

[Interim] Rule 1-021A: Abusive Conduct Reporting and Resolution Process for University Staff (non-UUHC), Academic Staff, Educational Trainees, Postdoctoral Fellows and Medical Housestaff.

Revision 0. Effective date: January 1, 2021

I. Purpose and Scope

- A. Purpose: To provide a reporting and resolution process that gives employees and University Authorities the tools to resolve abusive conduct reports. This Rule is applicable to all University Staff Members, with the exception of University of Hospitals and Clinics (UUHC) Staff Members (see Rule R1-021-B). This Rule is also applicable to Academic Staff, Educational Trainees, Postdoctoral Fellows and Medical Housestaff.
- B. Scope: This Rule applies to all University Staff Members, including Staff Members who are “at-will” as defined by Policy 5-001 and applies to Academic Staff, Educational Trainees, Postdoctoral Fellows and Medical Housestaff as defined in Policy 6-309.

II. Definitions

[reserved]

III. Rule

- A. Reporting and Resolution Process
 - 1. Reporting employee or administrative filer completes the Abusive Conduct Reporting Form. University Human Resource Management (UHRM) will conduct and initial review of the report filed, which may include an initial interview with the reporting employee or administrative filer and one or more of the following:
 - a. Referral to appropriate University Authority for resolution.

- i. Resolution may be informal such as, mediation, coaching, or other resolution resources, or resolution may be formal such as implementation of corrective and disciplinary actions. Egregious behavior will be resolved in accordance with policy 5-111C- Egregious Behavior.
 - ii. Upon receipt of a referral, the University Authority should determine a resolution within ten (10) working days. This will be the final decision, and the matter will be considered closed. A notice will be sent to the reporting employee and the respondent if a report cannot be resolved within 10 working days. Resolution will be reported to UHRM.
- b. Deny a referral to University Authority due to failure to meet the definition of abusive conduct.
 - c. Refer reporting employee and case to the Title IX/OEO Office in cases of discrimination or harassment. Resolution of the report under this policy will be held until completion of Title IX/OEO determination.
 - d. Refer reporting employee and case to Public Safety in cases of violence or the threat of violence. Resolution of the report under this policy will be held until completion of Public safety Determination.

[Note: Parts IV-VII of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.]

IV. Rules, Procedures, Guidelines, Forms and other Related Resources

A. Rules.

1. [R1-021-B](#) Abusive Conduct Reporting and Resolution Process for UUHC Staff.
2. [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

Abusive Conduct Reporting Amendments (“ACRA”) is [Utah Code Section 67-26-101](#) et seq., Utah Public Employees Healthy Workplace Act, as amended

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
- B. Policy Officer: Chief Human Resources Officer

These officials are designated by the University President or delegee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provide in University Rule 1-001:

“A ‘Policy Officer’ will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases...”

“The Policy Officer will identify an ‘Owner’ for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions about, and provide interpretation of the policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to who the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... [and] bears the responsibility for determining –requirements of particular Policies....”

University Rule 1-001-III-B & E

VII. History

Renumbering

[not applicable]

Revision History:

A. Current Version: Revision 0. This 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. This set of Interim Regulations was subsequently presented to the Academic Senate Executive Committee December 10, 2020, presented for the Information and Recommendations of the Academic Senate, January 11, 2021, and presented for approval of the Board of Trustees February 9, 2021. These were enacted as Interim Regulations (in accord with Policy 1-001) in order to comply with recently changed state law (Utah House Bill 12). They will remain in effect until a permanent version is adopted, which is anticipated to occur by December 2021, after review by appropriate internal University groups.

Legislative History of Revision 0

B. Earlier versions:

[reserved]