



Risk
Resiliency™

NEW YORK
RETAIL WORKER
SAFETY ACT
WHITE PAPER

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Executive Summary

Workplace violence is a significant threat and risk for all organizations. Workplace violence can manifest in various forms, including:

- ⚠ Physical assaults
- ⚠ Written and verbal threats
- ⚠ Sexual harassment
- ⚠ Active shooter situations

These incidents not only jeopardize the safety, health, and well-being of employees, vendors, and visitors but also lead organizations to suffer significant reputational damage. The consequences of mishandling workplace violence can range from:

- Injured workers
- Increased worker's compensation insurance premiums
- Penalties and fines
- Legal action from victims' families
- Lost business revenue from adverse public perception

In this White Paper, Risk Resiliency will outline the essential components of a Workplace Violence Prevention Program (WVPP). Additionally, this White Paper considers the requirements of New York Senate Bill A8947C which all retail employers with more than ten employees will need to implement no later than March 3rd, 2025. The goal of the Retail Work Safety Act is training that includes 'measures that retail employees can use to protect themselves when faced with workplace violence.'



For additional information on Workplace Violence Prevention Plans, visit: [Risk Resiliency](#).

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Introduction and Purpose

The New York Retail Worker Safety Act (A8947C) aims to address workplace violence in retail settings. With incidents on the rise, this legislation requires retailers to implement policy, reporting, and training to protect their employees.

Key Requirements

1 Workplace Violence Prevention Policy

- Employers must adopt or develop a workplace violence prevention policy that meets or exceeds state standards by March 3, 2025.
- This policy must cover high-risk factors (e.g., working late hours, handling money) and include methods to mitigate violence risks. The policy must also provide information on a reporting system and access to appropriate worker's compensation for any injury sustained due to workplace violence.

2 Employee Training

- Employers are required to provide training on de-escalation tactics, emergency procedures, and active shooter drills.
- Training must also cover the use of security measures, including panic buttons.
- All retail employees must undergo this training upon hire and then on an annual basis.
- Includes a statement that retaliation for reports made by an employee of workplace violence is unlawful.
- Supervisors have a responsibility to address workplace specific emergency procedures and should receive training on previously identified security concerns.

3 Panic Buttons

- Employers with 500 or more retail employees nationwide must install panic buttons throughout the workplace by January 1, 2027.
- Panic buttons can be physical, wearable, or mobile and must alert local law enforcement when triggered. Mobile-based panic buttons are only permissible on employer-provided devices and cannot be used to track employees outside emergencies.

4 Notice and Documentation

- Employers must provide their workplace violence prevention policy and training materials in writing in the employee's primary language at the time of hire and during annual training.
- A reporting system that enables employees to express concerns of workplace violence or factors that might place the employee at risk of workplace violence.
- The Department of Labor will issue templates in English and additional languages as needed, based on the demographics of New York State's population.

Compliance Deadlines

- **Policy Adoption:** March 3, 2025
- **Annual Training:** Upon hire and annually
- **Panic Buttons:** January 1, 2027



NY Retail Worker Safety Act (A8947C) Compliance Checklist

Plan Components

The written plan must include and address:

- 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:
 - Working late night or early morning hours
 - Exchanging money with the public
 - Working alone or in small numbers
 - 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 workers and remedies available to victims of violence in the workplace and a statement that there may be applicable local laws.
- 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.
- Retail workplace violence prevention policy shall be provided to all employees in writing upon hire and annually thereafter.

Reporting Components

Reporting components must include and address:

- Implementing reporting system for incidents of workplace violence.

Training Components

- The NY Labor Department will produce a basic training module meeting the requirements. Company-created training must include the following.
- Training program addresses conduct by supervisors and any additional responsibilities for such supervisors such as response to emergencies.
- Includes ways to address workplace specific emergency procedures, and training on areas of previous security problems.
- As part of this training, every employer shall communicate to each employee a site-specific list of emergency exits and meeting places in case of emergency.
- Such workplace violence prevention training shall be provided to all retail employees upon hire and on an annual basis thereafter.



- Examples of measures that employees can take to protect themselves when faced with workplace violence from customers or others:
 - Training programs must include de-escalation topics for a retail setting.
 - Active Shooter drills.
 - Emergency procedures and response.
 - Employers with 500+ employees nationwide must provide panic buttons throughout the retail environment and training on their use.

Definitions

Employer: Any person, entity, business, corporation, partnership, limited liability company, or an association employing at least ten retail employees. The term shall not include the state, any political subdivision of the state, a public authority, or any other governmental agency or instrumentality.

Retail Employee: An employee working at a retail store for an employer.

Workplace: Any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of their employment by an employer.

Retail Store: A store that sells consumer commodities at retail and which is not primarily engaged in the sale of food for consumption on the premises.

Panic Button: A physical button that when pressed immediately contacts the local 9-1-1 public safety answering point ("PSAP"), provides that PSAP with employee location information, and dispatches local law enforcement to the workplace. A panic button may be a button that is installed in an easily accessible location in the workplace, or a wearable or mobile phone-based button.

Conclusion

Compliance with the New York Retail Worker Safety Act is essential to protecting retail employees from workplace violence. By meeting the deadlines and implementing the necessary measures, employers can create a safer environment and avoid legal penalties. Careful considerations must be made that both comply with the law and are appropriate for the company's culture.



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