

# Threatening or Violent Behavior in the Workplace

## HR



### About This Policy

Effective Date:

01-01-2000

Last Updated:

07-01-2006

Responsible University Office:

University Human Resources

Responsible University Administrator:

Vice President and Chief Financial Officer

Policy Contact:

University Human Resources

[policy@iu.edu](mailto:policy@iu.edu)

### Related Information

\* [Related Indiana Law: IC 34-26-6 Workplace Violence Restraining Orders](#)

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## Scope

This policy applies to all Staff and Temporary employees and all university premises and university-sponsored events as well as off-campus sites should an incident occur that is shown to have an adverse impact on the university.

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## Policy Statement

1. It is the goal of Indiana University to promote a safe, respectful, and productive work environment in which to deliver quality academic programs and administrative services. To this end, the university will not tolerate, condone or ignore threatening or violent behavior in the workplace as described in this policy.
2. Each department head, manager, supervisor, and employee is responsible for keeping the workplace free of threatening or violent behavior. This includes threatening or violent behavior by employees or non-employees (vendors, job applicants, visitors, spouses, etc.) against self, others, university property, or property on university premises belonging to others.

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## Reason For Policy

1. This policy covers violent behavior not covered in the the following existing related policies and laws:

- a. Federal and state laws as well as university policy prohibit discrimination as identified in the university's [Equal Opportunity/Affirmative Action policy](#). Those who believe they are victims of or have observed such discrimination are strongly urged to contact their campus affirmative action office.
- b. The university policy, [Firearms and Weapons Prohibitions](#), prohibits employees from unauthorized possession of firearms or other items deemed by the campus police department to be dangerous on university premises or events.
- c. Certain violence-related behavior is prohibited under criminal or civil law. When appropriate, the university will refer such cases for criminal or civil prosecution.

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## Procedure

### Reporting and investigating threatening or violent behavior in the workplace

1. Any employee who experiences, observes, or has knowledge of threatening or violent behavior in the workplace has a responsibility to report the situation as soon as possible.
  - a. In all cases of an actual or imminent act of violent behavior, call the campus Police Department or the campus Safety and Security Department.
  - b. Report all cases of threatening or violent behavior to the employee's supervisor or department head and to the campus human resources department.
2. The campus human resources department and the campus police will implement campus specific procedures to coordinate the investigation of all reports of threatening or violent behavior promptly and impartially and as confidentially as possible.
3. The campus police and University Counsel will determine if the university will seek a temporary restraining order or injunction on behalf of an employee to reduce the chances of further violence or threats of violence in the workplace, as provided for in Indiana statute (IC 34-26-6).
4. Employees are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to all parties involved as soon as possible.
5. Any form of retaliation against any person for making a bona fide report concerning threatening or violent behavior in the workplace is prohibited; therefore, such retaliation must also be reported.

### Reporting non-work-related violence

1. Employees who are victims of domestic or other threatening or violent behavior outside the workplace, or who believe they are potential victims of such behavior, and fear it may enter the workplace, are encouraged to report the situation as soon as possible.
2. In all cases of an actual or imminent act of violent behavior, call the campus Police Department or campus Safety and Security Department.
3. Report all cases of threatening or violent behavior to the employee's supervisor or department head and to the campus human resources office.
4. The campus human resources department and the campus police will coordinate the investigation of all reports of threatening or violent behavior promptly and impartially and as confidentially as possible.

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## Definitions

1. Threatening behavior is defined as an expressed or implied threat to interfere with an individual's health or safety, or with the property of the university, or property on university premises belonging to others, which causes a reasonable apprehension or fear that such harm or injury is about to occur.
  - a. Any employee who engages in threatening behavior will be subject to serious disciplinary action, which may include termination of employment. Examples of threatening behavior include, but are not limited to:
    - i. Direct or indirect threats of harm or injury
    - ii. Words or gestures which create a reasonable fear of harm or injury
    - iii. Prolonged or frequent shouting which creates a reasonable fear of harm or injury
    - iv. Stalking an individual
2. Violent behavior is defined as the use of physical force or violence to inflict harm to others, to endanger the health or safety of another person or the property of the university or property on university premises belonging to others, or restrict the freedom of action or movement of another person.
  - a. Violent behavior is so serious that individuals who engage in it can expect termination of their employment. Examples of violent behavior include, but are not limited to:
    - i. Unwelcome physical contact
    - ii. Slapping, punching, striking, pushing, or otherwise physically attacking a person
    - iii. Throwing, punching, or otherwise handling objects in an aggressive manner

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## Sanctions

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**Non-disciplinary and disciplinary action**

1. Upon a completed investigation, incidents will be reviewed before proceeding with non-disciplinary or disciplinary action according to the provisions of the corrective action policy.
2. Examples of actions that will be taken when an employee has been found to have violated this policy include, but are not limited to, the following:
  - a. Mandatory participation in counseling
  - b. Corrective/disciplinary action up to and including termination
  - c. Criminal arrest and prosecution
  - d. Special procedures such as job relocation or initiation of a court order may be implemented
3. If, upon investigation, it is determined that a report was falsified or made maliciously, the employee who provided the false information will be subject to disciplinary action up to and including termination, as well as possible criminal arrest and prosecution.

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Those who believe they are a victim of threatening or violent behavior, whether workplace or not, may also contact the [Employee Assistance Program \(EAP\)](#) to obtain advice in dealing with the situation.