

# Davis Technical College

## Abusive Conduct Prevention Policy

**Effective Date: 3 December 2020**

President's Council Approval: 25 November 2020

Board Approval: 3 December 2020

### 1. Purpose

The Davis Technical College (College) strives to provide a respectful work environment that fosters collaborative relationships free from abusive conduct.

### 2. References

2.1. Davis Technical College Anti-Harassment/Discrimination Policy

2.2. Davis Technical College Disciplinary Sanctions of Personnel Policy

2.3. Utah Code 67-26-203; Public Employee Healthy Workplace Act; Abusive Conduct - Training - Policy

### 3. Definitions

**3.1. Abusive Conduct** – Verbal, nonverbal, or physical conduct of an employee to another employee that based on the severity, nature, or frequency of the conduct a reasonable person would determine: was intended to cause intimidation, humiliation, or unwarranted distress; exploits a known physical or psychological disability; or results in substantial physical or psychological harm caused by intimidation, humiliation or unwarranted distress.

**3.1.1.** The following actions due to their nature or frequency are not presumed to constitute abusive conduct unless they are especially severe and egregious, and would, as determined by a reasonable person, meet the criteria of abusive conduct:

- a single act
- disciplinary or administrative actions
- coaching or work-related feedback
- reasonable job-related assignments
- differences in styles of management, communication, expression, or opinion

**3.2. Physical Harm** – The impairment of an individual's physical health or bodily integrity, as established by competent evidence.

**3.3. Psychological Harm** – The impairment of an individual's mental health, as established by competent evidence.

### 4. Policy

**4.1. Abusive Conduct and Respectful Work Conditions** – The College prohibits abusive conduct, as described under this policy, and is committed to provide a workplace that is free from such. Additionally, College administrative officers strive to:

**4.1.1.** Establish fair and orderly procedures for administering personnel relations that promote respect for the dignity of each employee and encourage interpersonal cooperation and support.

**4.1.2.** Provide clear and accepted channels for the consideration of suggestions, grievances or complaints.

**4.2. Employee Obligations** – Employees of the College must:

**4.2.1.** Render satisfactory performance in their assigned positions, consistent with established job requirements and College and departmental standards.

**4.2.2.** Observe established policies, practices, and procedures in the performance of assigned responsibilities, and in the presentation of suggestions, complaints, or grievances to College supervisors and officials.

**4.2.3.** In carrying out their responsibilities, conduct themselves in a manner that a reasonable person would find to be professional and respectful to others in the workplace.

**4.2.4.** Not engage in abusive conduct.

## **5. Procedures**

**5.1. Reporting and Resolving Abusive Conduct** – An employee who believes that they or another employee have been subjected to abusive conduct may report the situation by either: 1) seek to resolve the issue informally through their supervisor, or 2) provide a formal (written) or informal (verbal) notification to the Director of Human Resources.

**5.1.1.** The College will resolve the reports of abusive conduct consistent with applicable policies. Where the reported abusive conduct involves allegations of violence or potentially violent behavior, the recipient of the report should refer the report to the campus security office, consistent with the violence prevention protocol, and may be referred to a law enforcement agency. Where the reported abusive conduct alleges discrimination or harassment based on a protected classification, as described in the Anti-Harassment/Discrimination policy or Title IX-Sexual Harassment policy, the recipient of the report must share that report with the HR/EEO office consistent with those policies.

**5.2. Investigation** – When appropriate, the Director of Human Resources or appointee will conduct a prompt and thorough investigation into the complaint allegations.

**5.2.1.** If the investigation finds allegations of abusive conduct are substantiated, appropriate administrative/ disciplinary/ corrective actions will be taken, potentially up to and including termination.

**5.3. Abusive Conduct Prevention Training** – The College must annually provide to all employees training on the prevention of abusive conduct in the workplace. This training will include information regarding what constitutes abusive conduct, how to prevent it, procedures for reporting, and means of resolving findings.