



Abusive Conduct	Employee Policies
	Effective Date: May 5, 2021
	Approved Date: May 5, 2021

- (1) Abusive conduct between employees, as those terms are defined in Section 67-26-203 of the Utah Code, is prohibited.
- (2) A violation of this policy shall be reported in writing to the College's Human Resource Officer within 14 days of the alleged abusive conduct. If the Human Resource Officer is the subject of the allegations, the report shall be provided to the College President, who shall appoint another College officer to review the matter. The report shall include all relevant statements of witnesses and documentation. Upon receipt of the report, the College's Human Resource Officer or the President's designee shall:
  - (a) Review the submitted documentation, and gather such other information as he or she determines to be appropriate, and
  - (b) Issue a decision to the parties (the person alleged to have been the subject of abusive conduct, and the person alleged to have performed the abusive conduct).
  - (c) Within ten days of receiving the decision, either party may request a review by the College's Executive team. If no review is requested within that time, the decision is final.
- (3) If such a request for review is received by the Executive Team, the Executive Team shall conduct an administrative review of the findings as follows:
  - (a) the role of the administrative review is to review and rule upon the findings of the abusive conduct investigation;
  - (b) an evidentiary hearing is not required;
  - (c) the Human Resource Officer or the President's designee shall make the abusive conduct investigative file available for the Executive Team's in camera review;
  - (d) The Executive Team may, but is not required to:
    - (i) request additional relevant documents; and
    - (ii) interview employees.
  - (e) The Executive Team may overturn the findings if the office determines that:
    - (i) the findings are not reasonable, rational, or sufficiently supported by the evidence; or
    - (ii) the facts on which the findings are based are inaccurate.
  - (f) The office Executive Team may uphold the findings if the office determines that:
    - (i) the findings are reasonable, rational, and sufficiently supported by the evidence; and

- (ii) the facts on which the findings are based are accurate.
  - (g) Within 30 days after the day on which an employee initiates a review under this section, the Executive Team shall issue a notice stating whether the Executive Team upheld or overturned the findings.
  - (h) The Executive's determination upon administrative review of the findings resulting from an abusive conduct investigation is final and not subject to appeal.
- (4) Dixie Tech shall provide annual training to all covered employees on abusive conduct, as those terms are defined above, in the workplace.
- (5) This policy is not intended to create any rights or cover any conduct or persons outside the scope of Section 67-26-203 of the Utah Code.