



ADMINISTRATIVE POLICY STATEMENT

Policy Title: Workplace Bullying

APS Number: 5059

APS Functional Area: **HUMAN RESOURCES**

Brief Description:	Prohibits all forms of abusive workplace behavior, including conduct that is threatening, humiliating or intimidating, work sabotage and any related retaliation.
Effective:	June 1, 2019
Approved by:	President Bruce D. Benson
Responsible University Office:	Vice President of Administration
Responsible Office:	Office of the Vice President of Administration
Policy Contact:	Office of the Vice President of Administration
Supersedes:	N/A
Last Reviewed/Updated:	May 30, 2019
Applies to:	All University Faculty and Staff

Reason for Policy: To foster a climate that discourages *workplace bullying* and to communicate to all employees that any incident can be subject to discipline.

I. INTRODUCTION

Workplace bullying, as defined below, is a form of repeated emotional abuse that causes the loss of trained and talented employees, reduces *workplace* productivity and morale, and can ultimately adversely affect the ability of the University of Colorado (“university”) to fulfill its mission. Moreover, university employees are expected to treat colleagues and co-workers, with respect, professionalism, and dignity in all interactions and communications. The university has a policy that prohibits unlawful discrimination and harassment. While *workplace bullying* can be intertwined with unlawful discrimination and harassment, *workplace bullying* can occur apart from these other forms of misconduct. This policy prohibits conduct that does not constitute unlawful harassment or discrimination, which is addressed through other university policy. This policy is not intended to create individual or group rights, whether contractual or otherwise, that do not exist under law.

It is critical to this commitment that any member of the university community who believes they may be the *target* of *workplace bullying* or have witnessed *workplace bullying* in the context of university programs, activities or employment, feel free to report their concerns for appropriate consideration and response without fear of *retaliation*.

This policy is not intended to and will not be applied in a way that would violate rights of academic freedom and freedom of expression. Although this policy prohibits *workplace bullying* by all employees, the policy will not be used to undermine reasonable supervisory actions when carried out in a reasonable manner. This policy is intended to be consistent with, and shall not supersede or negate any campus policies, processes, or procedures that regulate conduct governed by this policy.

II. POLICY STATEMENT

- A. The university values the well-being of its employees and recognizes that bullying in the *workplace* is unacceptable. Under this Administrative Policy Statement (APS), *workplace bullying* is prohibited.
- B. Any person who believes they are a *target of workplace bullying*, or a *witness to workplace bullying*, may report it to their supervisor/department chair; or, if the supervisor/department chair is involved, then to the next level supervisor. A report may also be made by contacting Human Resources, Faculty Affairs, or the campus offices charged with investigating and resolving protected class discrimination and sexual harassment complaints.
- C. Supervisors/department chairs or other relevant university officials, described in *Section II.B*, who receive reports of *workplace bullying* must make reasonable inquiry into the allegations and document what is discovered. Reasonable inquiry may include considering the perspectives of both the *target of the workplace bullying* and the employee who has allegedly engaged in *workplace bullying*. Substantiated instances of *workplace bullying* should be reported to supervisors and considered as a factor in evaluating that employee's performance, subject to university evaluation procedures. Supervisors may take additional appropriate action, which may include counseling those involved, initiating corrective action, or referring the matter to other appropriate university offices, which may include, but are not limited to, Human Resources, Faculty Affairs, or University Ombuds. Any obligations created by this policy are separate and distinct from reporting and compliance requirements created by other applicable university or campus policies, and federal or state law. The provisions of this paragraph C shall not be applicable in any case where existing policies, processes, or procedures address conduct that would otherwise be governed by this policy.
- D. Any incident that involves a threat of violence or physical harm should be referred to the campus police.
- E. *Retaliation* against employees making good faith reports as provided for in this policy, even where the concerns are ultimately unsubstantiated, is prohibited and should not be taken into consideration as a factor in evaluating an employee's performance, subject to university evaluation procedures.
- F. False reports of *workplace bullying* that are found to have been made intentionally are also a violation of this policy and should be taken into consideration as a factor in evaluating an employee's performance, subject to university evaluation procedures.
- G. Anyone impacted by *workplace bullying* may also access support services from appropriate campus resources, such as counseling services or University Ombuds offices.

III. DEFINITIONS

For purposes of this policy, italicized terms used in this APS are defined in the [APS Glossary of Terms](#) or are defined in this APS:

- A. **Target:** An individual or a group who has been singled as the recipient of *workplace bullying*.
- B. **Witness:** Persons who witness *workplace bullying*.
- C. **Workplace Bullying:** Repeated and deliberate physical, verbal or written conduct intended to intimidate, degrade, and/or humiliate an individual or group in the *workplace*. Depending on the situation, *workplace bullying* may include, but is not limited to:
 - o Negative, abusive interaction that is outside the range of commonly accepted expression of disagreement, disapproval, or critique in an academic culture and professional setting;
 - o Repetitively shouting, yelling at, or berating;
 - o Persistent or egregious use of abusive, insulting, or offensive language directed at another employee;
 - o Spreading malicious rumors or gossip;
 - o Deliberate exclusion or isolation from normal work-related functions for the purpose of degrading or harming another person's reputation in the *workplace* or hindering another person's contractual work;
 - o Work interference – sabotage – of another person's contractual work; or
 - o Abuse or misuse of power in the exercise of authority, supervision, or guidance. Criticism, complaints, and negative feedback are not considered bullying when they are reasonable and directly address issues of *workplace* performance and/or conduct.

- D. **Workplace:** For purposes of this policy, any location owned, leased, or rented by the Regents of the University of Colorado on behalf of the University of Colorado, or any location where a university employee is acting in the course and scope of employment. This includes, but is not limited to, buildings, grounds, and surrounding perimeters, including parking lots, field locations, classrooms, and residence halls. It also includes vehicles when those vehicles are used for university business.
- E. **Retaliation:** Any adverse action threatened or taken against a person because an individual has filed, supported or provided information in connection with a complaint of *workplace bullying*, including but not limited to, direct and indirect intimidation, threats and harassment. An “adverse action” is any conduct or action that would dissuade a reasonable person from reporting an allegation of *workplace bullying* or participating in an investigation of *workplace bullying*.

IV. RELATED POLICIES, PROCEDURES, FORMS, GUIDELINES, AND OTHER RESOURCES

- A. Administrative Policy Statements (APS) and Other Policies
 - 1. [Regent Policy 8.A: Principles of Ethical Behavior](#)
 - 2. [APS 2027 - Code of Conduct](#)
 - 3. [University of Colorado Boulder Professional Responsibility Document](#)
- B. Other Resources (i.e., training, secondary contact information)
 - 1. Human Resources
 - 2. Faculty Affairs
 - 3. Office of Institutional Equity and Compliance
 - 4. The Office of Diversity, Equity, and Community Engagement
 - 5. The Office of Institutional Equity
 - 6. Campus Employee Assistance Program

V. HISTORY

- Adopted: June 1, 2019.
- Revised: Non-substantive clean-up made to section II.E in March 2022.
- Last Reviewed: May 30, 2019.