

Proposed Faculty Manual Changes to Adjudication Processes and Faculty Bullying/Civility Policy

Goals:

- Clarify the definition of workplace incivility and the process for addressing it.
- Provide meaningful, appropriate, and effective role for peer adjudication of professional conflicts/misconduct involving faculty, consistent with the Faculty Manual, which gives faculty “legislative authority” over “the discipline of its own members.”
- Clarify processes: distinguish investigation from adjudication, clarify pathways for complaints and appeals, delimit areas of responsibility.
- Reduce redundancy and improve training: empanel the minimum number of faculty committees/groups necessary for due process and train them better.
- Establish agent, scope, and process fundamentals (who should do what, when) in the Faculty Manual, leaving details to policy.
- Misconduct in research (FM p. 59) and professional conflicts of interest (FM p. 58) are out of scope, except insofar as such cases may result in grievances and/or termination proceedings.

Recommendations:

1. Revise the definition and terminology for faculty bullying to faculty incivility.
Rationale. The term bullying encompassed a more narrow set of behaviors and the definition presented an excessively high bar such that essentially no cases of bullying have ever been identified. We now use the term incivility to refer to a range of disruptive behaviors that violate prevailing norms of civility and cause harm to others. See attached review for further clarification.
2. Revise the Faculty Manual to create a Faculty Judicial Review Panel to absorb the functions of the Grievance Committee, Committee on Professional Conduct, and those functions of the Faculty Advisory Committee specified in the section on Termination for Cause (41).
Rationale: The Grievance and Professional Conduct committees are defined to have similar composition, are challenging to staff, and are infrequently used. Ideally, members of these committees should receive some basic training in legal standards and processes, but training is currently required only for the Professional Conduct committee. Consolidating functions would facilitate staffing and training. In addition, there are potential conflicts between the Faculty Manual and ACAF 1.80 Workplace Bullying regarding the functions of the Professional Conduct committee. The revisions reconcile and clarify the functions of the proposed Faculty Judicial Review panel.
3. Make consistent the pattern in which disputes proceed through the academic hierarchy (chair, dean, provost), with resolution encouraged at each level, before being heard by the Faculty Judicial Review Panel.
Rationale: this is the prevailing pattern, but there are some inconsistencies, with some processes overleaping the provost to reach the president; for consistency and transparency, the changes would make most processes go “up the ladder” to the faculty panel, which would then present findings and recommendations to the president. In the

case of tenure revocation, the Tenure Review Board is retained as the final faculty authority.

4. Clarify that termination for cause applies to all faculty, whether tenured or untenured. Rationale: this codifies in the manual a rule currently stipulated in the policy for probationary tenure-line faculty and for professional track faculty within the terms of their contracts. While non-renewal does not require a finding of cause for such faculty, termination does.
5. Provide for temporary reassignment or suspension in cases where termination may ultimately be warranted.
6. Fix typos and infelicities, specify business days consistently, and conform manual to current style.

Manual Changes

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FACULTY JUDICIAL REVIEW PANEL

This panel will consider disputes involving faculty, including but not limited to grievances (as defined in “Academic Grievance Procedures,” accusations of workplace incivility (as defined in “Workplace Civility”), and recommendations to terminate tenured faculty for cause (as defined in “Termination of Tenured Faculty for Cause”). The committee may consider cases involving faculty as respondents or complainants. In most cases, disputes will progress through several stages of investigation and attempts at resolution before reaching the panel. These stages differ according to the type of complaint and are specified in policy and in the aforementioned sections of the Faculty Manual. As complainants or respondents, faculty will have the right to appeal administrative decisions to this panel before final resolution of any dispute governed by the Faculty Manual.

The panel will consist of nine elected members for staggered three-year terms. All members of the panel will be tenured full professors or tenured librarians, and, at the time they commence a term of service on the committee, a year shall have elapsed since their last service, if any, on the University Committee on Tenure and Promotions. Faculty members appointed to administrative positions such as department chair, assistant dean, or associate dean are not eligible to serve on this panel. The Office of the General Counsel or its designee will train the panel annually in due process, standards of evidence, requirements for reporting and maintaining confidentiality and other matters as may be deemed essential in the execution of the panel’s functions.

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FACULTY GRIEVANCE COMMITTEE

~~This committee shall consider individual grievances, including grievances regarding salary matters (see also "Terms of Employment"), brought before it by members of the faculty. When, in its judgment, a grievance is determined to be well founded, the committee shall attempt to resolve the matter through mediation or other appropriate action. See also "Academic Grievance Procedures." The committee shall consist of nine elected members for staggered three-year terms.~~

~~All members of the committee shall be tenured full professors or tenured librarians, and, at the time they commence a term of service on the committee, a year shall have elapsed since their last service, if any, on the University Committee on Tenure and Promotions. Faculty members appointed to administrative positions such as department chair, assistant dean, or associate dean are not eligible to serve on this committee.~~

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~~COMMITTEE ON PROFESSIONAL CONDUCT~~

~~This committee will investigate formal complaints of workplace bullying. The committee will consist of 10 elected faculty members for staggered three-year terms. Each member of the Committee must hold the rank of tenured professor or tenured librarian. No committee member shall serve simultaneously on the Faculty Grievance Committee. Prior to the commencement of a committee member's duties, he or she must receive training in the recognition of workplace bullying, which is defined below under the section on workplace civility.~~

~~In response to the receipt of a formal complaint of workplace bullying, the Provost shall appoint an *ad hoc* committee to investigate the complaint. The *ad hoc* committee shall consist of three members from the committee and two non-committee faculty members.~~

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~~WORKPLACE CIVILITY~~

~~The University of South Carolina is dedicated to the mission of teaching, research, creative activity, and service. The University is also committed to the establishment of a working environment that fosters academic freedom for all faculty. See also "Academic Freedom." Consistent with these commitments, †The University also aspires to cultivate a community in which individual members treat each other with civility and respect. The faculty of the University believes that these goals can only be achieved through adherence to the standards of conduct and values expressed in the Carolinian Creed. See also "Faculty Commitment to the Carolinian Creed." We believe civility is the foundation for a healthy learning and fostering the productivity, creativity, and well-being of all members of our community.~~

~~Accordingly, the faculty considers workplace incivility unacceptable. It undermines our values, harms colleagues, and impedes the mission and commitments of the University.~~

~~A person commits workplace bullying if, he or she engages in repeated, unwelcome severe and pervasive behavior that intentionally threatens, intimidates, humiliates or isolates a member of the University community or undermines their reputation or job performance. Workplace Bullying may take, but is not limited to, one or more of the following forms:~~

- ~~• Verbal abuse~~
- ~~• Malicious criticism or gossip~~
- ~~• Unwarranted monitoring~~
- ~~• Unwarranted physical contact~~

- ~~Exclusion or isolation in the workplace~~
- ~~Work interference or sabotage~~
- ~~Cyberbullying~~
- ~~Other offensive conduct/behaviors (including nonverbal) which are threatening, humiliating, harassing or intimidating~~

~~Faculty who believe that they are victims of workplace bullying should be aware that the Office of the University Ombudsman is available for confidential consultation on these matters. Formal complaints of workplace bullying should be filed with the Faculty Civility Advocate. See Policies and Procedures Manual.~~

Workplace incivility is behavior or a pattern of behaviors that would cause a reasonable person to experience substantial emotional distress and/or interferes with their ability to work. Incivility, as distinct from challenging and rigorous intellectual exchange, serves no legitimate purpose. It is behavior outside the bonds of respectful, equitable, and dignified communication. Workplace incivility may be a cumulative effect or a severe single incident. Workplace incivility may affect faculty beyond the intended target, and such parties may bring complaints under policy.

Workplace incivility can take a variety of forms and may include bullying or other behaviors that are physical, verbal, or nonverbal, and may take place via a variety of means including face-to-face, written communications, or electronic media. Examples of workplace incivility include, but are not limited to: abusive language, aggressive shouting, malicious gossip, unwelcome physical contact, threats and intimidation, public ridicule, conspicuous exclusion, and scapegoating.

Complaints of faculty incivility may be brought by faculty, administration, or professional staff. Investigations will be conducted by the Faculty Civility Advocate according to the process defined by ACAF 1.80 Workplace Bullying. Findings of the Faculty Civility Advocate may include, or prompt, recommendations for corrective or disciplinary actions in accordance with the university's progressive discipline policy (ACAF 1.82 Faculty Progressive Discipline). Recommendations for disciplinary actions beyond a written reprimand proceed from the faculty member's supervisor, to their dean, to the provost and must at each stage be communicated to the complainant(s) and respondent(s) in writing. After a determination by the Office or the Provost, or upon a decision that the alleged behavior does not violate policy, complaints or respondents dissatisfied with the proposed resolution may appeal to the Faculty Judicial Review Panel.

The Faculty Judicial Review Panel will examine all evidence collected by the Faculty Civility Advocate, including the findings and recommendations of academic administrators, and may request to hear testimony from any parties involved. The panel will report its findings and make recommendations regarding corrective or disciplinary actions. The discussions, records, and recommendations of the panel in these cases will remain confidential. The committee will report its findings and recommendations in writing to the complaint(s), respondent(s), provost, and president.

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ACADEMIC GRIEVANCE PROCEDURES

There are specific procedures for three types of faculty grievances.

1. For grievances involving non-reappointment, see "Grounds for Grievance of Non-Reappointment" (below).
2. For those involving denial of tenure or denial of promotion, see "Grievance Procedure for Denial of Tenure or Promotion" (below). For grievances involving termination of a tenured faculty member, see "Termination of Tenured Faculty for Cause" (below).
3. Faculty members dissatisfied with decisions affecting their salaries may forward a documented appeal through their dean to the provost. Only after following this procedure may faculty members refer the matter to the Faculty ~~Grievance Committee~~ Judicial Review Panel.

For grievances or procedures other than those stated in the sections above, including material breaches of special contractual obligations of the university, the faculty member must attempt to resolve the issue at the department level. If a solution cannot be obtained at this level, then redress should be pursued through the offices of dean and provost. If redress cannot be obtained from any of these officers, the faculty member may appeal to the ~~Faculty Grievance Committee~~ Faculty Judicial Review Panel.

~~The panel will examine all evidence submitted by the complainant and respondent(s) and may request to hear testimony from any parties involved. The panel will report its findings, including recommendations for redress, to the complainant and to the president. If this committee finds that there are grounds for a grievance, it shall try to resolve the matter through mediation or other appropriate action. The committee shall report its recommendations and reasons to the faculty member and to the president.~~ The president will be the final university authority to whom a grievance may be submitted.

~~All days referred to in this procedure are calendar days; however, when the last day of such a period falls on a weekend or university holiday, the effective date shall be the next regular business day. The first day in the period shall be the day after the actual day of notification.~~

All days referred to in this procedure are business days.

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GRIEVANCE PROCEDURE FOR DENIAL OF TENURE OR PROMOTION

Upon receiving notice of denial of tenure or promotion, the faculty member may seek relief by taking the steps outlined below.

The grievance procedure may turn out to be lengthy, and the faculty member who initiates a grievance procedure is advised to maintain a file of dated correspondence sent or received, as well as dates and notes of conferences held concerning the case. Failure of any administrative official or reviewing authority to comply with the deadlines for action specified herein shall not operate to reverse or modify a tenure or promotion decision, but will permit the faculty member to proceed directly to petition the ~~Faculty Grievance Committee~~ Faculty Judicial Review Panel for consideration.

The first recourse of the faculty member will be to request an immediate oral explanation from the member's administrative officer for the denial of tenure or promotion.

If the faculty member does not receive an oral explanation or believes that it is unsatisfactory, the faculty member may request from the dean of the college a written summary of the evaluations and reasons advanced pertaining to the faculty member's case upon which judgments were made and actions taken. The written request must be submitted to the dean within ~~seven~~ five days of notification of denial of tenure or promotion. The dean will provide a summary within ~~fifteen-ten~~ days of the request. The dean, after consultation with the provost, will respond with a detailed summary of the evaluations included in vote justifications, in letters from external referees, and in administrative reviews, and with the vote of the UCTP. Such a summary will be made so as to protect the identity of the referees and faculty members.

Within ~~seven~~ five days of receiving the dean's summary of the case, if the faculty member believes there are grounds for reconsideration of the case, the member may state in writing the grounds for this belief and submit them to the president. The president may order a review, at any faculty or administrative level, on the grounds for reconsideration set forth by the faculty member if the president believes the findings of the review could substantially alter the basis upon which the initial decision of denial of tenure or promotion was reached. The president will inform the faculty member in writing of the president's decision upon reconsideration and the reasons for it.

At that time, in the event of a negative decision, the president shall also inform the faculty member about the right of review by the ~~Faculty Grievance Committee~~ Faculty Judicial Review Panel, including the name of the chair of the committee and the applicable review procedures. The presidential review, including any unit reviews, must be completed within a reasonable time not to exceed ~~120 calendar days~~ 85 days.

After a negative decision upon reconsideration, a faculty member who believes that there is cause for grievance may petition the ~~Faculty Grievance Committee~~ Faculty Judicial Review Panel. Such a petition must be made in writing to the chair of the Faculty Judicial Review Panel no later than ~~seven~~ five days from receipt of the president's letter.

- a. The petition must be based on one or more of the following allegations: inadequate consideration of unit criteria, use of impermissible criteria, denial of procedural due process, or denial of academic freedom. The petition will state the factual basis for the allegations and the relief requested. The committee will use the following procedures in reviewing the petition:
 - i. The chair shall notify the faculty member of the time and place of the review and inform the faculty member about the specific procedures governing the review. The review will be closed and non-adversarial.
 - ii. The proceeding shall be recorded, which will be for the confidential use of the committee only.

iii. For the review, the faculty member shall be permitted to choose as advisor either a faculty member or an academic administrator or privately retained counsel.

iv. The panel will assist the faculty member in securing the attendance of those whose testimony may be of assistance to the committee in making its findings and recommendations. In addition to the summary provided to the faculty member by the dean of the college, the committee will provide the faculty member with a detailed summary of letters and evaluations included in the file. To retain confidentiality, the summary shall be prepared by the committee without attribution.

v. The review is to be held as speedily as possible taking into account the necessity to maintain a quorum and availability of parties essential to the proceeding. If a review cannot be completed within ~~120 calendar days~~ 85 days the committee should notify the grievant of the schedule for completion of the review.

b. If the Faculty Judicial Review Panel finds that there has been inadequate consideration of the unit criteria, the use of impermissible criteria, denial of procedural due process, or denial of academic freedom, the committee will remand the case to the faculty or administrative level at which the inadequacy or denial occurred, and the evaluation of the faculty member will begin anew at that point. The panel will send a statement of its findings and decisions, including the reasons for them, to the faculty member, to the unit or administrative officer involved, and to the president. If the new consideration still results in denial of tenure or promotion, the level to which the case was remanded ~~shall~~ will state the reasons in writing to the faculty member and to the panel.

c. If the panel finds that the faculty member has cause for grievance but concludes that a new consideration of the case would not be worthwhile, it will recommend to the president an equitable resolution of the case and provide the faculty member and the unit involved a statement of its findings and recommendations and the reasons for them. The ~~committee panel~~, however, will not substitute its judgment for the qualitative professional judgments of the faculty in determining whether the relevant unit criteria have been adequately met. Thus, disagreement with such faculty judgment is not sufficient basis for the panel to recommend modification of the decision. The ~~committee panel~~ will be limited to considering whether there is a factual basis in the record, taken as a whole, upon which an individual acting in good faith could rationally reach the result being grieved.

d. If the ~~committee panel~~ recommends that the president modify or reverse a decision that is unfavorable to the faculty member, the president may implement the recommendation. If the president rejects the recommendation, the reasons for the rejection shall be stated in writing to the faculty member and to the ~~committee panel~~. The president shall act on the ~~committee's panel's~~ recommendation within ~~twenty-five~~ twenty-five days.

The president shall be the final university authority to whom a grievance may be submitted.

TERMINATION OF FACULTY FOR CAUSE

Termination or dismissal of ~~a tenured~~ any member of the faculty, whether tenured or untenured, ~~shall~~ will be only for cause. Cause shall mean one or more of the following:

1. failure to perform adequately the duties of the position so as to constitute incompetence and/or habitual neglect of duty;
2. misconduct related directly and substantially to the fitness of the faculty member in the professional capacity as teacher or researcher;
3. conduct or action not protected by the Constitution or laws and which is a clear interference with the academic functions of the University;
4. prolonged inability to perform the duties required for the position which exceeds the maximum period of leave available for a disability as defined in University Policy HR 1.06 Sick Leave; termination of a tenured member of the faculty for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of appointment;
5. lapse or withdrawal of licensure to practice in the state of South Carolina or withdrawal of admitting privileges to affiliated teaching hospitals with respect to clinical faculty in the School of Medicine; the loss of licensure in any other professional area may also be considered as a cause for termination if the license is necessary for the performance of one's academic duties;
6. bona fide reduction in staff, which may be caused by financial exigency or by discontinuance or reduction in size of a program or instructional unit for reasons not related to financial exigency.

Failure to make substantial progress toward meeting the performance goals of a development plan established through the post-tenure review process may expose a faculty member to proceedings for termination of tenure under this chapter.

INTERIM MEASURES

In the cases of misconduct that presents an immediate threat to the faculty member or other members of university community or of egregious dereliction of duty the Office of the Provost may authorize the temporary reassignment or suspension of faculty members pending the outcome of an investigation. In the event no wrongdoing by the faculty member is established, suspended faculty members will be entitled to back pay. See ACAF 1.82.

PROCEDURES

~~Termination for failure to perform duties due to incompetence and/or habitual neglect of duty; termination for conduct as specified in Sections 2 and 3 of Termination of Tenured Faculty for Cause above; medical reasons; termination for lapse or withdrawal of license.~~

These procedures apply to termination of causes 1-5 above; termination due to bona fide reduction in staff follows separate procedures described below. In these procedures, use of days refers to business days.

1. Discussion with the president-provost

After it becomes evident to the provost that termination may be desirable, there must be discussion between the faculty member and the president-provost with the intent of arriving at a mutually agreed upon resolution.

2. Re-Assignment

The president-provost may assign the faculty member to new duties if the faculty member's continuance in normal duties threatens immediate harm to that faculty member or to others.

~~3. Faculty Advisory Committee Review~~

~~If the president and the faculty member are unable to reach a resolution, the president shall inform the Faculty Advisory Committee of his or her desire to terminate a tenured member of the faculty. The president shall give this committee a statement of charges, framed with reasonable particularity, and the factual basis for these charges, also stated with reasonable particularity. The function of the committee shall be to determine whether the facts alleged, if true, would establish the charge and whether the charge is of such a nature as to warrant termination. The discussions, records, and recommendations of the committee shall remain confidential.~~

~~The committee shall inform in writing both the president and the faculty member of its recommendations and its reasons therefore. Should the president then wish to pursue termination proceedings he or she shall, by letter, inform the faculty member of the intention to terminate, including a precise statement of specific charges. The letter shall also inform the faculty member of the member's right to request a hearing on this decision by the Tenure Review Board. (See below)~~

~~If the faculty member takes no action within ten days of receipt of notification by the president, the president, without recourse to further proceedings, may send a written letter of termination.~~

3. Faculty Judicial Review Panel

If the provost and the faculty member are unable to reach a resolution, the provost will refer the case to terminate for cause to the Faculty Judicial Review Panel. The provost will give this committee a statement of charges, framed with reasonable particularity, and the factual basis for these charges, also stated with reasonable particularity. The function of the panel will be to determine whether the facts alleged, if true, would establish the charge and whether the charge is of such a nature as to warrant termination. The discussions, records, and recommendations of the panel will remain confidential.

The panel will inform the faculty member, provost, and president of its recommendations and its reasons therefore. If the panel does not believe that the case warrants termination, it should recommend alternative disciplinary or corrective action in accordance with the University's progressive discipline process for faculty (ACAF 1.82 Faculty Progressive Discipline). Should the president then wish to pursue termination proceedings he or she will, by letter, inform the faculty member of the intention to terminate, including a precise statement of specific charges. For faculty with tenure, the letter will also inform the faculty member of the member's right to request a hearing on this decision by the Tenure Review Board (see below).

If the faculty member takes no action within ten days of receipt of notification by the president, the president, without recourse to further proceedings, may send a written letter of termination.

4. Tenure Review Board Hearings

If a tenured faculty member desires a hearing by the Tenure Review Board, the member must so inform the board and the President in writing within ten days of receipt of notification by the president of the proposed termination.

Upon receipt of a written request for a hearing, the chair of the Tenure Review Board shall schedule a hearing no sooner than ~~20~~ 15 days and no later than ~~60~~ 45 days from the date of receipt. All parties must be given written notice as to time, date, and place.

The board may hold joint pre-hearings with the parties in order to simplify the issues, effect stipulations of facts, or for other appropriate objectives as will make the hearing fair, effective, and expeditious. At this stage, members of the board may disqualify themselves for bias or interest, and the parties involved may raise the question of disqualification. The Senate Steering Committee shall appoint new members to fill vacancies created on the Tenure Review Board for this particular hearing.

The following standards and procedures will apply in the conduct of the hearing:

- a. The hearing will be closed.

- b. A verbatim record of the hearing or hearings will be taken and a copy made available to the faculty member on request and without cost.
- c. The burden of proof that adequate cause exists rests with the president and shall be satisfied only by clear and convincing evidence in the record, as established at the hearing, considered as a whole.
- d. The faculty member may choose an academic advisor and/or counsel to be present during the proceedings.
- e. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The president will cooperate with the board in securing witnesses and making available documentary and other evidence.
- f. The board may grant adjournments to enable either party to investigate evidence to which a valid claim of surprise is made.
- g. The faculty member and advisor or counsel and the president or representative will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear but the board determines that the interests of justice require admission of their statements, the board will identify the witnesses, disclose statements, and, if possible, provide for interrogatories.
- h. The board will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
- i. The findings of fact and the decision of the board will be based solely on the hearing record.

If the Tenure Review Board concludes that adequate cause for termination has been established, it will so inform the president and the faculty member.

If the board concludes that action short of termination would be more appropriate, it shall so inform the president and the faculty member, together with supporting reasons, and the termination proceedings will stop at this point. [The board should recommend alternative disciplinary or corrective action in accordance with the University's progressive discipline process for faculty \(ACAF 1.82 Faculty Progressive Discipline\).](#)

If the board concludes that adequate cause for termination has not been established, it will so inform the president and the faculty member, together with supporting reasons, and the termination proceedings will stop at this point.

5. Final Disposition and Appeals

Within ten days of receipt of the board's report, the president will inform in writing the faculty member and the board of his or her decision together with supporting reasons. The president shall inform the faculty member of the right to appeal an adverse decision to the ~~Academic Affairs Committee~~Academic Excellence and Student Experience Committee of the Board of Trustees, sitting in consultation with the Faculty Liaison Committee. If the faculty member takes no action within ten days of receipt of notification by the president, the president may send a letter of termination.

The decision by the ~~Academic Affairs Committee~~Academic Excellence and Student Experience Committee is final within the university. If the committee's decision is to support the intention of the president, the president may then send formal notification of termination.

DRAFT

A Brief Review of Workplace Incivility

Interpersonal Mistreatment in the Workplace

The literature on interpersonal mistreatment in the workplace encompasses a range of related constructs that involve behavior is harmful to employees but does not rise to the standard of illegality (e.g., workplace violence or protected class harassment). A number of interrelated constructs have been investigated, including bullying, aggression, abusive supervision, incivility, and social undermining. Table 1 summarizes the definitions, distinguishing features and sample items for each.

These constructs have similar adverse effects on employee well-being. Meta-analyses conducted on workplace bullying (Nielson & Einarson, 2012), workplace aggression (Hershcovis & Barling, 2010), abusive supervision (Mackey et al., 2017) and incivility (Yao et al., 2022) have found that these forms of interpersonal mistreatment are significantly and *negatively* related to physical and mental well-being, job performance, and employee engagement/commitment, and significantly and *positively* related to counter-productive work behavior, withdrawal (e.g., tardiness and absenteeism) and turnover intentions.

We choose to use the broad term incivility to encompass what the literature defines as incivility, bullying, workplace aggression, undermining and abusive supervision. We employ this term because its correspondence to the role of Faculty Civility Advocate

Institutional Benchmarking

A review of number public higher education institutions reveals considerable variability in the identification of and policy toward bullying or incivility. The labeling of the behavior varies across institutions, including *bullying* (e.g., Colorado State, University of California) *disrespectful behavior* (UVA, Michigan State), *Workplace Violence* (University of Florida, University of Georgia). Many have no summary definition. Those institutions with a formal definition include the common themes:

- Hostile or intimidating words or actions
- Cause harm to the individual
- Disrupt the workplace
- serve no legitimate purpose.

Behavioral indicators are also many and varied. Many include bullying among illegal behaviors such as physical violence and stalking. These policies are summarized in Table 2.

Table 1: Workplace Interpersonal Mistreatment Constructs¹

Construct and Definition	Construct Assumptions and Distinguishing Characteristics	Sample of Items that Overlap with Other Measures
<p>Bullying</p> <p>Definition: Situations where a person repeatedly and over a period of time is exposed to negative acts (i.e. constant abuse, offensive remarks or teasing, ridicule or social exclusion) on the part of co-workers, supervisors or subordinates (Einarsen, 2000).</p>	<p>Persistent Frequent Power imbalance</p>	<p>Ridicule Repeated reminders of your blunders Insulting teasing Slander or rumors about you Social exclusion from co-workers or work group activities Verbal abuse Devaluation of your work and efforts Neglect of your opinions or views</p>
<p>Abusive Supervision</p> <p>Definition: The sustained display of hostile verbal and non-verbal behaviors, excluding physical contact (Tepper, 2000).</p>	<p>Excludes physical contact Experience of aggression from a supervisor is different from experience of aggression from someone else Sustained</p>	<p>Ridicules me Gives me the silent treatment Puts me down in front of others Invades my privacy Reminds me of my past mistakes or failures Makes negative comments to me about others Is rude to me Tells me I'm incompetent</p>
<p>Workplace Aggression</p> <p>Definition: s any behavior initiated by employees that is intended to harm an individual or group within their organization (Baron & Newman, 1998)</p>	<p>Intent to harm</p>	<p>Belittling someone's opinions to others Interfering with or blocking the target's work Threats of physical violence</p>
<p>Incivility</p> <p>Definition: Low intensity deviant acts, such as rude and discourteous verbal and non- verbal behaviors enacted towards another organizational member with ambiguous intent to harm (Andersson & Pearson, 1999).</p>	<p>Low intensity Ambiguous intent Put you down in a condescending way Made demeaning or derogatory remarks about you</p>	<p>Paid little attention to your statement or showed little interest in your opinion Ignored or excluded you from social camaraderie Made unwanted attempts to draw you into discussion of personal matters</p>
<p>Social Undermining</p> <p>Definition: Behavior intended to hinder, over time, the ability to establish and maintain positive interpersonal relationships, work- related success, and favorable reputation (Duffy, Ganster, & Pagon, 2002)</p>	<p>Intent Affects specific outcomes including: o Relationships o Reputation o Work-related success</p>	<p>Put you down when you questioned work procedures (S) Talked bad about you behind your back (S & C) Insulted you (S & C) Spread rumors about you (S & C) Made you feel incompetent (S) Delayed work to make you look bad or slow you down (S & C) Talked down to you (S) Gave you the silent treatment (S & C) Belittled you or your ideas (S & C) Criticized the way you handled things on the job in a way that was not helpful (C)</p>
<p>Interpersonal Conflict</p> <p>Definition: An organizational stressor involving disagreements between employees (Spector & Jex, 1998).</p>	<p>No clear differentiating features</p>	<p>How often are people rude to you at work? How often do other people do nasty things to you at work? How often do people yell at you at work?</p>

¹Adapted from Hershcovis, M. S. (2011). “

Table 2: Comparison of Definitions and Behavioral Examples

Institution	Definition	Behavioral examples
Colorado State	<p><i>Bullying</i> in the context of the workplace is repeated mistreatment by words or actions that are intended to shame, embarrass, humiliate, degrade, demean, intimidate, and/or threaten an individual or group.</p>	<p>Shouting or yelling at, berating, ridiculing, or demeaning others; Name-calling and attacks on one’s character, using a person as an object of ridicule, using nicknames after being warned by the target that the nickname is considered to be offensive, or spreading gossip and rumors about the person to others; Mocking, ridiculing, punishing, or putting someone down in front of others, constant unwarranted criticism, or making offensive remarks regarding a person’s known intellectual or physical attributes; Persistently interrupting a person or otherwise preventing a person’s legitimate attempts to speak; Undermining or sabotaging the work performance of others; Spreading false or sensitive information about another; Deliberately excluding, isolating or marginalizing a person from normal workplace activities; Tampering with a person’s personal effects or work equipment; damage to or destruction of a person’s work product, work area, including electronic devices, or personal property; Punishments or negative consequences designed primarily to shame, exclude, and/or draw negative attention from others; Violent behavior, such as pushing, shoving, kicking, poking, or tripping; assault or threat of physical assault; making threatening gestures toward a person or invading personal space after being asked by the target to move or step away. Bullying that is physically violent may violate criminal law and is addressed in CSU’s Workplace Violence policy. Making threats, either explicit or implicit, to the security of a person’s job or position when not part of a legitimate process by the supervisor to set expectations or engage in progressive discipline as outlined by the University. This may include, but is not limited to, manipulating the workload of a person in a manner intended to cause that person to fail to perform legitimate functions. violent and threatening and disruptive conduct covering all university employees, volunteers, contractors vendors and visitors. direct or implied threats, harassing or discriminatory conduct, being verbally or physically abusive, stalking, intimidating, bullying, and engaging in other conduct that disrupts University activities or cause others to reasonably fear for their safety.</p>
University of Florida	<p>Workplace violence violent and threatening and disruptive conduct covering all university employees, volunteers, contractors vendors and visitors.</p>	<p>direct or implied threats, harassing or discriminatory conduct, being verbally or physically abusive, stalking, intimidating, bullying, and engaging in other conduct that disrupts University activities or cause others to reasonably fear for their safety.</p>

Institution	Definition	Behavioral examples
University of Georgia	Workplace violence	Threats and intimidation; teasing, name calling, ridiculing, or making someone the subject of pranks or practical jokes
University of Virginia	Disrespectful behavior	<ul style="list-style-type: none"> using threatening or abusive bullying making threats of violence, retribution, litigation, or financial harm shouting or engaging in speech, conduct, or mannerisms that are reasonably perceived by others to represent intimidation or harassment using racial or ethnic slurs demonstrating racial, gender, sexual orientation, or cultural bias making or telling jokes that are intended to be or reasonably perceived by others to be crude or offensive teasing, name calling, ridiculing, or making someone the subject of pranks or practical jokes using sarcasm or cynicism as a personal attack on others spreading unsubstantiated rumors or gossip making actual or threatening inappropriate physical contact throwing instruments, tools, office equipment, or other items as an expression of anger, criticism, or threat, or in an otherwise disrespectful or abusive manner making comments or engaging in behavior that is untruthful or directed as a personal attack on the professional conduct of others retaliating engaging in any pattern of disruptive behavior or interaction that could interfere with the workplace or adversely impact the quality of services, education, or patient care. Abusive language, profanity, or language that is intended to be or perceived by others to be demeaning, berating, rude, or offensive
Michigan State University	Disrespectful behavior	<ul style="list-style-type: none"> using threatening or abusive bullying making threats of violence, retribution, litigation, or financial harm shouting or engaging in speech, conduct, or mannerisms that are reasonably perceived by others to represent intimidation or harassment using racial or ethnic slurs demonstrating racial, gender, sexual orientation, or cultural bias making or telling jokes that are intended to be or reasonably perceived by others to be crude or offensive teasing, name calling, ridiculing, or making someone the subject of pranks or practical jokes using sarcasm or cynicism as a personal attack on others spreading unsubstantiated rumors or gossip making actual or threatening inappropriate physical contact throwing instruments, tools, office equipment, or other items as an expression of anger, criticism, or threat, or in an otherwise disrespectful or abusive manner making comments or engaging in behavior that is untruthful or directed as a personal

Institution	Definition	Behavioral examples
		attack on the professional conduct of others retaliating engaging in any pattern of disruptive behavior or interaction that could interfere with the workplace or adversely impact the quality of services, education, or patient care, profanity, or language that is intended to be or perceived by others to be demeaning, berating, rude, or offensive
Penn State	repeated and unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which is intended to intimidate and creates a risk to the health and safety of the employee(s).	<ol style="list-style-type: none"> 1. Unwarranted or invalid criticism. 2. Blame without factual justification. 3. Being treated differently than the rest of your work group. 4. Being sworn at. 5. Exclusion or social isolation. 6. Being shouted at or being humiliated. 7. Being the target of practical jokes. 8. Excessive monitoring.
U of California system	abusive conduct and bullying are synonymous. Abusive Conduct/Bullying is sufficiently severe, persistent, or pervasive conduct in the Workplace that denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment, or other programs or activities of the University, and creates an environment that a reasonable person would find to be intimidating or offensive and unrelated to the University's legitimate educational and business interests. A single act shall not constitute Abusive Conduct/Bullying, unless especially severe or egregious.	Persistent or egregious use of abusive and/or insulting language (written, electronic or verbal) • Spreading misinformation and malicious rumors • Behavior, language, or gestures that frighten, humiliate, belittle, or degrade, including criticism or feedback that is delivered with yelling, screaming, threats (including implicit threats), or insults • Encouraging others to act, singly or in a group, to bully or harass other individuals • Making repeated or egregious inappropriate comments about a person's appearance, lifestyle, family, or culture • Regularly teasing or making someone the brunt of pranks or practical jokes • Inappropriately interfering with a person's personal property or work equipment • Circulating inappropriate or embarrassing photos, videos, or information via email, social media, or other means • Making unwanted physical contact or inappropriately encroaching on another individual's personal space, in ways that would cause a reasonable person discomfort and unease, in a manner not covered by the University's Sexual Violence and Sexual Harassment policy • Purposefully excluding, isolating, or marginalizing a person from normal work activities for non-legitimate business purposes • Repeatedly demanding of an individual that the individual do tasks or take actions that are inconsistent with that individual's job, are not that individual's responsibility, for which the employee does not have authority, or repeatedly refusing to take "no" for an answer when the individual is within the individual's right to decline a demand; pressuring an individual to provide information that the individual is not authorized to release (or may not even possess) • Making inappropriate threats to block a person's academic or other advancement, opportunities, or continued employment at the University • Sabotaging or undermining a person's work performance
University of Wisconsin	Hostile and intimidating behavior is defined as unwelcome behavior pervasive or severe to the extent that it makes the conditions for work inhospitable and impairs another person's ability to carry out	<ol style="list-style-type: none"> 1. Abusive expression (including spoken, written, recorded, visual, digital, or nonverbal, etc.) directed at another person in the workplace, such as derogatory remarks or epithets that are outside the range of commonly accepted expressions of

Institution	Definition	Behavioral examples
	<p>his/her responsibilities to the university, and that does not further the University's academic or operational interests. A person or a group can perpetrate this behavior.</p>	<p>disagreement, disapproval, or critique in an academic culture and professional setting that respects free expression;</p> <ol style="list-style-type: none">2. Unwarranted physical contact or intimidating gestures;3. Conspicuous exclusion or isolation having the effect of harming another person's reputation in the workplace and hindering another person's work;4. Sabotage of another person's work or impeding another person's capacity for academic expression, be it oral, written, or other;5. Abuse of authority, such as using threats or retaliation in the exercise of authority, supervision, or guidance, or impeding another person from exercising shared governance rights, etc.

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