



**Policy Title: Workplace Violence**

**Policy Number: BU-PP 835**

**Date Issued: Updated January 15, 2007**

**Responsible Executive: Vice President & Chief  
Human Resources Officer**

**Date Last Revised: August 7, 2024**

**Responsible Office: Human Resources**

## **Workplace Violence BU-PP 835**

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### **Policy Statement**

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Baylor University (the “University”) has a zero-tolerance policy concerning workplace violence and mandates reporting of threats of violence, incidents of violence, and behaviors of concern. The University prohibits discrimination against victims of workplace violence on the basis of that experience. The University prohibits retaliation against individuals who engage in protected disclosure.

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### **Reason for the Policy**

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The University is committed to fostering an environment that creates a caring community, free from workplace violence, and that enables its faculty, staff, and student workers to safely carry out their responsibilities in support of educating men and women for worldwide leadership and service, and enables its students to receive that education.

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### **Individuals/Entities Affected by this Policy**

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This policy applies to all individuals with an employment relationship with the University to include faculty, staff, temporary employees, and student workers. Also prohibited is workplace violence by all people who come in contact with Baylor personnel on Baylor property and/or when the Baylor personnel are acting in the capacity of representatives of the University, such as contractors and campus visitors.

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### **Exclusions**

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NONE

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## Choice of Policy

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When the conduct involves violence or threats of violence on the basis of sex or alleged stalking, employees must also report to the Equity, Civil Rights, and Title IX Office as required under Baylor's *Sexual and Interpersonal Misconduct Policy* (BU-PP 022).

When the conduct involves suspected abuse or neglect of a child, employees must also report as required by the Texas Law and *Protection of Minors Policy*.

Where reported conduct involves the potential violation of both this policy and another University policy, the University may at its discretion choose the appropriate path and will follow any legal mandates in that decision.

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## Related Documents and Forms

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Federal, state, and local laws that criminalize violence against others and/or against property, such as assaultive offenses.

Texas Labor Code, Title 3, Chapter 104A. Reporting Workplace Violence

[General Duty Clause, Section 5\(a\)\(1\) of the Occupational Safety and Health Act of 1970](#)

Texas Penal Code, Title 8, Chapter 36.06. Obstruction or Retaliation

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## University Policies and Documents

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[BU-PP Introduction and Important Notice](#)

[Campus Weapons Regulations Policy](#)

[Faculty Dismissal](#)

[Protection of Minors Policy](#)

[Sexual and Interpersonal Misconduct Policy](#)

[Staff Disciplinary Actions](#)

[Student Conduct Code](#)

[Threat Assessment Group Policy](#)

[Whistleblower Policy](#)

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## Definitions

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These definitions apply to terms as they are used in this policy.

<b>Good Faith</b>	An actual and reasonable belief that the misconduct has both occurred and is wrongful.
<b>Protected Disclosure</b>	Making a good faith report or complaint under this Policy to a supervisor or official who is the proper recipient for reporting, about actual or reasonably suspected threat of or act of Workplace Violence; filing an external complaint or report; participating in proceedings involving complaints of workplace violence under this Policy or under the relevant laws; or any other activity protected by applicable federal or state civil rights laws.

<b>Threats of Workplace Violence</b>	Threats of workplace violence include any behavior that could be interpreted by a reasonable person as an intent to cause physical harm to another individual or property without authority or authorization.
<b>Workplace Violence</b>	Any threat or act of physical violence; unauthorized, violent destruction or defacement of property, or other physically threatening disruptive behavior that occurs at the worksite. Such action includes those that are intentional, reckless, or grossly negligent and without authority or authorization.

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## Contacts

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<b>Subject</b>	<b>Contact</b>	<b>Telephone</b>	<b>Office email/web site</b>
<b>Policy Questions</b>	Human Resources	254-710-2000	<a href="https://hr.web.baylor.edu">https://hr.web.baylor.edu</a> <a href="mailto:askHR@baylor.edu">askHR@baylor.edu</a>
<b>Emergency Services</b>	Baylor Police Department	254-710-2222	<a href="https://dps.web.baylor.edu">https://dps.web.baylor.edu</a>
<b>External Emergency Services</b>	Local Law Enforcement	911	
<b>External Reporting</b>	Texas Department of Public Safety (TxDPS) – iWatchTexas Community Reporting System	844-643-2251	<a href="http://www.iwatchtx.org">www.iwatchtx.org</a>

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## Responsibilities

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<b>Supervisor</b>	<p>When informed of or observing any threats of or acts of workplace violence, the immediate supervisor <b>must</b> promptly:</p> <ul style="list-style-type: none"> <li>• Contact the Baylor University Department of Public Safety (BUDPS) Office for assistance;</li> <li>• Respond to issues related to workplace safety, as appropriate;</li> <li>• Inform his/her supervisor, Human Resources (HR), the Equity Office (EO) for matters under the SIM policy, or Student Conduct Administration for matters involving students.</li> </ul> <p>Reports are required even if the supervisor has been told the situation has been addressed unless the supervisor has first-hand knowledge of the report to BUDPS/a supervisor/HR/EO/Student Conduct Administration.</p>
<b>Employees</b>	<p>All employees are <b>required</b> to promptly report any known, suspected, or observed threats of or acts of workplace violence. Reports should be provided to:</p> <ul style="list-style-type: none"> <li>• BUDPS, as appropriate;</li> <li>• the employee’s supervisor or HR;</li> <li>• Student Conduct Administration for matters involving students;</li> <li>• Equity, Civil Rights, and Title IX Office for matters under the SIM policy.</li> </ul>
<b>Baylor University Police Department</b>	Law enforcement branch within the BUDPS umbrella responsible for responding to and addressing physical threats on the Baylor University campus in Waco.

### 3. Workplace Violence (BU-PP 835)

<b>Threat Assessment Group (TAG)</b>	The TAG is a multi-disciplinary group utilized to identify, assess, and potentially manage physical threats to Baylor University. Concerns of workplace violence at any Baylor campus may be addressed to this group.
<b>Human Resources</b>	Human Resources will contact the appropriate officials and department personnel and address workplace violence according to University policy.

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## Principles

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Baylor University prohibits any type of workplace violence. The following list of behaviors provides a non-exhaustive set of examples of prohibited conduct:

- threats of or acts of violence occurring on University premises, regardless of the relationship between the parties involved in the incident;
- threats of or acts of violence occurring off University premises involving someone who is acting in the capacity of a representative of the University;
- threats of or acts of violence occurring off University premises involving an employee or student if the threats or acts affect the business interests of the University;
- threats of or acts of violence occurring off University premises, of which an employee or student is a victim, if the University determines that the incident may lead to an incident of violence on University premises or in University programs;
- threats of or acts of violence resulting in the conviction of an employee or agent of the University, or an individual performing services for the University on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence when that act or the conviction adversely affect the legitimate business interests of the University;
- threatening physical contact directed toward another individual;
- threatening an individual or his or her family, friends, associates, or property with harm;
- the threat of or intentional destruction of University or another's property;
- threatening remarks through any medium, such as phone calls, emails, texts;
- stalking as defined under the *Sexual and Interpersonal Misconduct Policy*;
- veiled threats of physical harm or similar intimidation; and/or
- possessing a weapon while on University property or while on University business to the extent such possession is a violation of the *Campus Weapon Regulations Policy* or any federal, state, or local law, or communicating an endorsement of the inappropriate use of firearms or weapons.

“Workplace violence” does not refer to workplace or classroom arguments or debates that are zealous or impassioned, provided there is no threat of force or resort to any form of force. Discussions about sporting activities, popular entertainment or current events are not considered workplace violence when there is no threat of violence or resort to any form of violence being directed to the workplace or any individual connected with it. The term does not include lawful actions of law enforcement officers in the course and scope of their duties. Rather, “workplace violence” refers to behavior that demonstrates any

threat or act of physical violence; unauthorized, violent destruction or defacement of property, or other physically threatening disruptive behavior that occurs at the worksite..

Any person experiencing or observing acts or threats of violence should promptly first call 911 and then the Baylor University Police Department (x2222).

As Baylor has children on campus at times, such as summer camps and family members of faculty and staff who live in dorms, employees must remember that if a person suspects that a child has been abused or neglected, the law requires the person to submit an external report immediately to the Department of Family and Protective Services (DFPS) at 1-800-252-5400 or any local law enforcement agency. Failure to make a report is a crime in Texas, punishable by up to one (1) year in prison and a fine of up to \$4,000.00. Texas law protects a person acting in good faith who makes a report of child abuse or neglect that does not arise from their own conduct.

Any member of the Baylor community who believes a crime has been committed against him or her should notify his or her immediate supervisor or appropriate student resources and contact BUPD for assistance or to report the incident.

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## **Prevention**

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Employees and students should notify their supervisors or student resources, respectively, of any restraining orders that include the workplace. On the Waco campus, supervisors must promptly notify BUPD of the restraining order. BUPD may initiate a review by the TAG to proactively intervene in behavioral conduct that may disrupt or threaten the educational mission of Baylor University or members of its community. At the Louise Harrington School of Nursing campus in Dallas, supervisors should notify the Baylor Scott and White Police Department and BUPD.

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## **Sanctions**

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Violations of this policy may lead to disciplinary action up to, and including, termination for employees (in accordance with applicable Baylor personnel policies); discipline and/or dismissal of students and residents; cancellation of contracts with vendors and contractors; refusal of services to clients and visitors; and, when applicable, the pursuit of criminal actions. Any individual who violates or is believed to have violated this policy may be instructed to leave the University's premises and denied legal access in the future ("trespassed"). Trespassing non-employees will be handled in accordance with applicable laws.

Reports, complaints, or participating in proceedings in Good Faith under this Policy or the law will not result in any adverse action against the person engaged in the protected disclosure for the report/complaint/participation. However, if an investigation results in a finding that a person did not have an actual and reasonable belief that the misconduct has both occurred and was wrongful, she or he is subject to disciplinary action up to, and

including, termination for employees (in accordance with applicable Baylor personnel policies); discipline and/or dismissal of students and residents; cancellation of contracts with vendors and contractors; refusal of services to clients and visitors; and, when applicable, the pursuit of criminal actions. Baylor encourages good faith reporting and will apply amnesty provisions as identified in the Student Conduct Code for students. Amnesty provisions do not exempt a student from discipline related to the incident such as their own participation in physical violation.

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## **Retaliation**

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The University prohibits retaliation against or harassment of individuals who engage in protected disclosure (e.g., good faith reporting or cooperating in an investigation). Any acts of retaliation may be subject to disciplinary action up to, and including, termination for employees (in accordance with applicable Baylor personnel policies); discipline and/or dismissal of students and residents; cancellation of contracts with vendors and contractors; refusal of services to clients and visitors; and, when applicable, the pursuit of criminal actions.