of Executive Vice Chancellor and Provost
Origination Date:	XX/XX/2021
Date of Revision:	N/A - First Version
Date of Last Review:	XX/XX/2021

Contact:	Ian Harazduk
Title:	Compliance Analyst & Privacy Officer
Email:	policy@ucr.edu

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 as described in Section IV(C)(2).

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.

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).

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.

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, other administrator or the UCR Ombudsperson 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 and 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 (for employees) or the supervisor of the person believed to have engaged in the Bullying or Abusive Conduct. The supervisor who receives the report will take appropriate steps as described in Section 2 below.

Another option available is to file a report, which may be anonymous, through the [Campus Climate reporting form](#) (online or phone).

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. Conduct that is discriminatory in nature should be reported to the Office of Title IX, Equal Opportunity & Affirmative Action.²
 - b. Employees may have additional grievance options.³
 - 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. The Vice Provost for Administrative Resolution (VPAR) may provide information about the Faculty Code of Conduct process.
2. Response to Complaints and Reports; Consultation Required. UCR will take appropriate action to stop Bullying or Abusive Conduct in the Workplace. Supervisors, managers, and administrators who witness or receive a report of Bullying or Abusive Conduct are required to consult with their department head (unless the report is about the head) and Employee and Labor Relations (ELR)—if related to staff, the Academic Personnel Office (APO)—if related to non-Senate faculty or non-faculty academic personnel, or the VPAR—if related to Senate faculty. This consultation will help support the manager or supervisor in responding to the report, or may result in the matter being escalated or referred to another office or process, such as for an investigation. (See FAQs). Appropriate action may range from an educational

² UC policies prohibit discrimination on the basis of race, color, national origin, religion (including religious dress and grooming practices), sex, gender, gender expression, gender identity, gender transition status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services, including protected veterans.

³ 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.

conversation, to counseling, to disciplinary action (in accordance with applicable personnel procedures and collective bargaining agreements).

3. **False Reports Prohibited.** Allegations of Bullying or Abusive Conduct are serious and have the potential to cause 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. A violation of this policy may be considered misconduct and addressed under applicable disciplinary procedures. 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 [Campus Climate report form](#) 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, APO and/or the VPAR.

- E. ELR, APO and the VPAR 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, the VPAR, 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	ldo@ucr.edu
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 and Complaint Resolution	(951) 827-7070	titleX@ucr.edu
UC Campus Climate Reporting	Reporting intimidating, bullying, and other incidents		Online reporting only
Vice Provost for Administrative Resolution	Faculty Senate Support and Guidance		vpar@ucr.edu
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	Employee.relations@ucr.edu

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 Executive Vice Chancellor and Provost on [_____], 2021.

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.⁴

Am I required to report abusive conduct?

All employees are **encouraged** to report Bullying or Abusive Conduct to their supervisors (for employees) or the supervisor of the person believed to have engaged in the Bullying or Abusive Conduct (Section IV(C)(1)). 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 and Labor Relations (ELR) for staff, Academic Personnel Office (APO) for non-Senate faculty or non-faculty academic appointees, or the Vice Provost of Administrative Resolution (VPAR) for Senate faculty.

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, APO, or the VPAR, or the Ombuds 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:

⁴ Magee, Christopher, et al. 2014. [Workplace bullying in Australia](#). Centre for Health Initiatives, University of Wollongong.

- 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;
- 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, APO, or the VPAR.

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, APO, the VPAR, the University Ombuds, or report through the Campus Climate report form (online or by phone).

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, APO, or the VPAR. To remain anonymous you may submit to the [Campus Climate report form \(online or by phone\)](#) (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 an investigation, which could include notification of such to the parties, interviews of the parties and witnesses, collection of evidence, and an investigative report. Investigations typically are conducted or overseen by campus offices with trained staff, including ELR and the Chief Compliance unit.

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 ELR, APO, the VPAR or the University Ombuds 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 a non-Senate Faculty or non-faculty academic personnel), the VPAR (if your supervisor is a Senate faculty member) 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 through the Campus Climate Reporting form.

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 ELR, APO, the VPAR or use the Campus Climate Reporting form (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 an 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.