

University Policy 321: Respectful Workplace

Category: Human Resources

Subcategory: General

Covered Individuals: All Employees

Responsible Executive: Vice President for Finance and Administrative Services

Policy Custodian: Office of Human Resources, Associate Vice President of Human Resources

Last Revised: 2022/06/23

Previous USU Policy Number: N/A

321.1 PURPOSE AND SCOPE

Utah State University (USU) is committed to maintaining a work environment that encourages mutual respect and facilitates collegial relationships. To build and promote trust, all USU [employees](#) are collectively responsible to set a positive example and to avoid behaving disrespectfully, including bullying, or any other behavior that would reasonably offend, intimidate, embarrass, or humiliate others, whether deliberately or unintentionally.

321.2 POLICY

[University related interactions](#) should be conducted with courtesy, civility, decency, and a concern for personal dignity. Disrespectful behavior and/or [abusive conduct](#), will not be tolerated. Expectations include, but are not limited to, using professional language, not recording interactions without all parties' consent, and not providing unrelated third parties unauthorized access to university and/or employee information (see USU Policy 319: Employee Privacy and Confidentiality and Policy 556: Information Privacy for more information).

All employees are expected to complete training on preventing abusive conduct in the workplace at least annually. Employees violating this policy are subject to disciplinary action up to and including termination of employment per USU Policy 311: Setting Expectations and Managing Performance, USU Policy 407: Academic Due Process: Sanctions and Hearing Procedures, or USU [Policy 390: Employment at Will](#), as applicable.

For issues regarding sexual harassment, please refer to USU Policy 339: Sexual Harassment. For issues regarding discrimination, please refer to USU Policy 303: Affirmative Action/Equal Opportunity.

This policy does not limit USU leadership's right to manage. Performance management, work assignment and evaluation, and disciplinary measures taken by USU for any valid reason do not constitute disrespectful behavior, abusive conduct, and/or bullying. Such management actions should be done in ways that are consistent with the intent and expectations of this respectful workplace policy.

2.1 Reporting and Resolution of Disrespectful Behavior and/or Abusive Conduct

If an employee is subjected to or observes disrespectful and/or abusive conduct of another by an individual or group of individuals, the employee should first attempt to resolve concerns within their own area per USU Policy 325: Employment Grievance Procedures. This should be done by discussing their concerns or observations with their immediate [supervisor](#). Their immediate supervisor will then initiate a process to determine the nature and extent of the issue and initiate an effective resolution.

If an employee does not feel comfortable contacting their immediate supervisor, the employee may contact another level of management within their [reporting chain](#) or the Office of Human Resources, who will meet with the employee to discuss their concerns or observations. The Office of Human Resources will then initiate a review and collaborate with the appropriate leadership and employee(s) to initiate an effective resolution. Additionally, the Office of Human Resources may formally investigate allegations of abusive conduct to determine whether such conduct occurred. Parties and participants in such investigations shall treat information pertaining to the matter as confidential, subject to the rights and obligations of the party or participant. If the investigation reveals evidence of criminal conduct, the Office of Human Resources, in consultation with the Office of Legal Affairs, may refer the matter to the appropriate law enforcement agency.

At the conclusion of an abusive conduct investigation, the parties will be notified of any investigative findings and of the procedure to request an administrative review of the findings.

2.2 Administrative Review

An employee that has been subject to an investigation under this policy may seek an administrative review of any investigative findings by written request to the Office of Human Resources within 10 calendar days of receiving notification of the investigative findings. The Office of Human Resources will designate appropriate administrative review personnel, who shall not be the same individuals as those who personally conducted the investigation. The review personnel will determine within 30 days of receiving the administrative review request whether the investigative findings are reasonable, rational, and sufficiently supported by the evidence. This determination is not subject to further review.

321.3 RESPONSIBILITIES

3.1 Supervisors

Supervisors have an obligation to set expectations in their areas to ensure a safe, collegial, and respectful workplace for all employees and address issues as they arise. If a supervisor becomes aware of a situation within their area that may violate this policy, the supervisor should take appropriate steps to resolve the problem on an informal basis. If [informal processes](#) are not adequate to address the situation, then [formal disciplinary action](#) should be utilized per USU Policy 311: Setting Expectations and Managing Performance, which applies to benefited employees (non-faculty) and USU Policy 407: Academic Due Process: Sanctions and Hearing Procedures (faculty). Supervisors should ensure that their employees complete training on the prevention of abusive conduct in the workplace at least annually.

3.2 Employees

All employees have an obligation to promote and preserve the reputation of the university by demonstrating respect toward all members of the campus community, including students, faculty, and staff. Employees are responsible for responding to and reporting perceived disrespectful and/or abusive conduct in accordance with this policy. All employees are expected to complete training on the prevention of abusive conduct in the workplace at least annually.

3.3 Office of Human Resources

The Office of Human Resources may investigate, make determinations, advise, assist, and/or mediate between employees and departments in resolving possible violations of the policy. The Office of Human Resources will offer all employees training on the prevention of abusive conduct in the workplace.

321.4 REFERENCES

- [H.B. 12 Abusive Conduct Reporting Amendments](#) (2020)

321.5 RELATED USU POLICIES

- [Policy 303](#): Affirmative Action/Equal Opportunity
- [Policy 311](#): Setting Expectations and Managing Performance
- [Policy 319](#): Employee Privacy and Confidentiality
- [Policy 325](#): Employment Grievance Procedures
- [Policy 339](#): Sexual Harassment
- [Policy 390](#): Employment at Will
- [Policy 407](#): Academic Due Process: Sanctions and Hearing Procedures
- [Policy 556](#): Information Privacy

321.6 DEFINITIONS

6.1 Abusive Conduct

Verbal, non-verbal, or physical conduct of one party to another that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine that it: (A) is intended to cause intimidation, humiliation, or unwarranted distress; (B) results in substantial physical harm or substantial psychological harm as a result of intimidation, humiliation, or unwarranted distress; or (C) exploits an employee's known physical or psychological disability.

Bullying is one form of abusive conduct. It is conduct that seeks to harm, intimidate, coerce, persecute, or torment; often repeated or habitual.

6.2 Employee

Any individual legally employed by Utah State University in any capacity.

6.3 Formal Disciplinary Action

Action as set forth by USU Policy 311: Setting Expectations and Managing Performance which applies to benefited employees (non-faculty) and Policy 407: Academic Due Process: Sanctions and Hearing Procedures (faculty).

6.4 Informal Processes

Any process that does not follow the formal disciplinary action(s) set forth by USU Policy 311: Setting Expectations and Managing Performance, or USU Policy 407: Academic Due Process: Sanctions and Hearing Procedures (e.g., Performance Improvement Plan, Letter of Expectation).

6.5 Reporting Chain

Levels of supervisory roles within a department or unit.

6.6 Supervisor

A person employed by Utah State University who has hiring authority and/or holds a position that directly supervises an employee of Utah State University.

6.7 University Related Interactions

Any job function that pertains to Utah State University.

Information below is not included as part of the contents of the official policy. It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the president.

RESOURCES

Procedures

- See 2.2 Administrative Review above

Guidance

- N/A

Related Forms and Tools

- N/A

Contacts

- Office of Human Resources Solution Center, hr@usu.edu, (435) 797-0122

POLICY HISTORY

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