

New York State Enacts Workplace Violence Prevention Law for Retailers

Law and the Workplace on **September 7, 2024**

On September 5, 2024, New York Governor Kathy Hochul signed into law the [Retail Worker Safety Act](#), a bill amending the New York Labor Law to impose certain workplace violence prevention requirements on covered retail employers.

Workplace Violence Prevention Plan

Effective March 4, 2025, employers with at least ten retail employees – defined as employees “working at a store that sells consumer commodities at retail and which is not primarily engaged in the sale of food for consumption on the premises” – will be required to adopt the forthcoming NYS model retail workplace violence prevention policy or establish their own policy that meets or exceeds the minimum requirements set forth in the state’s model. According to the Act, the model retail workplace violence prevention policy will:

- Outline a list of factors or situations in the workplace that might place retail employees at risk of workplace violence, including but not limited to: (a) working late night or early morning hours; (b) exchanging money with the public; (c) working alone or in small numbers; and (d) uncontrolled access to the workplace;
- Outline methods that employers may use to prevent incidents of workplace violence, including but not limited to establishing and implementing reporting systems for incidents of workplace violence;
- Include information concerning the federal and state statutory provisions concerning violence against retail employees and remedies available to victims of such violence, including a statement that there may be applicable local laws; and
- Clearly state that retaliation against individuals who complain of workplace violence or the presence of factors or situations in the workplace that might place retail employees at risk of workplace violence, or who testify or assist in any proceeding under the law is unlawful.

Beginning in 2027 and every four years thereafter, NYS will evaluate the impact of the current model workplace violence prevention guidance document and policy and update such documents as needed.

Workplace Violence Prevention Training

Also effective March 4, 2025, employers with at least ten retail employees must utilize the forthcoming NYS model workplace violence prevention training program or establish their own training program that meets or exceeds the state's minimum requirements. According to the Act, the training program must be interactive and include, at a minimum: (i) information on the Act's requirements; (ii) examples of measures retail employees can use to protect themselves when faced with workplace violence from customers or other coworkers; (iii) de-escalation tactics; (iv) active shooter drills; (v) emergency procedures; (vi) instruction on the use of security alarms, panic buttons, and other related emergency devices; (vii) information addressing supervisor conduct and responsibilities, including ways to address workplace specific emergency procedures; and (viii) training on areas of previous security problems.

Panic Buttons

In addition, effective January 1, 2027, employers with 500 or more retail employees nationwide must provide access to panic buttons throughout the workplace(s), defined as "a physical button that when pressed immediately contacts the local 9-1-1 public safety answering point (PSAP) and provides that PSAP with employee location information, and dispatches local law enforcement to the workplace." Employers may install panic buttons in an "easily accessible" location in the workplace or provide all employees with wearable or mobile phone-based panic buttons, which may only be installed on employer-provided equipment and cannot be used to track employee locations except upon triggering.

Employer Notice Requirements

Finally, beginning March 4, 2025, covered employers must provide the following to all employees upon hire and annually thereafter:

- A copy of their written workplace violence prevention plan;
- A site-specific list of emergency exits and meetings places in case of emergency; and

- A notice, in writing in English and in the language identified by each employee as their primary language; containing the employer's retail workplace violence prevention policy and the information presented at the workplace violence prevention training program.

We will continue to monitor and report on further developments regarding the Act.

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