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New York Follows California's Lead in Workplace Violence Prevention, More States Expected to Act

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We have written extensively on this blog about California taking the lead in implementing the first workplace violence rule in the country for general industry, requiring nearly all California employers (unless they fall under one of the limited exemptions) to establish, implement, and maintain an "effective" written workplace violence prevention plan, investigate every incident workplace violence (broadly defined), create and maintain violent incident logs, conduct annual employee and supervisor training, and abide by additional recordkeeping requirements. For more information about the California law, check out our [blog](#) and [webinar](#) on the topic.

As we often see after California adopts a new law, other states follow. On September 4, 2024, New York followed suit with Governor Kathy Hochul signing into law the New York Retail Worker Safety Act ([S8358C/A8947C](#)), a measure designed to enhance the safety of retail workers and address the growing concerns of workplace violence in retail environments. Employers will need to have a workplace violence plan in place and employees trained by March 3, 2025, 180 days after its enactment. By January 1, 2027, employers with 500 or more retail employees nationwide will be required to provide access to panic buttons throughout the workplace or equip each employee with a wearable or mobile, company-issued panic button. For more information on this new New York law, see our [blog](#) on the topic.

We expect to see more states follow New York in adopting workplace violence prevention laws and using the California law as a blueprint.

What States Already Require

Here's a quick overview of some examples of other workplace violence prevention regulations already in place across various states:

- **Florida:** Under Florida's Convenience Business Security Act, convenience stores are required to implement safety measures such as installing security devices (e.g., cameras and drop safes) and providing employees with robbery deterrence and safety training (Fla. Stat. §§ 812.173 and 812.174). Noncompliance can result in a violation notice from Florida's Division of Alcoholic Beverages and Tobacco (Fla. Stat. § 812.175).
- **Texas:** Employers in Texas must post notices with contact information for reporting workplace violence or

suspicious activity to the Texas Department of Public Safety (Tex. Labor Code Ann. § 104A.001).

- **Healthcare Employers:** Many states have enacted workplace violence prevention laws targeting healthcare settings. Depending on the state, these laws vary widely, from basic to more comprehensive requirements. Below are some of the states with healthcare-related workplace violence laws and regulations:

- Arizona (Ariz. Rev. Stat. Ann. § 36-420.03)
- California (Cal. Code Regs. tit. 8, § 3342; Cal. Lab. Code § 6401.8)
- Colorado (Colo. Rev. Stat. Ann. § 25-3-128)
- Connecticut (Conn. Gen. Stat. Ann. §§ 19a-490q – 19a-490s)
- Illinois (405 Ill. Comp. Stat. Ann. 90/1 to 90/999)
- Kentucky (Ky. Rev. Stat. Ann. §§ 216.705 – 216.709)
- Louisiana (La. Stat. Ann. §§ 40:2199.11 – 40:2199.19)
- Minnesota (Minn. Stat. Ann. § 144.566)
- Missouri (Mo. Ann. Stat. § 574.203)
- Montana (Mont. Code Ann. § 39-2-221)
- Nevada (Nev. Rev. Stat. Ann. §§ 618.7301 – 618.7318)
- New Hampshire (N.H. Rev. Stat. Ann. §§ 277-C:1 – 277-C:2)
- New Jersey (N.J. Stat. Ann. §§ 26:2H-5.17 – 26:2H-5.23a)
- Oregon (Or. Rev. Stat. Ann. § 654.414)
- Rhode Island (23 R.I. Gen. Laws Ann. §§ 23-17.28-1 – 23-17.28-6)
- Texas (Tex. Health & Safety Code Ann. § 331.004)
- Washington (Wash. Rev. Code Ann. §§ 49.19.005 – 49.19.070)

If you are interested in more information on a specific state's workplace violence laws and regulations, please contact [Rachel Conn](#) and [Andrea Chavez](#).