

UTAH DEPARTMENT OF HEALTH AND HUMAN SERVICES POLICY AND PROCEDURES		
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WORKPLACE HARASSMENT AND ABUSIVE CONDUCT		
<p>RATIONALE: The Utah Department of Health and Human Services is committed to providing its employees, clients, and customers with a safe and productive work environment, free from workplace harassment based on race, ethnicity, color, religion, sex, national origin, age, disability, sexual orientation, gender identity, or any other protected class. The purpose of this policy is to foster a diverse and equitable working environment free from workplace harassment and to comply with state and federal antidiscrimination laws.</p> <p><i>Related Policies, Applicable Standards, Statutes: R477-15, R477-16, Office of Civil Rights Discriminatory Harassment Policy, Utah Code 67-26-102</i></p>		
Original Effective: July 1, 2022	Revision: August 18, 2025	Next Review Due: August 15, 2030

I. DESCRIPTION

This workplace harassment and abusive conduct policy provides instruction on how to identify, prevent, investigate, and address harassment in the workplace. This policy supersedes any previous department policy governing this subject matter. It does not supplant any existing federal, state, or department laws/policies to which the department shall adhere.

II. DEFINITIONS

The following terms are defined for this policy as:

- A. **Abusive conduct:** Includes physical, verbal, or nonverbal conduct, such as discriminatory or derogatory remarks, insults, or epithets (descriptive word or phrase) made by an employee that a reasonable person would determine

was intended to cause intimidation, humiliation, or unwarranted distress; exploits a known physical or psychological disability or results in substantial physical or psychological harm caused by intimidation, humiliation, or unwarranted distress.

- B. **DHHS or department:** The Utah Department of Health and Human Services and collectively all its operational units.
- C. **DHRM:** The Division of Human Resource Management (DHRM) field office assigned to the Department of Health and Human Services.
- D. **OU:** Operational units within DHHS, including divisions, offices, or standalone operations whose director reports to the executive director, a deputy director, or an assistant deputy director. The Utah State Hospital and Utah State Developmental Center are considered OUs.
- E. **Protected activity:** Opposition to discrimination or harassment, or participation in proceedings covered by the federal or state antidiscrimination statutes.
- F. **Supervisor:** An employee who has a direct report(s) and provides regular supervision and performance evaluation of an employee.
- G. **Tangible employment action:** A significant change in employment status, such as dismissal, demotion, failure to promote, work reassignment, or a decision that changes benefits.
- H. **Workplace harassment:** Any abusive behavior or conduct that: (a) is based on race, ethnicity, color, religion, sex, national origin, age, disability, sexual orientation, gender identity, or any other protected class; (b) is unwelcome, pervasive, demeaning, derisive, or coercive; (c) results in the creation of a hostile, abusive, or intimidating work environment or tangible employment action; and (d) involves a DHHS employee as the victim or alleged harasser.

III. POLICY

- A. DHHS prohibits workplace harassment and abusive conduct. DHHS employees shall comply with DHRM Rule R477-15 and R477-16, along with all other federal and state statutes, rules, standards, policies, and procedures that prohibit workplace harassment and abusive conduct. Any violation of those statutes or rules is also a violation of this policy.
- B. DHHS employees shall complete respect in the workplace training, provided by DHRM, upon hire and at least every two years thereafter. Additionally, DHHS supervisors shall complete respect in the workplace for supervisors training every two years.

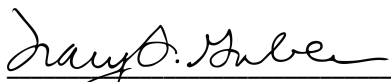
- C. DHHS employees shall be free from retaliation for filing or participating in a workplace harassment or abusive conduct complaint.

IV. PROCEDURE

- A. DHHS employees shall follow DHRM Rule R477-15-3 to file a workplace harassment or retaliation complaint.
- B. DHHS employees shall follow DHRM Rule R477-16-2 to file an abusive conduct complaint.
- C. The DHHS executive director or designee shall:
 - 1. Ensure access to a complaint system for individuals consistent with rules issued by DHRM and the Equal Employment Opportunity Commission guidelines; and
 - 2. Provide a means for all employees to complete required workplace harassment and abusive conduct prevention training, provided by DHRM, and other training as assigned by DHHS.
- D. DHHS supervisors shall make sure their direct reports complete the workplace harassment prevention and abusive conduct training, and other training as assigned by DHHS that informs them of this policy. This shall occur upon hire and at least every two years.
- E. Upon receipt of an abusive conduct complaint, DHHS through DHRM shall take timely, appropriate action, in accordance with Utah Code 67-27-109, including investigation, corrective measures, and documentation.

V. EXCEPTIONS

- A. This policy does not supersede any civil rights or other legal actions to which the employee is entitled. This includes the option of going directly to DHRM, Utah Antidiscrimination and Labor Division (UALD), and/or Equal Employment Opportunity Commission (EEOC).



Tracy S. Gruber
Executive Director

August 18, 2025

Date