

BUSINESS IN 2025

WEEKLY WEBINAR SERIES



Your Host



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TODAY'S AGENDA

Kerry Langan

- Welcome / Agenda

Thomas Eron (12:00 PM – 12:10 PM)

- NYS Legislation Update / Short-Term Disability Benefits

Candace Gomez (12:10 PM – 12:20 PM)

- New York State School Smartphone Ban

James McGrath and Camisha Parkins (12:20 PM-12:30 PM)

- Preparing for the Retail Worker Safety Act: What Retailers Need to Know

Kerry Langan (12:30 PM)

- Adjourn

The EU AI Act: What U.S. Companies Need to Know



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Agenda

- Overview
- Scope and applicability
- European Commission guidance
- Risk categories
- Implementation and enforcement timeline
- Sector-specific risks
- Recommendations and best practices

Overview

- Enacted in August 2024, the AI Act is the first comprehensive legal framework for AI with global impact
- Aims to ensure AI systems are human-centric, trustworthy, and safe
- Prioritizes health, safety, and protection of fundamental human rights
- Implements a risk-based approach: minimal, limited, high, or unacceptable

Scope and Applicability

- Similar to the EU's GDPR, the AI Act has extraterritorial reach
- Applies to:
 - EU-based organizations
 - Non-EU organizations, including those in the U.S.
- U.S. businesses must comply if:
 - AI systems are accessible by EU users
 - AI outputs are used within the EU, even if hosted abroad
- Physical presence in the EU is not required to trigger compliance
- Example: A NY-based company offering AI services to EU users may fall under the Act

European Commission Feb 2025 Guidance

- **Definition of “AI System” – Article 3(1)** *(Feb. 2025 Clarifying Guidance from European Commission)*

An AI system is defined as:

- A machine-based system
- Designed to operate with varying levels of autonomy
- May exhibit adaptiveness after deployment
- Pursues explicit or implicit objectives
- Infers outputs from input data
- Outputs include: Predictions, content, recommendations, decisions
- Outputs can influence physical or virtual environments

European Commission Feb 2025 Guidance

- **Prohibited AI Practices – Unacceptable Risk**
 - AI systems involving manipulation or deception
 - Exploitation of vulnerable populations (e.g., children, elderly)
 - Social scoring based on personal traits or behavior
 - Predictive policing using profiling data
 - Untargeted scraping of facial images for recognition
 - Emotion recognition in workplaces or schools
 - Biometric categorization and real-time remote biometric ID

Tiered Risk-Based Approach

- **Unacceptable Risk – Banned AI Systems**
 - Prohibited outright
 - Includes:
 - Real-time biometric surveillance in public
 - Social scoring
 - Manipulative behavioral targeting
 - Exploitative tools targeting vulnerable groups (e.g., minors)
- **High Risk – Strictly Regulated**
 - Applies to AI in:
 - Education, employment, healthcare, law enforcement, critical infrastructure
 - Must comply with:
 - Risk management and non-discrimination
 - Transparency and human oversight
 - Data quality and technical documentation
 - Requires conformity assessment and ongoing monitoring

Tiered Risk-Based Approach

- **Limited Risk – Transparency Required**
 - Systems like chatbots or deepfake tools
 - Obligations include:
 - Clear disclosure of AI interactions
 - Labeling of AI-generated content
- **Minimal or No Risk – Low Regulatory Burden**
 - Most AI tools (e.g., spam filters) fall here
 - No new compliance obligations

Implementation and Enforcement Timeline

- **Feb. 2, 2025**: Ban on unacceptable risk systems took effect.
- **Aug. 2, 2025**: Transparency rules for general purpose AI systems take effect.
- **Aug. 2025**: Expected publication of code of practices governing general purpose AI systems.
- **Feb. 2, 2026**: Expected publication of guidelines governing high risk AI systems.
- **Aug. 2, 2026**: High risk AI systems must comply with core obligations.
- **Aug. 2, 2027**: Providers of general-purpose AI models that have been put on the market prior to Aug. 2, 2025, will need to be compliant with the AI Act by Aug. 2, 2027. Extended compliance deadline for AI embedded in other regulated products like medical devices or vehicles.

Sector-Specific Impacts of the AI Act

- **Healthcare – High Risk AI**
 - Includes: Diagnostic tools, clinical support systems, software in medical devices
 - U.S. healthcare firms must:
 - Audit for fairness and bias
 - Implement strong risk controls
 - Maintain detailed documentation for EU market access
- **Manufacturing – AI in Physical Systems**
 - Covers AI in machinery, robotics, vehicles
 - Compliance requirements:
 - Technical standards
 - Transparency obligations
 - Manufacturers must start aligning with conformity assessments

Sector-Specific Impacts of the AI Act

- **Financial Services – High Risk Applications**
 - Includes: Credit scoring, fraud detection, AI underwriting
 - U.S. financial firms must:
 - Ensure models are explainable, fair, and secure
 - Conduct algorithmic impact assessments
 - Meet transparency obligations
- **Education – AI in Decision-Making**
 - Applies to: Exam scoring, applicant screening, performance evaluation
 - EdTech providers must:
 - Ensure accuracy and non-discrimination
 - Implement human oversight
 - Provide user disclosures and maintain records

Recommendations and Best Practices

- Inventory your AI Tools
- Avoid “Unacceptable Risk”
- Prepare for Compliance
 - Gather and retain technical documentation
 - Conduct risk assessments
 - Assign internal accountability
 - Develop an AI governance framework
 - Draft an AI Code of Conduct or Responsible Use Policy

New York State School Smartphone Ban



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Preparing for the Retail Worker Safety Act: What Retailers Need to Know



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Retail Worker Safety Act

- Amends New York Labor Law to add section 27-e
 - Most provisions went into effect on **June 2, 2025**
- Statewide legislation
- Intended to protect retail workers at a wide range of small to large-scale retailers from workplace violence

Coverage

- Covered employers include “any person, entity, business, corporation, partnership, limited liability company, or an association employing **at least ten retail employees.**”

Coverage

- The retail employees must work in a **retail store** that “sells consumer commodities.”
 - Excludes retailers who primarily “sell food for consumption on the premises”
 - Excludes employers of the state, any political subdivision of the state, a public authority, or any other governmental agency or instrumentality
- Retail stores include “any store that sells goods directly to the public at retail.”

Coverage

- Employees who primarily work at retail stores but are not employed by the retail store directly and are not involved in the selling of goods at retail, are covered by the Act (i.e. professional cleaners at retail stores).

Retail Worker Safety Act: Requirements

- Workplace Violence Prevention Policy
 - Effective **June 2, 2025**
- Workplace Violence Prevention Training Program
 - Effective **June 2, 2025**
 - Employers with at least 50 retail employees must provide workplace violence prevention training to all retail employees upon hire and on an annual basis thereafter.
 - Employers with fewer than 50 retail employees must provide workplace violence prevention training to all retail employees upon hire and once every two years thereafter.

Retail Worker Safety Act: Requirements

- Workplace Violence Prevention Training Program
 - The following **notices** must be provided at the annual or bi-annual training:
 - A notice containing the retail workplace violence prevention policy
 - A notice containing the information presented at the workplace violence prevention training program
- Retail Worker Requests for Assistance – Silent Response button
 - Effective **January 1, 2027**
 - Applies to covered employers with 500 or more retail employees **statewide**

Workplace Violence Prevention Policy

- Effective **June 2, 2025**, all employers with at least ten retail employees must:

Adopt the NYS Model policy or establish their own policy that meets or exceeds the minimum standards in the model policy.

Workplace Violence Prevention Policy

- The policy must include, at a minimum:
 - A list of factors or situations in the workplace that might place retail employees at risk of workplace violence
 - Methods that the employer may use to prevent incidents of workplace violence
 - Information concerning the federal and state statutory provisions concerning violence against retail workers and a statement that there may be applicable local laws
 - Remedies available to victims of violence in the workplace
 - A non-retaliation provision that prohibits retaliatory conduct retail employees who engage in any of the Act's protected activities

Workplace Violence Prevention Training

- Effective **June 2, 2025**, all employers with at least ten retail employees must:

Adopt the NYS Model retail workplace violence prevention training or establish their own training that meets or exceeds the minimum standards in the model training.

Workplace Violence Prevention Training

- The model training does not include store-specific information.
- As a result, employers utilizing the state's written model training must add worksite-specific or company specific information.

Workplace Violence Prevention Training

- Examples of worksite-specific or company specific information to include in the written training materials:
 - A worksite specific list of emergency exits or a floor map with emergency exits clearly marked;
 - The location where staff should meet in the event of an emergency;
 - Instructions on the emergency devices (e.g., fire alarms) that are utilized in the workplace, if any, and how they operate

Workplace Violence Prevention Training

- Examples of worksite-specific or company specific information to include in the written training materials:
 - Instructions on the security related devices utilized in the workplace, (e.g. personal response systems or panic alarms), and how they operate;
 - Additional store specific or company specific emergency procedures; and
 - Any history of security problems at their store location and how they should be addressed.

Workplace Violence Prevention Training

- Training must include, at a minimum:
 - information on the Retail Worker Safety Act requirements;
 - examples of measures retail employees can use to protect themselves when faced with workplace violence from customers or other coworkers;
 - de-escalation tactics;
 - active shooter drills;
 - emergency procedures;

Workplace Violence Prevention Training

- Training must include, at a minimum:
 - instruction on the use of security alarms, panic buttons, and other related emergency devices;
 - information addressing conduct by supervisors and any additional responsibilities for such supervisors, including ways to address workplace specific emergency procedures;
 - training on areas of previous security problems; and
 - a site-specific list of emergency exits and meeting places in case of emergency.

Workplace Violence Prevention Training

- Effective **June 2, 2025**, all employers with at least ten retail employees must conduct interactive workplace violence prevention training.
 - The DOL has released an interactive model retail workers violence prevention training video that is available for use at no cost. Use of the interactive training video is not required by the Act.
 - The video is broken into 4 parts with an interactive question after each unit.
 - The video takes 30 (uninterrupted) minutes. That is work time.
 - The video restates the model written training materials word-for-word.

Workplace Violence Prevention Training

Employers may choose to develop and use their own interactive training for their employees; however, it must meet all the minimum requirements outlined in the Act.

Link to the training video: <https://survey.alchemer.com/s3/8292836/NYSDOL-Retail-Workplace-Violence-Prevention-Training>

Model Training Video Preview

New York State Department of Labor's Model Retail Workplace Violence Prevention Training

Welcome to the New York State Department of Labor's Model Retail Workplace Violence Prevention Training. This training is part of a statewide effort to increase safety and security for New York State retail employees. It consists of 4 short training videos and a summary video. Each of the 4 training videos is followed by multiple choice questions to deepen your understanding. This training will take approximately 30 minutes to complete and must be completed in one sitting. Your progress will not be saved if you exit the training and return to it later.

Please provide your name and the name and address of the store where you work below. This information will only be used to ensure that your employer provided you with this New York State mandated training.

First Name *

Last Name *

Store Name *

Store Location *

NEXT

Key Takeaways Regarding the Retail Worker Safety Act

- We recommend that employers provide a copy or a link to the workplace violence prevention policy and the written workplace violence training to its retail employees.
- Employers should develop a means to track/monitor whether an employee has completed the training video.
- There is no posting requirement at this time.

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Sexual Harassment Prevention Training

To combat harassment in the workplace, every New York State employer must provide harassment prevention training for all employees annually.

For more information on Bond's online sexual harassment training [click here](#) or email bondonline@bsk.com

Thank You

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It is not to be considered as legal advice.
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