

LABOR AND EMPLOYMENT

INFORMATION MEMO

JUNE 9, 2025

New York State Department of Labor Releases Model Policy and Issues Model Training Materials for Retail Worker Safety Act

As we previously reported, on Sept. 5, 2024, Governor Kathy Hochul signed into law protections for retail employees statewide, mandating that New York retailers adopt safety measures to address and prevent workplace violence (“Retail Worker Safety Act”). Most provisions of the Retail Worker Safety Act (“RWSA”), making up section 27-e of the New York Labor Law, recently took effect on June 2, 2025, with additional provisions for larger retailers scheduled to go into effect on Jan. 1, 2027.

The RWSA applies to “any person, entity, business, corporation, partnership, limited liability company or an association employing at least ten retail employees.” The “retail employees” must work in a “retail store,” which is defined as “a store that sells commodities at retail and which is not primarily engaged in the sale of food for consumption on the premises.” The term “commodity” is not defined.

The Act requires all applicable New York retailers to develop and implement a workplace violence prevention policy, conduct workplace violence prevention training and provide retail employees with access to silent response buttons. On May 29, 2025, the New York State Department of Labor (“DOL”) released a model workplace violence prevention policy, model workplace violence prevention training and guidance on implementing the new law through answers to common frequently asked questions (“FAQs”).

The Model Retail Workplace Violence Prevention Policy

Labor Law §27-e(2) was enacted to require New York retailers to either adopt the state’s model policy or establish their own policy that meets or exceeds the minimum standards in the model policy. The beginning of the model policy makes clear that covered retail employers are encouraged to tailor the model policy to their own “workplace needs and company voice.” Some of the notable sections of the model policy include the following:

- **Risk Factors for Workplace Violence.** The model policy outlines a non-exhaustive list of workplace conditions that may constitute risk factors for workplace violence. The list includes some general work situations and others that are specific to certain workplaces. The policy instructs employers to include additional factors that may increase the risk of workplace violence at their own worksite if not already listed.
- **Preventing Workplace Violence.** This section highlights the training component of the Act as the required means by which New York retailers are to reduce the risk of workplace violence. The model policy also gives covered retail employers the option to establish and implement an incident reporting system for workplace violence incidents in addition to the workplace violence prevention training, as well as to adopt additional methods to prevent workplace violence that are best suited for their specific worksite.

- ***Retail Workers, Workplace Violence, and the Law.*** Under this section, the model policy summarizes the applicable federal laws and state statutory provisions concerning violence against retail workers, such as the RWSA, New York State Penal Law and the federal Occupational Safety and Health Act (“OSHA”). The section also includes a statement that there may be applicable local laws that apply to retail workers in the city, county, town or village in which an employer is located. Further, this section notes the required implementation of a silent response button for all retail employers with 500 or more employees across worksites in New York State by Jan. 1, 2027.
- ***Retaliation.*** The model policy contains specific language prohibiting retaliation against retail employees who engage in any of the law’s protected activities, including but not limited to complaining about or reporting incidents of workplace violence, complaining about or reporting factors or situations that may put workers at risk of workplace violence and testifying or assisting in any legal proceedings or investigations concerning workplace violence. The retaliation section of the model policy also lists examples of adverse actions an employer is prohibited from taking against a retail employee which range from termination to more minor acts, such as “changing an individual’s work assignment to a less desirable location.”

The Model Retail Workplace Violence Prevention Training

The written model retail workplace violence prevention training, which is fourteen pages long, generally aims to “increase employee awareness in the workplace and their ability to respond should a workplace violence incident occur.” Notably, the model training does not include store-specific information. As a result, employers who utilize the state’s written model training must add site specific or company specific information to their training, such as:

- 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;
- Instruction on the emergency devices (e.g., fire alarms) that are utilized in the workplace, if any, and how they operate;
- 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.

The Model Training Video

The DOL has also released an interactive model retail workers violence prevention training video that is available for retail employers to use at no cost. Use of the interactive training video is not required by the Act. 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.

RWSA Guidance

In addition to the model materials, the DOL published answers to common FAQs providing guidance on the implementation of the RWSA in retail workplaces. As for the Act’s training requirement, the DOL explains that a covered retail employer’s workplace violence prevention training must require an employee to provide input during the training and produce a response to the input they provide to be considered

“interactive” under the Act. This can be accomplished in a digital format.

Importantly, the DOL notes that retail employers who have developed their own retail workplace violence prevention policy or training must translate their policy and training template and provide the translations in their employees’ primary languages, if the DOL has provided a translation of their model policy and template in that language.

Employers should note that employees who primarily work on-site at a retail store are also covered by the Act even if they are not employed by the retail store directly and not involved in selling goods at retail (e.g., professional cleaners at retail stores). Moreover, all employees across a retail employer’s locations throughout New York State are covered by the RWSA.

Bond attorneys are available to guide covered employers through the implementation of the RWSA. If you have any questions about the information presented in this memo, please contact [James E. McGrath, III](#), [Camisha Parkins](#), any attorney in Bond’s [labor and employment practice](#), or the attorney at Bond with whom you are regularly in contact.

