

University Policy Impact and Tracking Statement

Proposed or Revised Policy Title: Disruptive Behavior in the Workplace
Policy Sponsor: Allison M. Vaillancourt, Vice President, Business Affairs & Human Resources
Senior Leadership Review Dates: N/A
Publication Dates: <i>Lo Que Pasa</i> - <i>UAnnounce</i> - Memo Submitted 9/24/18 Other -

Policy description: Disruptive Behavior in the Workplace is a substantive revision of the Workplace Violence policy, as the redline shows.

Reason for new policy or revision:

We propose to replace the phrase “workplace violence” with “disruptive behavior” to more accurately describe behaviors that are prohibited in University settings. While we have adhered closely to objective definitions of observable behavior, we have reinforced that behavior may be verbal as well as physical, and that conduct against a University community member’s family or household is within scope for this policy. The new policy also states disciplinary action that may be taken, up to and including dismissal, expulsion, issuance of an exclusionary order, or criminal prosecution.

The policy revision streamlines the text and clarifies the respective roles of the Dean of Students Office and Division of Human Resources.

Major impacts to University and potential stakeholders:

This revision is intended to clarify the University’s expectations for conduct as well as how policy violations will be managed.

Anticipated concerns or objections:

We anticipate two very different set of concerns. Some stakeholders have expressed their concern that the proposed policy language does not go far enough to protect the psychological safety of University community members and they have called for more expansive language to prohibit workplace “bullying.” Other stakeholders have expressed concerns about First Amendment rights to free speech and argued that vigorous and prolonged intellectual arguments could be labeled disruptive behavior.

Estimate and description of financial cost to implement, if any:

No additional costs are anticipated.

Will the policy affect any of the following?

Existing UA Policy Yes No

Compliance with federal law/regulations Yes No

Existing UA Procedure Yes No

Compliance with state law/regulations Yes No

Existing Board Policy Yes No

General Public Yes No

Describe any item checked "yes":

The only effect on policy is replacement of the Workplace Violence policy with the currently proposed version. Substantive changes in UA procedures are not anticipated.

The change may have a peripheral effect on the general public. Both Workplace Violence and the current Disruptive Behavior in the Workplace policy apply to visitors. However, the scope of Disruptive Behavior in the Workplace has been expanded to include the families or established households of employees, vendors, visitors, or students.

DISRUPTIVE BEHAVIOR IN THE WORKPLACE

PURPOSE AND SUMMARY

The University of Arizona is committed to providing a safe environment for its students, employees, vendors, and visitors. This policy outlines the University's expectations for workplace conduct and describes how policy violations will be managed.

SCOPE

This policy applies to students, employees, affiliates, associates, volunteers, vendors, and visitors in the University's workplace.

DEFINITIONS

"Damaging Property" means intentionally or recklessly damaging, defacing, or destroying property owned, controlled, or leased by the University or its students, employees, vendors, or visitors.

"Disruptive Behavior" conduct that significantly interferes with or obstructs University activities in the Workplace. Examples include:

- Threatening behavior;
- Stalking or intimidating a person;
- Intentionally hindering another person from participating in University business;
- Intentionally or recklessly causing physical harm to a person; and
- Damaging Property.

"Employee" means an individual who is employed by the Arizona Board of Regents/University under the classifications of "faculty"; "classified staff"; "academic, administrative, or service professional"; graduate assistant or associate; or student worker.

"Intimidating" means using words or actions that would cause a reasonable person to fear physical harm or property damage.

"Stalking" means an intentional or knowing course of conduct directed toward another person if that conduct either would cause a reasonable person to suffer substantial emotional distress or to fear personal harm to themselves or someone close to them.

"Threatening" means expressing, through word or conduct, an intent to cause physical harm or property damage.

"Workplace" means locations where University employees perform University work. It includes (1) all University-owned, -controlled, or -leased premises, including satellite locations; (2) any location in which employees are representing the University, including attendance at off-campus meetings or conferences; (3) while riding in University-owned or -leased vehicles or

while driving in one's own vehicle for work purposes; and (4) any other location at which University business is being conducted at the time the disruptive behavior occurs.

POLICY

Prohibited Conduct

The University prohibits Disruptive Behavior in the Workplace by or against any employee, student, vendor, or visitor to the University. Individuals who violate this policy will be subject to disciplinary action that could include reprimand, demotion, denial of promotion, termination from employment, and suspension or expulsion from an educational program. Disruptive Behavior in the Workplace may also result in the issuance of a University exclusionary order and/or criminal prosecution. This policy also prohibits retaliation against anyone who makes a good faith report of a violation of this policy.

Reporting Disruptive Behavior

In the event of an emergency, including an imminent threat to someone's safety or to property in the Workplace, immediately contact local law enforcement.

Additionally, employees, vendors, and visitors should report incidents of Disruptive Behavior to an immediate manager or supervisor (if applicable) and to the Division of Human Resources. Students should report incidents of Disruptive Behavior to the Dean of Students Office. The University will, to the extent possible, handle reports of Disruptive Behavior confidentially, except to the extent necessary to communicate to individuals who need to know pertinent information so that they may take appropriate action. The University also may be required to report such incidents to comply with state and federal laws and regulations.

Responding to Reports of Disruptive Behavior

A manager or supervisor who receives a report of Disruptive Behavior in the Workplace must contact the Division of Human Resources or the Dean of Students Office (as appropriate) for guidance on responding to the behavior. Human Resources or the Dean of Students Office will review information it receives and may seek additional information as necessary.

FREQUENTLY ASKED QUESTIONS*

RELATED INFORMATION*

Definitions in this policy may differ from definition under Arizona law.

Additional policies related to conduct may be found at:

Arizona Board of Regents Policy 5-308. Student Code of Conduct (link is external), available at <https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf>

Disruptive Behavior in an Instructional Setting, available at <http://policy.arizona.edu/education-and-student-affairs/disruptive-behavior-instructional-setting>

Threatening Behavior by Students, available at <http://policy.arizona.edu/education-and-student-affairs/threatening-behavior-students>

Classified Staff Rules of Conduct 401.0, available at <http://policy.arizona.edu/employmenthuman-resources/classified-staff-rules-conduct>

University Handbook for Appointed Personnel 7.01.01, available at <http://policy.arizona.edu/employmenthuman-resources/statement-professional-conduct>

The University's Nondiscrimination and Anti-harassment Policy, available at <http://policy.arizona.edu/human-resources/nondiscrimination-and-anti-harassment-policy>

REVISION HISTORY*

DISRUPTIVE BEHAVIOR IN THE WORKPLACE VIOLENCE

PURPOSE AND SUMMARY

The University of Arizona is committed to providing a safe ~~and secure workplace environment~~ for ~~all its students,~~ employees, ~~students~~vendors, and visitors. This policy ~~confirms~~outlines the University's ~~commitment to prevent, reduce and manage violence to provide a safe environment in which to work and learn~~expectations for workplace conduct and describes how policy violations will be managed.

SCOPE

This policy applies to students, employees, affiliates, associates, volunteers, vendors, and visitors ~~at all University owned, controlled or leased premises, including satellite locations, at any location at which University business is conducted, or at which employees, students, vendors, or visitors represent in the University, including while attending off-campus meetings or conferences, or while riding in University owned or leased vehicles.~~University's workplace.

DEFINITIONS

"**Damaging Property**" means intentionally or recklessly ~~or~~ damaging, ~~or~~ defacing, or destroying property owned, controlled, or leased by the University or its students, employees, vendors, or visitors.

"**Disruptive Behavior**" conduct that significantly interferes with or obstructs University activities in the Workplace. Examples include:

- Threatening behavior;
- Stalking or intimidating a person;
- Intentionally hindering another person from participating in University business;
- Intentionally or recklessly causing physical harm to a person; and
- Damaging Property.

"**Employee**" means an individual who is employed by the Arizona Board of Regents/University under the classifications of "faculty"; "classified staff"; "academic, administrative, or service professional"; graduate assistant or associate; or student worker.

"**Intimidating**" means ~~an intentional act~~using words or actions that would cause a reasonable person to fear ~~that s/he is in danger of injury or harm~~physical harm or property damage.

"**Stalking**" means an intentional or knowing course of conduct directed toward another person if that conduct either would cause a reasonable person to ~~fear for the person's safety and~~

~~that person in fact fears for his or her safety; or would cause a reasonable person to fear death and that person in fact fears death.~~ suffer substantial emotional distress or to fear personal harm to themselves or someone close to them.

"Threatening" means expressing, through word or conduct, an intent to cause physical harm.

"Violence" ~~includes, but is not limited to, intentionally threatening, intimidating, physically injuring, stalking, damaging or property, or referencing or using a weapon or firearm, unless the individual doing so is a certified law enforcement officer acting within the course and scope of his or her duties.~~ damage.

"Workplace" ~~includes~~ means locations where University employees perform University work. It includes (1) all University-owned, -controlled, or -leased premises, including satellite locations, at; (2) any location at which University business is conducted, or at in which employees, students, or visitors represent are representing the University, including while attending attendance at off-campus meetings or conferences, or; (3) while riding in University-owned or -leased vehicles or while driving in one's own vehicle for work purposes; and (4) any other location at which University business is being conducted at the time the disruptive behavior occurs.

POLICY

Prohibited Conduct

The University prohibits ~~any form of violence~~ Disruptive Behavior in the Workplace by or against any employee, student, vendor, or visitor to the University. ~~Violating~~ Individuals who violate this policy will ~~result in~~ be subject to disciplinary action ~~up to~~ that could include reprimand, demotion, denial of promotion, termination from employment, and ~~including dismissal as unacceptable personal conduct and~~ suspension or expulsion from an educational program. Disruptive Behavior in the Workplace may also result in the issuance of a University exclusionary order and/or criminal prosecution. This policy also prohibits retaliation ~~or harassment~~ against anyone who makes a good faith report of a violation of this policy. ~~The University will,~~

Reporting Disruptive Behavior

In the event of an emergency, including an imminent threat to the extent permitted by someone's safety or to property in the Workplace, immediately contact local law, protect the anonymity enforcement.

Additionally, employees, vendors, and safety of anyone who reports an act of violence, as defined by this policy.

~~The University prohibits individuals from making intentionally false or misleading reports of violence or threats of violence. Individuals who make~~

~~such reports will be subject to disciplinary action up to and including dismissal under the University's disciplinary policies.~~

COMPLIANCE AND RESPONSIBILITIES

Reporting Incidents of Workplace Violence

~~Employees and students will~~visitors should report ~~all~~ incidents of ~~workplace violence~~ to the ~~University of Arizona Police Department by dialing 9-1-1,~~ to ~~their~~Disruptive Behavior to an immediate manager or supervisor, ~~(if applicable)~~ and to the Division of Human Resources. Students should report incidents of Disruptive Behavior to the Dean of Students Office. The University will, to the extent possible, handle reports of ~~workplace violence~~Disruptive Behavior confidentially, except to the extent necessary to communicate to individuals who need to know pertinent information so that they may take appropriate action. The University also may be required to report such incidents to comply with state and federal laws and regulations. ~~The University will be sensitive and responsive to the potential for fear of reprisal by employees or students who report threats or acts of violence.~~

Responding to Reports ~~and Acts~~ of ViolenceDisruptive Behavior

~~The University encourages all employees and students to assist~~A manager or supervisor who receives a report of Disruptive Behavior in ~~maintaining a safe and secure workplace, while recognizing the need to be alert to the possibility of violence by students, former students, employees, former employees, vendors, and visitors.~~ Individuals who receive reports of workplace violenceWorkplace must contact the Division of Human Resources or the Dean of Students Office (as appropriate) for guidance ~~and assistance in addressing such situations on responding to the behavior.~~ Human Resources or the Dean of Students Office will review information it receives and may seek additional information as necessary. ~~It also may convene the Threat Assessment and Management Team, as described below,~~

FREQUENTLY ASKED QUESTIONS*

RELATED INFORMATION*

Definitions in this policy may differ from definition under Arizona law.

Additional policies related to conduct may be found at:

Arizona Board of Regents Policy 5-308. Student Code of Conduct (link is external), available at <https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf>

Disruptive Behavior in an Instructional Setting, available at <http://policy.arizona.edu/education-and-student-affairs/disruptive-behavior-instructional-setting>

Threatening Behavior by Students, available at <http://policy.arizona.edu/education-and-student-affairs/threatening-behavior-students>

Classified Staff Rules of Conduct 401.0, available at <http://policy.arizona.edu/employmenthuman-resources/classified-staff-rules-conduct>

University Handbook for assistance in evaluating the potential of further violence**Appointed Personnel 7.01.01,** available at <http://policy.arizona.edu/employmenthuman-resources/statement-professional-conduct>

The University's Nondiscrimination and making recommendations regarding appropriate disciplinary action. If an employee violates this policy, then the responsible supervisor will institute appropriate disciplinary action after consulting with Human Resources and other University officials, as appropriate. If students violate this policy, then the Dean of Students Office will institute appropriate disciplinary action against such students. **Anti-harassment Policy,** available at <http://policy.arizona.edu/human-resources/nondiscrimination-and-anti-harassment-policy>

Human Resources will make efforts to support individuals affected by workplace violence by identifying appropriate resources for providing support and assistance.

Threat Assessment and Management Team

The University has established a multidisciplinary Threat Assessment and Management (TAM) Team, which will meet as necessary to assist Human Resources or the Dean of Students in determining whether a specific individual constitutes an ongoing threat to the safety of an individual or to the workplace, and to make recommendations following incidents of workplace violence. The University engages the services of outside consultants, who are available to the TAM Team to assess such risks and assist in making recommendations.

REVISION HISTORY*

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Policy Information

Effective Date:

January 2, 2003

Last Revised Date:

September, 2010

Policy Number:

HR-405

Reference:

Classified Staff Human Resources Policy Manual 401.1

University Handbook for Appointed Personnel 2.21

Student Employment Manual 110.0

Responsible Unit:

Division of Human Resources

Phone:

(520) 621-3660

Email:

hradmin@email.arizona.edu [1]

Purpose and Summary

The University of Arizona is committed to providing a safe and secure workplace for all employees, students, and visitors. This policy confirms the University's commitment to prevent, reduce and manage violence to provide a safe environment in which to work and learn.

Scope

This policy applies to students, employees, vendors, and visitors at all University-owned, -controlled or -leased premises, including satellite locations, at any location at which University business is

conducted, or at which employees, students, vendors, or visitors represent the University, including while attending off-campus meetings or conferences, or while riding in University-owned or -leased vehicles.

Definitions

"Damaging Property" means intentionally damaging or defacing or destroying property owned, controlled, or leased by the University or its students, employees, vendors, or visitors.

"Employee" means part-time, full-time, temporary, or permanent UA employees, student and graduate student employees, and other individuals acting as agents of the University, such as University affiliates and associates.

"Intimidating" means an intentional act that would cause a reasonable person to fear that s/he is in danger of injury or harm.

"Stalking" means an intentional or knowing course of conduct directed toward another person if that conduct either would cause a reasonable person to fear for the person's safety and that person in fact fears for his or her safety; or would cause a reasonable person to fear death and that person in fact fears death.

"Threatening" means expressing intent to cause harm.

"Violence" includes, but is not limited to, intentionally threatening, intimidating, physically injuring, stalking, damaging property, or referencing or using a weapon or firearm, unless the individual doing so is a certified law enforcement officer acting within the course and scope of his or her duties.

"Workplace" includes all University-owned, -controlled, or -leased premises, including satellite locations, at any location at which University business is conducted, or at which employees, students, or visitors represent the University, including while attending off-campus meetings or conferences, or while riding in University-owned or -leased vehicles.

Policy

The University prohibits any form of violence by or against any employee, student, vendor, or visitor to the University. Violating this policy will result in disciplinary action up to and including dismissal as unacceptable personal conduct and may also result in criminal prosecution. This policy also prohibits retaliation or harassment against anyone who makes a good faith report of a violation of this policy. The University will, to the extent permitted by law, protect the anonymity and safety of anyone who reports an act of violence, as defined by this policy.

The University prohibits individuals from making intentionally false or misleading reports of violence or threats of violence. Individuals who make such reports will be subject to disciplinary action up to and including dismissal under the University's disciplinary policies.

Compliance and Responsibilities

Reporting Incidents of Workplace Violence

Employees and students will report all incidents of workplace violence to the University of Arizona Police Department by dialing 9-1-1, to their immediate manager or supervisor, and to the Division of Human Resources. The University will, to the extent possible, handle reports of workplace violence confidentially, except to the extent necessary to communicate to individuals who need to know pertinent information so that they may take appropriate action. The University also may be required to report such incidents to comply with state and federal laws and regulations. The University will be sensitive and responsive to the potential for fear of reprisal by employees or students who report threats or acts of violence.

Responding to Reports and Acts of Violence

The University encourages all employees and students to assist in maintaining a safe and secure workplace, while recognizing the need to be alert to the possibility of violence by students, former students, employees, former employees, vendors, and visitors. Individuals who receive reports of workplace violence must contact the Division of Human Resources for guidance and assistance in addressing such situations. Human Resources will review information it receives and may seek additional information as necessary. It also may convene the Threat Assessment and Management Team, as described below, for assistance in evaluating the potential of further violence and making recommendations regarding appropriate disciplinary action. If an employee violates this policy, then the responsible supervisor will institute appropriate disciplinary action after consulting with Human Resources and other University officials, as appropriate. If students violate this policy, then the Dean of Students Office will institute appropriate disciplinary action against such students.

Human Resources will make efforts to support individuals affected by workplace violence by identifying appropriate resources for providing support and assistance.

Threat Assessment and Management Team

The University has established a multidisciplinary Threat Assessment and Management (TAM) Team, which will meet as necessary to assist Human Resources or the Dean of Students in determining whether a specific individual constitutes an ongoing threat to the safety of an individual or to the workplace, and to make recommendations following incidents of workplace violence. The University engages the services of outside consultants, who are available to the TAM Team to assess such risks and assist in making recommendations.

Frequently Asked Questions*

Where can employees get help if someone is making the work environment hostile or uncomfortable?

If you believe you are being discriminated against or harassed because you are a member of a protected class (e.g., because of your race, ethnicity, religion, veteran status, etc.), you should contact the [Office of Institutional Equity \[2\]](#) (OIE) at (520) 621-9449. If your situation does not fit those specific circumstances, contact Employee and Career Advising at (520) 621-8298 to discuss the situation.

How should supervisors handle a situation where several employees have reported being afraid of another employee?

If there is an imminent threat, please call 9-1-1 to contact UAPD.

If coaching the individual in question has not improved the problem, other action may be necessary.

This type of situation may require disciplinary action and may need to be evaluated in terms of workplace violence. Contact the HR Consultant for your unit to discuss the situation. A list of consultants can be found at [HR Consulting Services](#) [3].

Related Information*

[Threat Assessment & Management website](#) [4]

[Threat Assessment and Management Online Request Form](#) [5]

Additional policies related to student behavior may be found at

[Arizona Board of Regents Policy 5-308. Student Code of Conduct](#) [6]

[Disruptive Behavior in an Instructional Setting](#) [7]

[Threatening Behavior by Students](#) [8]

Revision History*

Revised September 2010

Source URL: <https://policy.arizona.edu/human-resources/workplace-violence>

Links

[1] <mailto:hradmin@email.arizona.edu>

[2] <http://equity.arizona.edu/>

[3] <http://hr.arizona.edu/managers-supervisors/consulting-services>

[4] <https://tam.arizona.edu/>

[5] <https://tam.arizona.edu/tam-online-request-form>

[6] <https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf>

[7] <https://policy.arizona.edu/education-and-student-affairs/disruptive-behavior-instructional-setting>

[8] <https://policy.arizona.edu/education-and-student-affairs/threatening-behavior-students>