# STATE OF NEW YORK

3065--B

2023-2024 Regular Sessions

# IN SENATE

January 27, 2023

Introduced by Sens. RAMOS, BROUK, JACKSON, RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to requiring training to reduce abusive conduct and bullying in the workplace

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Subdivisions 3, 4, and 5 of section 27-b of the labor law, as added by chapter 82 of the laws of 2006, are amended to read as follows:

3. Risk evaluation and determination. Every employer shall evaluate its workplace or workplaces to determine the presence of factors or situations in such workplace or workplaces that might place employees at risk of occupational assaults and homicides. Examples of such factors shall include, but not **be** limited to:

a. working in public settings (e.g., social services or other governmental workers, police officers, firefighters, teachers, public transportation drivers, health care workers, and service workers);

b. working late night or early morning hours;

c. exchanging money with the public;

d. working alone or in small numbers;

e. **abusive conduct and bullying in the workplace;**

**f.** uncontrolled access to the workplace; and

[~~f.~~] **g.** areas of previous security problems.

4. Written workplace violence prevention program. Every employer with at least twenty full time permanent employees shall develop and imple-

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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ment a written workplace violence prevention program for its workplace or workplaces that includes the following:

a. a list of the risk factors identified in subdivision three of this section that are present in such workplace or workplaces;

b. the methods the employer will use to prevent incidents of occupational assaults and homicides at such workplace or workplaces, including but not limited to the following:

(1) making high-risk areas more visible to more people;

(2) installing good external lighting;

(3) using drop safes or other methods to minimize cash on hand;

(4) posting signs stating that limited cash is on hand;

(5) providing training in conflict resolution and nonviolent self-defense responses; and

(6) establishing and implementing reporting systems for incidents of aggressive behavior**, abusive conduct, and bullying**.

5. Employee information and training. a. Every employer with at least twenty permanent full time employees shall make the written workplace violence prevention program available, upon request, to its employees, their designated representatives and the department.

b. Every employer shall provide its employees with [~~the following~~] information and training on **preventing and reporting workplace bullying and abusive conduct and** the risks of occupational assaults and homicides in their workplace or workplaces at the time of their initial assignment and annually thereafter:

(1) employees shall be informed of the requirements of this section, the risk factors in their workplace or workplaces, and the location and availability of the written workplace violence prevention program required by this section; and

(2) employee training shall include at least: (a) **how how to identify and report workplace bullying and abusive conduct and** the measures employees can take to protect themselves from such risks, including specific procedures the employer has implemented to protect employees, such as appropriate work practices, emergency procedures, use of security alarms and other devices, and (b) the details of the written workplace violence prevention program developed by the employer.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.