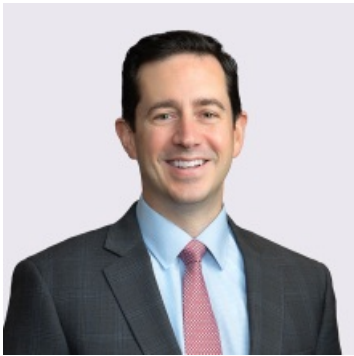


NYSDOL's Model Guidance for Workplace Safety + Violence Prevention Gives Retailers a Starting Point

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Meet the Authors

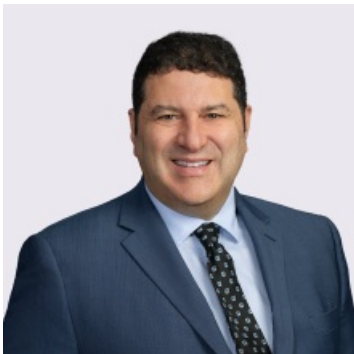


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Takeaways

- New York's Retail Worker Safety Act is now in effect; employers with at least 10 retail employees in New York State must adopt a retail workplace violence prevention policy and provide interactive retail workplace violence prevention training to all employees upon hire.
- Retail employers can customize NYSDOL's Model Policy and Training to include their own store-specific information to meet these requirements.
- The NYSDOL guidance recommends that retail employers provide a workplace violence incident reporting mechanism for employees and maintain records of incidents to evaluate and identify any trends.

Related links

- [Retail Worker Safety](#) (NYSDOL)
- [Implementing NY's Retail Worker Safety Act: A New Amendment Means Changes for Employers of All Sizes](#)
- [What Responsibilities Do Employers Have Under New York State's Retail Worker Safety Act?](#)

Article

The New York State Department of Labor (NYSDOL) has launched the much anticipated [guidance website](#) on the New York Retail Worker Safety Act (RWSA). The guidance answers retail employers' questions regarding implementation of the RWSA effective June 2, 2025.

The guidance also provides a Model Policy and Training employers can use as a starting point to create their own policy. Retail employers who use this Model Policy and Training are to include their own store-specific information, such as worksite emergency exits, meeting locations in an emergency, and instructions regarding emergency and security-related devices utilized in the workplace. The guidance also dictates that training take place during paid work time.

The RWSA applies to all New York State employers with at least 10 employees working at their retail store(s). Retail stores include any store that sells goods directly to the public at retail. They do not include businesses that primarily sell food to be eaten at the location, such as restaurants.

For employees who do not speak English as their primary language, employers must distribute the policy and training in English and in an employee's primary language. If an employee's primary language is not one for which the NYSDOL has provided a

translation, employers can distribute the English version of the policy.

Workplace Violence Prevention Policy

The NYSDOL allows employers to develop their own workplace violence prevention policy or adopt the Model Policy after customizing it for their workplace.

Employers wishing to develop their own workplace violence prevention policy must include:

1. Workplace violence risk factors;
2. Prevention methods;
3. Relevant state and local laws; and
4. An anti-retaliation statement.

Employers revising the Model Policy to suit their needs will likely want the advice of counsel.

Employers that choose to use an entirely customized policy must include a list of situations that might place employees at risk, including but not limited to:

- Working during late night or early morning hours;
- Exchanging money with the public;
- Working alone or in small numbers; and
- Operating in locations with uncontrolled public access.

The policy must also contain information on methods the employer may use to prevent incidents of workplace violence, such as establishing and implementing systems for employees to report such incidents. Information about federal and state laws concerning violence against retail workers, remedies available to victims of workplace violence, and a statement that there may be local laws that apply concerning violence against retail workers must be part of the policy. Finally, an anti-retaliation statement must be included. The guidance provides several methods for employees to report retaliation if they are punished, disciplined, or terminated for exercising their rights under the RWSA. While the NYSDOL states that having an internal reporting system for workplace violence incidents and maintaining records of reports is not required, these best practices are valuable in demonstrating compliance.

Workplace Violence Prevention Training

The NYSDOL states that retail employers must provide interactive workplace violence prevention training. An optional written template for that training is available and, as of the date of this article, a training video is pending.

In addition to these Model Training resources, employers can provide their own training as long as it aligns with the law's requirements. Seeking the support of outside counsel in customizing training could benefit employers in their compliance efforts. Employers must provide employees with a written version of the interactive training at the time of the training, and training must take place during paid work time.

Any training provided to employees on workplace violence prevention must include:

- An overview of the RWSA's requirements;
- Tactics for protecting against and de-escalating workplace violence;
- Workplace security features and procedures like exits, meeting places, or security alarms;
- The roles of supervisors and managers in the reporting and response to incidents of workplace violence; and
- Active shooter procedures.

Employers interested in using custom-crafted training should contact an attorney for support or refer to Labor Law Section 27-e for the minimum requirements.

Implications for Employers

The guidance calls for retail employers to distribute their workplace violence prevention policy when employees are first hired, then once a year thereafter.

For workplace violence prevention training, all covered retail employers must train their employees upon hire. Thereafter, employers with at least 50 employees must conduct training annually, and those with 10 to 49 employees must provide training every two years.

Silent response buttons and training on their use will be required for retail employers with at least 500 retail employees statewide by Jan. 1, 2027.

For support developing RWSA-compliant policies or customized training programs, please contact a Jackson Lewis attorney in our [Retail](#) and [Workplace Safety and Health](#) groups.

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