


COMMITTEE ON FACULTY WELFARE

February 22, 2018

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Daniel Jeske, Chair 
Committee on Faculty Welfare

Re: Proposed Policy. Consensual Intimate (Sexual or Romantic) Relationships in the Workplace

The Committee on Faculty Welfare considered the Proposed Policy on Consensual Intimate (Sexual or Romantic) Relationships in the Workplace and expressed the following points:

1. New rule.

Rules concerning sexual harassment and conflict of interest shall apply to all adults associated with University of California, Riverside.

2. Explanation/justification.

The proposed rule/policy, outlined and explained under the Policy Title, "Consensual Intimate (Sexual or Romantic) Relationships in the Workplace," has, in its entirety, not been accepted by the Committee for reasons of: (1) redundancy, (2) excessive breadth and vagueness, and (3) institutional overreach.

The areas of conduct addressed by the proposed rule/policy are already covered in full by APM-15 and by UCR's policies concerning sexual harassment and conflict of interest.

This leads to vagueness of the conduct addressed by the proposed rule/policy. The document implies that there is, somehow, an area of conduct *not* covered by these three other policies; yet it does not specify that area of conduct. Attempts to interpret the document have led us in directions that are impossible to define with precision, or a sense of limitation. Thus, the conduct addressed is irremediably overbroad.

The proposed rule/policy is also vague in the remedies provided to whatever that conduct is. Section IV in particular may be understood to incorporate remedies already existing regarding sexual harassment, conflict of interest, and faculty misconduct; but, on the face of the text, it implies a process that is much more open-ended and unspecific. Especially opaque are questions of standing to report the conduct (only parties to it, or others?), the timing and detail of such reporting, the identity of recipient(s) of such reporting, and the meaning of the role of the University (expressly so described, in an impersonal, corporate capacity) in responding to the conduct and its report. Provisions for supervision, counseling, and the like, impersonally expressed (that is, not always clearly envisioned *for* anyone, such as department chair) suggest (and so allow) an unacceptably broad mechanism of supervision and sanction.

Even if these two issues were resolved by fuller or more precise drafting, the proposed rule/policy will continue to represent serious institutional overreach by an employer, because—apart from conduct already otherwise covered—it regulates private relationships among consenting adults.