

Workplace Violence Prevention State Laws: Overview

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A Practice Note providing an overview of state workplace violence prevention laws. This Note discusses requirements regarding workplace violence prevention plans, safety committees, and training for health care and other employers. It also discusses state laws with procedures for employers to obtain a temporary restraining order (TRO) or other injunctive relief to prohibit further violence at the workplace. To compare state laws, see [Quick Compare Chart, Workplace Violence Prevention State Laws](#).

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Workplace violence is a leading cause of fatal occupational injuries in the US (see [Bureau of Labor Statistics: National Census of Fatal Occupational Injuries in 2023](#)). Workplace violence may include acts:

- Directed at employees or other individuals present at the workplace (for example, customers, clients, or patients).
- Committed by a current employee, former employee, or another person (for example, someone with no legitimate business at the worksite, including a person who has or previously had a personal relationship with an employee).

Employers should take certain steps to prevent violence in the workplace. In addition to best practices for providing a safe work environment, certain actions may be required under applicable law. This Note provides an overview of the different types of state law workplace violence prevention requirements. To compare state laws in more detail, see [Quick Compare Chart, Workplace Violence Prevention State Laws](#).

Legal Landscape Governing Workplace Violence Prevention

There is no specific federal [Occupational Safety and Health Administration](#) (OSHA) health and safety standard requiring workplace violence prevention plans or otherwise addressing workplace violence. Congress has recently introduced legislation directing the Secretary of Labor to issue an occupational safety and health standard requiring covered employers in the health care and social service industries to develop and implement a comprehensive workplace violence prevention plan (see [H.R.2663 – 118th Congress \(2023-2024\)](#)).

While there is no federal standard yet, implementing a workplace violence prevention plan can help employers comply with the [Occupational Safety and Health Act's](#) (OSH Act) [general duty clause](#), which requires employers to provide a workplace "free from recognized hazards that are likely to cause death or serious physical harm" ([29 U.S.C. § 654\(a\)\(1\)](#)). States with their own occupational safety and health plans approved by the federal OSHA have made similar declarations regarding workplace violence and their state's equivalent general duty clause (for example, see [Hawaii Occupational Safety and Health: Enforcement Procedures and Scheduling for Occupational Exposure to Workplace Violence](#) (adopting OSHA directive)).

In the absence of specific federal law requirements, many states have enacted laws in this space. These state laws address, for example:

- Workplace violence prevention requirements, including:
 - written policies, plans, or programs;
 - employee training;
 - safety committees; and
 - recordkeeping and reporting of workplace violence incidents.
- Procedures for employers to seek [injunctive](#) relief to prevent further workplace violence incidents.

Many state workplace violence prevention laws apply specifically to health care employers due to risks unique to those work settings (see [Health Care Employers](#)). However, certain laws have broader applicability to cover most employers (see [Other Employers](#) and [Employer-Initiated Injunctive Relief](#)).

Leave laws for victims of violent acts and criminal statutes addressing classification of and penalties for violent crimes are beyond the scope of this Note.

For more on workplace violence, see:

- [Practice Note, Workplace Violence.](#)
- [Minimizing Workplace Violence Checklist.](#)
- [Standard Document, Workplace Violence Policy.](#)
- [Standard Document, Protocols for Responding to Violence or Threats of Violence at the Workplace.](#)
- [Workplace Violence Prevention Communication and Response Strategies: Presentation Materials.](#)
- [Workplace Violence Prevention Training for Employees: Presentation Materials.](#)
- [Workplace Violence Prevention Training for Supervisors: Presentation Materials.](#)

For more on workplace bullying, see [Practice Note, Bullying in the Workplace](#) and [Standard Document, Workplace Anti-Bullying Policy](#).

Scope of Coverage of State Laws

Health Care Employers

OSHA recognizes that workers in hospitals, nursing homes, and other health care settings face significant risks of workplace violence. Historical statistics have shown that the rate of serious workplace violence incidents (meaning those requiring days off for an injured worker to recover) is far greater in health care than in the private industry. Many factors contribute to this risk, including working directly with people (for example, patients or residents) who:

- Have a history of violence.
- May be delirious or under the influence of drugs.

(See [OSHA: Preventing Workplace Violence in Healthcare](#).)

Some states, such as Illinois, New Jersey, and Washington, have outlined specific legislative findings and declarations that:

- Violence is an escalating problem in many health care workplaces in those states and states across the nation.
- Although workplace violence is an increasing problem for many workers, health care workers are at particularly high risk.
- The actual incidence of workplace violence in health care workplaces is likely to be greater than documented because of the failure to report these incidents or failure to maintain records of incidents that are reported.
- Violence against health care workers exacts a significant toll on victims, coworkers, patients, families, and visitors.

- Negative effects that workplace violence has on health care facilities include insurance claims, lost productivity, disruptions to operations, legal expenses, and property damage.
- Patients, visitors, and health care employees should be assured a reasonably safe and secure environment in a health care workplace.
- Health care workers who leave their occupations because of workplace violence contribute to the general shortage of health care professionals.
- Many health care workplaces have undertaken efforts to ensure that patients, visitors, and employees are safe from violence, but additional personnel training and appropriate safeguards may be needed to prevent workplace violence and minimize the risk and dangers affecting people in connection with the delivery of health care.

(405 Ill. Comp. Stat. Ann. 90/5; N.J. Stat. Ann. § 26:2H-5.18; Wash. Rev. Code Ann. § 49.19.005.)

Because of these risks and stakes, many states have enacted workplace violence prevention laws specifically for health care employers. These state laws vary considerably in terms of their requirements, from minimal to comprehensive. They include:

- Arizona ([Ariz. Rev. Stat. Ann. § 36-420.03](#)).
- California ([Cal. Code Regs. tit. 8, § 3342](#); [Cal. Lab. Code § 6401.8](#); for California law applicable to other employers, effective July 1, 2024, see [Other Employers](#)).
- Colorado ([Colo. Rev. Stat. Ann. § 25-3-128](#)).
- Connecticut ([Conn. Gen. Stat. Ann. §§ 19a-490q – 19a-490s](#)).
- Illinois ([405 Ill. Comp. Stat. Ann. 90/1 to 90/999](#)).
- Kentucky ([Ky. Rev. Stat. Ann. §§ 216.705 – 216.709](#)).
- Louisiana ([La. Stat. Ann. §§ 40:2199.11 – 40:2199.19](#)).
- Minnesota ([Minn. Stat. Ann. § 144.566](#)).
- Missouri ([Mo. Ann. Stat. § 574.203](#)).
- Montana ([Mont. Code Ann. § 39-2-221](#)).
- Nevada ([Nev. Rev. Stat. Ann. §§ 618.7301 – 618.7318](#)).
- New Hampshire ([N.H. Rev. Stat. Ann. §§ 277-C:1 – 277-C:2](#)).
- New Jersey ([N.J. Stat. Ann. §§ 26:2H-5.17 – 26:2H-5.23a](#)).

- Oregon ([Or. Rev. Stat. Ann. § 654.414](#)).
- Rhode Island (23 [R.I. Gen. Laws Ann. §§ 23-17.28-1 – 23-17.28-6](#)).
- Texas ([Tex. Health & Safety Code Ann. § 331.004](#); for Texas law applicable to other employers, see [Other Employers](#)).
- Washington ([Wash. Rev. Code Ann. §§ 49.19.005 – 49.19.070](#)).

Health care employers must review the definitions in the relevant state statute to see which health care facilities are covered under the law, such as:

- Hospitals.
- Skilled nursing facilities.
- Ambulatory surgical centers.
- Emergency medical services and medical transport.
- Mental hospitals.
- Home health services agencies.

Some state laws may also limit coverage based on the number of employees a health care facility employs or contain certain exclusions (for example, [Ariz. Rev. Stat. Ann. § 36-420.03\(K\)\(1\)](#)).

Other states may also specifically define covered health care employees to be individuals with involvement in direct patient care or contact (for example, [Conn. Gen. Stat. Ann. § 19a-490q\(a\)\(2\)](#)).

Other Industries

Some laws may apply to other specific industries, such as retail and hospitality. For example, in 2024, New York enacted a [retail worker safety act](#) (parts of which become effective March 4, 2025 and January 1, 2027), which applies to employers with at least ten retail employees working at a retail store for an employer (with certain provisions applying to employers with 500 or more retail employees nationwide) ([N.Y. Lab. Law § 27-e](#)); see also [N.J. Stat. Ann. § 29:4-10](#) (applying to defined hotel employers)).

Broad Employer Coverage

A limited number of states have enacted workplace violence prevention laws applicable to employers more broadly, with certain exclusions, including:

- California ([Cal. Lab. Code § 6401.9](#)) (effective July 1, 2024).

- Texas ([Tex. Labor Code Ann. §§ 104A.001 - 104A.003](#)).

Employers in these states must review the statute's definitions and exemptions to evaluate coverage. For example, California's law does not apply to remote employee or places of employment with less than ten employees and inaccessible to the public (as well as other exclusions) ([Cal. Lab. Code § 6401.9](#)).

Many states also have laws enabling employers to obtain injunctive relief to prevent further acts of workplace violence (see [Employer-Initiated Injunctive Relief](#)).

Additional Categories of Employer Coverage

Some state laws apply specifically to other categories of employers, such as government employers. For example, New York requires public employers to develop and implement programs to prevent workplace violence ([N.Y. Lab. Law § 27-b](#)).

Workplace Violence Prevention Requirements

Policies and Plans

State law may require the health care (or other) employer to adopt, implement, and enforce:

- A workplace violence prevention policy.
- A workplace violence prevention plan or program.

Depending on state law, the required elements of a policy or plan may include:

- A definition of workplace violence.
- Names or job titles of individuals responsible for implementing the plan.
- Procedures for actively involving employees and authorized employee representatives in developing and implementing the plan.
- Strategy considerations regarding physical attributes of the workplace (for example, security systems and alarms).
- Staffing considerations, including security personnel.
- A system for responding to and investigating violent incidents or potentially violent incidents.
- Procedures for communicating with employees regarding workplace violence matters and emergencies.

- Employee training development (see [Employee Training](#)).
- Anti-[retaliation](#) provisions for reporting workplace violence (including reports to law enforcement or social services agencies).
- Procedures for identifying and (correcting if possible) workplace violence hazards and risks. For fixed workplaces and the surrounding areas (for example, employee parking lots), this may include evaluating:
 - illumination;
 - escape routes;
 - entryways where unauthorized entrance may occur; and
 - crime rates in surrounding areas.
- Providing timely medical care or first aid to any injured individuals.
- Evaluating the plan's effectiveness on a regular basis (for example, annually or every few years).

Specific procedures for health care employers may include:

- Identifying or assessing patient risk factors, such as a patient's:
 - mental status and conditions that may cause a patient to behave unpredictably, disruptively, uncooperatively, or aggressively;
 - treatment and medication status, type, and dosage;
 - history of violence; or
 - display of disruptive or threatening behavior.
- Adjusting patient care assignments.
- Configuring facility spaces (for example, treatment areas and patient rooms) so that employee access to doors and alarm systems cannot be impeded by a patient.
- Correcting furnishings and other objects that may be used as improvised weapons in areas where potentially violence patients may be present.
- Storing pharmaceuticals in a secure area.

- Addressing security risks associated with specific units, areas of the health facility with uncontrolled access, late night or early morning shifts, or health care workers working alone.
- Documenting and communicating information regarding conditions that may increase the potential for workplace violence incidents to other health care workers and between shifts and units.

(For example, [Cal. Lab. Code § 6401.9](#); [N.Y. Lab. Law § 27-e](#) (retail employers); [Cal. Code Regs. tit. 8, § 3342](#) (health care employers); [Tex. Health & Safety Code Ann. § 331.004](#) (health care employers); [Conn. Gen. Stat. Ann. § 19a-490q](#) (health care employers); [Ky. Rev. Stat. Ann. § 216.705](#) (health care employers); [Minn. Stat. Ann. § 144.566](#) (health care workers).)

Some laws acknowledge that an employer's workplace violence prevention program should consider the employer's particular size, setting, complexity, and other employer-specific factors (for example, [Wash. Rev. Code Ann. § 49.19.070](#) (health care employers)).

To compare state laws with workplace violence prevention policy or plan requirements, see [Quick Compare Chart, Workplace Violence Prevention State Laws](#).

For sample policy and procedures employers can adapt to include state law requirements, see [Standard Documents, Workplace Violence Policy](#) and [Protocols for Responding to Violence or Threats of Violence at the Workplace](#).

For more on developing health and safety programs in general, see [Practice Note, Workplace Safety and Health Programs](#).

Safety Committees

State law may require the employer to establish a workplace violence prevention committee. The law may address:

- Which employees the committee must include (for example, a minimum number of registered nurses, physicians, security personnel, or members with workplace violence prevention expertise).
- Existing workplace committees established under a [collective bargaining agreement](#) (CBA) or other law.

(For example, [Tex. Health & Safety Code Ann. § 331.002](#) (health care employers); [Nev. Rev. Stat. Ann. § 618.7312\(1\)](#) (health care employers); [N.J. Stat. Ann. § 26:2H-5.20](#) (health care workers).)

Employee Training

State law may contain training requirements either as separate provisions or as part of a workplace violence prevention program (see [Policies and Plans](#)).

Training requirements may include:

- Providing training:
 - when employees start their employment or new job duties;

- annually; and
- after identifying a previously unrecognized hazard.
- Information regarding:
 - the employer's workplace violence prevention plan;
 - recognizing potentially violent situations;
 - reporting workplace violence incidents or concerns; and
 - workplace violence hazards specific to employees' jobs.
- Active shooter drills.
- Cultural competency training and diversity, equity, and inclusion training (see also [Practice Note, Diversity, Equity, and Inclusion \(DEI\) in the Workplace](#)).
- Training specific to health care settings, such as:
 - obtaining patient history from a patient with a history of violent behavior;
 - identifying potentially violent or abusive situations, including aggression and violence predicting factors;
 - verbal and physical techniques to deescalate and minimize violent behavior;
 - avoiding physical harm and minimizing the use of restraints;
 - using restraining techniques, as permitted and governed by law; and
 - resources available to health care workers for coping with incidents of violence, including critical incident stress debriefing or [employee assistance programs](#).

(For example, [Cal. Lab. Code § 6401.9\(e\)](#); [N.Y. Lab. Law § 27-e](#) (retail employers); [Ariz. Rev. Stat. Ann. § 36-420.03\(D\)](#) (health care employers); [405 Ill. Comp. Stat. Ann. 90/20](#) (health care employers); [Minn. Stat. Ann. § 144.566](#) (health care employers); [Nev. Rev. Stat. Ann. § 618.7313](#) (health care employers); [R.I. Gen. Laws Ann. § 23-17.28-5](#) (health care employers); [Wash. Rev. Code Ann. § 49.19.030](#) (health care employers).)

To compare state laws with workplace violence prevention training requirements, see [Quick Compare Chart, Workplace Violence Prevention State Laws](#).

For sample training materials that employers may modify to meet the requirements of applicable state law, see:

- [Workplace Violence Prevention Communication and Response Strategies: Presentation Materials.](#)
- [Workplace Violence Prevention Training for Employees: Presentation Materials.](#)
- [Workplace Violence Prevention Training for Supervisors: Presentation Materials.](#)

For more on health and safety training and employee training in general, see [Practice Note, Employee Training: Best Practices](#) and [Workplace Health and Safety Training Checklist](#).

Panic Buttons

Some laws may require certain employers to provide access to panic buttons in the workplace (for example, see [N.Y. Lab. Law § 27-b\(5\)](#) (effective January 1, 2027); [N.J. Stat. Ann. § 29:4-10](#)).

Recordkeeping and Reporting

State law may contain specific requirements for employers as separate provisions or as part of the workplace violence prevention plan requirements (see [Policies and Plans](#)) regarding recordkeeping, reporting, or posting obligations. This may include requirements for:

- Maintaining records of workplace violence incidents, investigations, hazard identification and correction, and employee training (for example, [Cal. Lab. Code § 6401.9\(d\), \(f\)](#); [405 Ill. Comp. Stat. Ann. 90/25](#) (health care employers); [Mont. Code Ann. § 39-2-221](#) (health care employers); [Nev. Rev. Stat. Ann. § 618.7316](#) (health care employers); [R.I. Gen. Laws Ann. § 23-17.28-6](#) (health care employers); [Wash. Rev. Code Ann. § 49.19.040](#) (health care employers)).
- Reporting workplace violence incidents to the relevant state agency (for example, [Conn. Gen. Stat. Ann. § 19a-490r](#) (health care employers); [Nev. Rev. Stat. Ann. § 618.7318](#) (health care employers)).
- Reporting workplace violence incidents to the employer's local law enforcement agency (for example, [Conn. Gen. Stat. Ann. § 19a-490s](#) (health care employers)).
- Posting notices with information:
 - for reporting workplace violence incidents or suspicious activity (for example, [Tex. Labor Code Ann. § 104A.002](#)); or
 - warning of felony prosecution of assaults on health care workers (for example, [Ariz. Rev. Stat. Ann. § 36-420.03](#); [La. Stat. Ann. § 40:2199.13](#)).
- Confidentiality (for example, [R.I. Gen. Laws Ann. § 23-17.28-3](#) (health care employers)).

To compare state laws with workplace violence prevention recordkeeping requirements, see [Quick Compare Chart, Workplace Violence Prevention State Laws](#).

For more on recordkeeping and reporting obligations under the OSH Act and OSHA standards, see [Practice Note, OSHA Injury and Illness Recordkeeping](#) and [OSHA Injury and Illness Recordkeeping Checklist](#).

For more on federal and state posting requirements in general see [Federal and State Required Workplace Postings Toolkit](#).

Employer-Initiated Injunctive Relief

Many state laws have detailed procedural rules permitting employers to seek injunctive relief from state court prohibiting further violent acts or threats at the workplace. These laws are intended to assist employers in protecting their employees (as well as their customers, guests, and property) by limiting access to the workplace by potentially violent individuals.

To compare state laws with procedures for employers to seek injunctive relief, see [Quick Compare Chart, Workplace Violence Prevention State Laws](#).

Covered Circumstances

These state laws apply under defined circumstances where an employer or the employer's employee has suffered or received threats of unlawful violence either:

- At the worksite.
- While an employee is performing job duties for the employer.

Violent acts may include, for example:

- Assault.
- Battery.
- Property damage.
- Following or stalking an employee to or from the place of work.
- Entering the workplace of an employee.
- Following an employee during hours of employment.
- Telephone calls to an employee.
- Correspondence with an employee (for example, by email).

Procedures and Available Relief

Employers must follow the specific procedures outlined in the state's law to obtain a court order (for example, notice requirements or circumstances where the court may grant [ex parte](#) relief).

Judicial relief available under state law may include:

- [Temporary restraining orders](#) (TRO).
- [Preliminary injunctions](#).
- Permanent injunctions.

If granted, the injunctive relief typically prohibits further unlawful violence or threats of violence by the offending individual:

- At the targeted employee's workplace.
- While the targeted employee is acting within the course and scope of employment with the employer.

Specifically, the temporary or extended order may:

- Enjoin the person who allegedly committed the violent act from visiting or contacting the employer or employees while performing employment duties or present at the employer's workplace.
- Order the person who allegedly committed the violent act to stay away from the employer's workplace.
- Include a provision ordering any law enforcement officer to arrest a person who violates the order.
- Include language stating the consequences of a knowing violation (for example, a fine or imprisonment).
- Order other relief deemed necessary or appropriate by the court.

(For example, [N.C. Gen. Stat. Ann. § 95-264](#).)

Employer Protections

These state laws may contain express protections for employers that use (or do not use) these procedures. For example, state law may provide that:

- An employer is presumed to be acting in good faith (absent evidence to the contrary) and immune from civil liability for seeking an order.

- Any employer that does **not** use these procedures cannot be held liable for negligence for failing to do so.

(For example, [Ark. Code Ann. § 11-5-115\(f\), \(g\)](#); [Nev. Rev. Stat. Ann. § 33.340](#); [Utah Code Ann. § 78B-7-1108](#).)

Union Considerations

State laws may allow an employee's [collective bargaining](#) representative to make this application for relief (for example, [Cal. Civ. Proc. Code § 527.8](#)).

State laws may also specifically exclude [union](#) activity from the types of acts covered (for example, union organizing, labor disputes, or other activity protected under the [National Labor Relations Act](#) (NLRA)) (for example, [Ark. Code Ann. § 11-5-115\(h\)\(1\)](#); [820 Ill. Comp. Stat. Ann. 275/120 and 275/130](#); [R.I. Gen. Laws Ann. § 28-52-2\(g\)](#); [Utah Code Ann. § 78B-7-1109\(3\)](#)).