

October 14, 2022

To: Jessica Cattelino, Chair
Academic Senate

Re: **(Second Systemwide Senate Review) Draft Presidential Policy on Abusive Conduct in the Workplace**

Dear Chair Cattelino,

At its meeting on October 11, 2022, the Faculty Welfare Committee (FWC) reviewed and discussed the Second Systemwide Senate Review Draft Presidential Policy on Abusive Conduct in the Workplace. Members offered the following comments.

The committee recognizes the importance to the University of maintaining a non-abusive and civil atmosphere on campus. However, by having the code apply to all employees, faculty self-governance would be reduced by this draft policy. The Administration dominates the investigation and evaluation of potentially abusive conduct. The Faculty Code of Conduct already includes abusive behavior toward students and colleagues. With respect to students, the Code includes but is not limited to the following behaviors:

STUDENTS

Discrimination, including harassment, against a student on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.

Sexual violence and sexual harassment, as defined by University policy, of a student.

Use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons.

FACULTY

Making evaluations of the professional competence of faculty members by criteria not directly reflective of professional performance.

Discrimination, including harassment, against faculty on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the

uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or Sexual violence and sexual harassment, as defined by University policy, of another member of the University community.

The First stages of the valuation of this abusive or discriminatory behavior are entirely in the hands of the faculty. Allegations first assessed by the Charges Committee and probably valid complaints are next evaluated by the Committee on Privilege and Tenure. Valid complaints are forwarded to the Administration. By applying to all employees of the University, the new Abusive Conduct Policy does not recognize the existing special role of the faculty in their own self-governance. The power of the Administration is increased at the expense of Faculty autonomy.

Thank you in advance for your consideration and the opportunity to opine. If you have additional questions, please do not hesitate to contact me at bonacich@soc.ucla.edu or via the Committee analyst, Renee Rouzan-Kay, at rrouzankay@senate.ucla.edu.

Sincerely,



Phillip Bonacich, Chair
Faculty Welfare Committee

cc: Andrea Kasko, Vice Chair/ Chair-Elect, Academic Senate
Shane White, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Renee Rouzan-Kay, Committee Analyst, Faculty Welfare Committee
Members of the Faculty Welfare Committee