

VII-8.05 – POLICY ON PROFESSIONAL CONDUCT AND WORKPLACE BULLYING

(Approved by the Board of Regents on October 9, 2015; Amended on June 16, 2017; Amended on June 17, 2021; Amended on April 17, 2026)

I. PURPOSE AND SCOPE

- A. Purpose: To establish general standards of professional and ethical conduct and to foster working environments in which employees treat others with dignity, respect, and professionalism.
- B. Scope: Applies to all regular and contractual faculty and regular and contingent staff, student employees (including students in federal and other work-study programs), and applicants for employment.

II. GENERAL STANDARDS OF PROFESSIONAL CONDUCT

- A. Employees shall exhibit exemplary conduct and use honest efforts in the performance of their duties.
- B. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Institution or the University System of Maryland Office (USMO).
- C. Employees shall act impartially and not give preferential treatment to any private organization or individual.
- D. Employees shall protect and conserve State property and shall not use it for other than authorized activities.
- E. Employees shall satisfy in good faith their civic and legal obligations including federal, state, or local taxes that are imposed by law.
- F. Employees shall adhere to all applicable laws and regulations that provide equal opportunity regardless of race, ethnicity, color, religion, sex, national origin, age, disability, gender identity or expression, sexual orientation, marital status, genetic information, veteran's status or any other applicable legally-protected characteristic.
- G. Employees shall conduct intra-agency and interagency relations with civility, collaboration, and cooperation. These same principles shall apply to interactions with officials and employees of the legislative and judicial branches.

III. CONFLICTS OF INTEREST

Consistent with Maryland Public Ethics Laws, Annotated Code of Maryland, General Provisions Article, Title 5:

- A. Employees shall not hold financial interests that conflict with the conscientious performance of their duties.
- B. Employees shall not, except as permitted by applicable law or regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by their Institution, another University System of Maryland (USM) Institution, or the USMO, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
- C. Employees shall not engage in financial transactions using nonpublic government information or allow the improper use of such information to further any private interest.
- D. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, which conflict with the duties and responsibilities of their position.
- E. Employees shall endeavor to avoid any actions creating the appearance of any impropriety or violating applicable law or the ethical standards in applicable regulations.
- F. Upon leaving State service, USM employees shall be bound by the restrictions of the Annotated Code of Maryland, General Provisions Article, Section 5504, with respect to lobbying and other forms of representation.
- G. USM and each USM institution, shall provide training regarding all applicable provisions of the Maryland Public Ethics Law to all staff and administrators appointed at the level of director or above within six months of such appointment and at least once every five years. Online training provided by the Maryland State Ethics Commission for individuals who file financial disclosure statements may be substituted for the initial training required under this policy.

IV. BULLYING IN THE WORKPLACE OR IN THE COURSE OF EMPLOYMENT

The USM requires that employees shall not intentionally engage in unwelcome severe or pervasive behavior toward another individual, including other employees, students, contractors or other persons where there is a nexus between the conduct, the individual and the employee's work, that a reasonable person would find objectively malicious, degrading, intimidating, or threatening. Failure to comply with these expectations may result in disciplinary action.

Determining whether conduct is bullying under this Policy is fact-specific and will be assessed based on a totality of the circumstances. Factors which may be relevant in considering whether conduct constitutes bullying include: the severity of the conduct, the frequency of the conduct, whether the conduct is personal or business-related, and any actual or perceived power imbalance between the parties.

A. The following are examples of conduct that may be considered bullying when this standard is met:

1. Attacking or insulting an individual through angry outbursts, use of profanity, name-calling, or offensive nicknames;
2. Publicly humiliating individuals;
3. Encouraging other individuals to intimidate, insult, humiliate, defame, or otherwise ostracize another individual;
4. Sabotaging, undermining, or intentionally interfering with the work of another individual in bad faith, including knowingly making false statements about another individual's work product or performance;
5. Threatening another individual or their property with harm or intentionally harming or damaging another individual or their property;
6. Making unsupported threats about an individual's job security without a valid basis or foundation for doing so, or taunting an employee about their job performance or job security;
7. Engaging in cyberbullying, including sending, posting, or sharing defamatory or threatening content or engaging in unlawful harassment, which targets another employee via social media or using digital devices, including but not limited to publicly sharing via social media or digital devices private information about another employee, to cause harm, humiliation, and/or embarrassment to that employee.

B. The following examples shall not be considered bullying:

1. An isolated or singular incident of conduct which is neither severe nor pervasive;
2. Disciplinary action taken in accordance with applicable law or policy;
3. Routine employee coaching, counseling, or mentoring, including feedback about and correction of work performance or conduct;

4. Exercise of management's authority to appoint, promote, transfer, or reassign an employee, to direct or assign work, and to determine the methods and means by which the unit's functions will be carried out;
5. Assignment of work, including course scheduling and modality (i.e., in-person or virtual) for faculty;
6. Individual differences in style of personal expression, provided that the expression is neither hostile, intimidating nor threatening, and is otherwise lawful; and
7. Differences of opinion on substantive professional issues or work-related concerns.

V. POLITICAL ACTIVITY

Consistent with the Annotated Code of Maryland, State Personnel and Pensions Article, Section 2-304:

- A. Subject to the limitations set forth in subsection C, Employees have the right to participate freely in any political activity and express any political opinion.
- B. Employees may not be required to provide any political service or make a political contribution.
- C. Employees may not:
 1. Engage in political activity on the job during working hours;
 2. Use Institution or USMO resources to advance their political activities; or
 3. Advocate the overthrow of the government by unconstitutional or violent means.

VI. REPORTING REQUIREMENTS

- A. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities. To make such reports, employees may access the resources and procedures for confidential disclosure of misconduct set forth in the following USM BOR policies:
 1. VII-2.30 – Policy on Employee and Applicant Disclosure of Misconduct for Nonexempt and Exempt Staff Employees and Applicants for USM Staff Positions;

2. VIII-7.10 – Policy on Reporting Suspected or Known Fiscal Irregularities; and
 3. VIII-7.11 – Policy on the Communication of Suspected Fraud, Unethical & Illegal Business Activity.
- B. All Institutions, including the USMO, shall immediately refer to the Institution’s or the USMO’s Assistant Attorney General or to the Deputy Attorney General with supervisory responsibility for the Attorney General’s Criminal Investigations Division, any instance of possible criminal or unethical conduct by any employee or contractor of this State, for such actions as the Office of the Attorney General deems appropriate. The Institution or USMO shall advise the Chief Legal Counsel to the Governor of any such referrals.
- C. Employees are required to report to their department or unit head: (1) any arrest of the employee; and (2) any legal proceeding in which an employee is involved, as a party or otherwise, if the arrest or legal proceeding may affect, or reflect on, the employee’s job fitness or performance, or the institution.

IMPLEMENTATION PROCEDURES:

Each President and the Chancellor shall identify their designee(s) as appropriate for this policy; and shall either ensure that existing policies and procedures satisfy the substantive requirements of this policy or develop procedures as necessary to implement this policy; communicate this policy and applicable procedures to the USMO or their Institutional community; and post it on the institutional website.

REFERENCE:

Governor’s Executive Order 01.01.2015.08 Standards of Conduct for Executive Branch Employees and Reporting of Misconduct.