

FACULTY LEGISLATION
UNIVERSITY OF WISCONSIN-MADISON
MISCELLANEOUS STATEMENTS AND POLICIES, INCLUDING
NONDISCRIMINATION AND AFFIRMATIVE ACTION

II-332 DEFINING LANGUAGE DESCRIBING HOSTILE AND/ OR INTIMIDATING BEHAVIOR

PART I: Language Describing Hostile and/or Intimidating Behavior

Unwelcome behavior pervasive or severe enough that a reasonable person would find it hostile and/or intimidating and that does not further the University's academic or operational interests is unacceptable to the extent that it makes the conditions for work inhospitable and impairs another person's ability to carry out his/her responsibilities to the university. A person or a group can perpetrate this behavior. The person need not be more senior than or a supervisor to the target. Unacceptable behavior may include, but is not limited to:

- 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 disagreement, disapproval, or critique in an academic culture and professional setting that respects free expression;
- Unwarranted physical contact or intimidating gestures; Conspicuous exclusion or isolation having the effect of harming another person's reputation in the workplace and hindering another person's work;
- Sabotage of another person's work or impeding another person's capacity for academic expression, be it oral, written, or other;
- 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.

Repeated acts or a pattern of hostile and/or intimidating behaviors are of particular concern. A single act typically will not be sufficient to warrant discipline or dismissal, but an especially severe or egregious act may warrant either.

These standards are to be construed within the context of the University's historical and enduring commitment to academic freedom, freedom of expression, and the conception of the University as a place that must encourage and foster the free exchange of ideas, beliefs, and opinions, however unpopular. In no case shall a sanction be imposed in response to a complaint solely about the contents of a faculty member's beliefs, views, or opinions taken in the abstract. The policy is not intended to constitute a general civility code addressing ordinary stresses of the workplace, such as occasionally insensitive language or behavior. Nor is it intended to constrain commonly accepted workplace management practices. Nor is it intended to constrain the freedom of faculty to speak out about troubling matters, criticize the administration or university policies, take part in political protest, or to promote and participate in labor unions. Rather, it is intended to address patterns of hostility or intimidation that impede persons from carrying out their duties to the University, ensuring that all, regardless of rank or status, may pursue their work and speak as they see fit.