

NEW YORK STATE AMENDS WORKPLACE VIOLENCE PREVENTION LAW TO APPLY TO SCHOOL DISTRICTS

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In September 2023, Governor Hochul signed an amendment to New York Labor Law § 27-b requiring public school districts, charter schools, and boards of cooperative educational services (BOCES) to create and implement workplace violence protection programs. This requirement became effective January 4, 2024.

School districts must develop a written workplace violence policy statement that describes the district's goals and objectives for workplace violence prevention. The policy statement must be posted in a location where employee notices are normally posted. School districts must also evaluate each building to determine what factors or situations exist that may place employees at risk of workplace violence.

Workplace violence prevention programs must be developed by school districts along with the participation of appropriate bargaining association(s), and include:

- A list of the risk factors identified in the workplace evaluation (i.e., working in public settings, working late night or early morning hours, uncontrolled access to the workplace and areas of previous security problems);
- The methods and controls the employer will use to address specific hazards and prevent workplace violence incidents (i.e., making high-risk areas more visible to more people, installing good external lighting, and establishing and implementing reporting systems for incidents of aggressive behavior);
- A reporting system for any workplace violence incidents that occur in the workplace;
- A written outline or lesson plan for employee training;
- A plan for program review at least annually.

The district's workplace violence prevention program must be made available, upon request, to all employees, designated employee representatives, and the New York Department of Labor. Employees must also be informed annually of the requirements of § 27-b, the risk factors identified in the workplace, and the location of the written workplace violence prevention program.

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Importantly, school districts must provide employees with annual training on the details of the workplace violence prevention program and how they can protect themselves from risks of workplace violence (including specific procedures implemented by the employer).

The amended law sets out a timeline for compliance as follows:

- The workplace risk evaluation must be completed by March 4, 2024;
- The written workplace violence prevention program must be completed by March 19, 2024; and
- School Districts must be in full compliance by May 3, 2024.

If you have any questions about your district's obligations under this newly amended law, please contact [Lindsay Menasco](#) (716.848.1214), [Ryan Everhart](#) (716.848.1718), Luisa Bostick (716.848.1705), or any other member of the Hodgson Russ Education Practice.

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