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Model Retail Workplace Violence Prevention Training

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Introduction

Workplace violence refers to any act or threat of physical violence, abuse, harassment, or intimidation against an employee that occurs at the workplace. Workplace violence can occur across all different kinds of industries and occupations. This training is part of a statewide effort to increase safety and security for New York State retail employees.

Through this training employees will learn:

1. The specific actions retail employers must take to promote worker safety under New York State Labor Law.
2. De-escalation techniques including how to recognize the signs of violence and determine the appropriate course of action when confronted with a violent situation.
3. Emergency procedures and evacuation plans, including instruction on any emergency related devices the store utilizes.
4. Actions to take and how to prepare for an active shooter situation.
5. About reporting systems for incidents of workplace violence.

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The goal of this training is to increase employee awareness in the workplace and their ability to respond should a workplace violence incident occur. The subject matter of this training may be difficult for some based on past experiences. Employees are encouraged to communicate with their supervisor to take breaks from this training as needed.

Unit 1: The New York State Retail Worker Safety Act

New York State is committed to the safety and security of retail employees in the State. To increase worker safety and reduce the risk of violence to retail employees, New York State has enacted the Retail Worker Safety Act (NYS Labor Law, Section 27-e).

Under the Retail Workers Safety Act, all employers with 10 or more retail employees must take specific action to prevent workplace violence. As required by Labor Law, retail employers with 10 or more employees must:

- Adopt a workplace violence prevention policy and provide a copy of that policy to all employees.
- Train employees on workplace violence prevention every one to two years, depending on the number of retail workers employed.

Starting January 1, 2027, all retail employers with 500 or more employees across worksites in New York State must:

- Provide employees with a silent response button. This button must be able to request immediate assistance from a security officer, manager, or supervisor in case of emergency.
- Provide employees with training on the use of a silent response button.

The Retail Workplace Violence Prevention Policy

[**Employer Name**] workplace violence prevention policy must be distributed to employees when they are first hired and then on a yearly basis.

In addition, the policy must include:

1. A list of factors or situations that might place you at risk of workplace violence.
2. The methods your employer may use to prevent incidents of workplace violence including, but not limited to, establishing and implementing reporting systems.

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3. Information about federal and state laws concerning violence against retail workers and the remedies available to victims of workplace violence.
4. A statement that retaliation against workers who complain about workplace violence or situations that may give rise to workplace violence, or who testify or assist in any legal proceeding, is against the law.

The Retail Workplace Violence Prevention Training

[**Employer Name**] must provide Retail Workplace Violence Prevention Training to all employees when they are first hired. In addition:

- Employers with 50 or more employees must provide workplace violence prevention training once a year.
- Employers with 49 or fewer employees must provide training every two years.

Your employer's Retail Workplace Violence Prevention Training must include information and instruction on:

1. The requirements of the Retail Worker Safety Act, including duties of the employer under this law
2. Measures retail workers can take to protect themselves when faced with workplace violence
3. De-escalation tactics
4. Active shooter drills
5. Emergency procedures, emergency exits, and meeting places in the event of emergency
6. The use of security alarms or buttons and other related emergency devices
7. Conduct and responsibilities of supervisors and managers, including ways to address workplace specific emergency procedures and training on areas of previous security problems

Filing a Complaint with NYSDOL

[Note to employer: you may include your organization-specific or store-specific information for reporting here.]

If you believe [**Employer Name**] is in violation of the Retail Workers Safety Act, you may fill out our on line complaint form <https://forms.ny.gov/s3/SHER-SH550>, send a completed SH 550 Complaint Form to retailworkersafety@labor.ny.gov or print and mail a completed SH 550 complaint form to:

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Safety, Health, and Essential Rights
1220 Washington Ave
Building 12, Room 169
Albany, NY 12226

Retaliation

Retaliation against employees by an employer upon learning that the employee has engaged in the following activities is unlawful, for example:

- Complained about or reported incidents of workplace violence
- Complained about or reported factors or situations that may put workers at risk of workplace violence
- Testified or assisted in any legal proceedings or investigations concerning workplace violence

Adverse actions are actions taken by an employer that would dissuade a reasonable employee from engaging in any of the law's protected activities. This includes actions taken by supervisors and managers. Examples of adverse actions may include but are not limited to:

- Demotion, termination, reducing hours, reducing pay, or assigning less desirable shifts
- Reducing work responsibilities, passing the employee over for a promotion, or changing an individual's work assignment to a less desirable location
- More intensive or critical supervision or the assignment of more difficult duties

[Note to employer: you may include your organization-specific or store-specific information for reporting here.]

- Any retail employee who believes they are the victim of workplace retaliation may file a complaint with the New York State Department of Labor by filling out our on line complaint form <https://forms.ny.gov/s3/SHER-SH550>, send a completed SH 550 Complaint Form to retailworkersafety@labor.ny.gov or print and mail a completed SH550 complaint form to:

Safety, Health, and Essential Rights
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For questions or concerns on retaliation please call 518-457-3839 or email retailworkersafety@labor.ny.gov

Unit 2: Understanding De-escalation

De-escalation refers to the use of communication or other techniques during an encounter to stabilize, slow, or reduce the intensity of a potentially violent situation without using physical force, or with a reduction in force. The information provided here is intended to help employees recognize when de-escalation may be effective. However, these are some tools among a variety of options that may be available to employees when responding to real-life situations. Employees must use their best judgement in each unique situation.

To effectively de-escalate a volatile situation, you need to be able to take these four broad actions:

- **1st: Recognize** the warning signs and behavioral indicators of someone on the path to violence.
- **2nd: Assess** concerning behavior or suspicious activity to determine the appropriate response
- **3rd: De-escalate** a situation by taking purposeful actions to calm volatile situations, if safe to do so.
- **4th: Report** behaviors that raise concern or incidents that are escalating.

This unit will walk you through the steps of each of these actions.

Recognize Warning Signs

To de-escalate a situation, you need to be able to recognize the warning signs that someone may be on the path to violence.

Warning signs for violence include a combination of personal stressors, changes in a person's normal behavior, and certain observable behaviors. Several of these warning signs including personal stressors and changes in behavior are most easily observed by co-workers, peers, friends, and family. But there are some physical indicators of aggression that can be used to determine if a stranger is hostile.

Warning Signs: Personal Stressors

Personal stressors refer to situations that may cause strain or tension in an individual's personal or professional life. Examples of personal stressors include:

- Financial difficulties

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- The death of a loved one
- Demotion or termination
- Addiction
- Break-up or divorce
- Conflict with peers, co-workers, or managers

Warning Signs: Changes in Behavior

Changes in a person's normal behavior include observed differences in a person's typical mood and everyday activity. Examples include:

- A typically outgoing person becoming socially isolated.
- A typically hard-working person who no longer cares about work.
- A person who develops new ideas or beliefs that promote violence.

Warning Signs: Observable Behaviors

Observable behaviors refer to both physical behaviors and specific actions that are most easily observed by a peer, coworker, or someone with regular contact with an individual.

Examples of behaviors observable by peers include:

- Disgruntlement toward peers
- Unwillingness to follow rules or policies
- Stalking, harassing or bullying
- Making inappropriate jokes or comments about violence
- Threats of violence
- Fascination with past incidents of workplace violence
- New or increased interest in weapons
- Asking about security outside of assigned roles and responsibilities

Warning Signs: Physical Behaviors

Physical behaviors can be observed by strangers or people with whom you have not had previous contact. For new customers or strangers in the store you will need to rely on observing physical behaviors to determine if an individual is potentially hostile.

Examples of physical behaviors include:

- A clenched jaw
- Balled fists
- Pacing or restlessness

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- Trembling or shaking
- Violating others' personal space
- Being argumentative or uncooperative

It is important to remember that just because an individual is demonstrating one or more of these warning signs, it does not necessarily mean their intent is to cause harm. To determine if there is a threat of violence requires a broader assessment. However, noticing the warning signs is the first step to determine if there is a threat of violence.

Assessment: Appropriate Action

Based on your assessment, you will determine the appropriate action to take. You might:

Call 911

In general, if you assess that violence is imminent, remove yourself from the situation and find a safe place to call 911.

There are certain behaviors that are clear indicators of violence and should always be reported to 911 and store management. These include someone who is:

- Making specific threats to inflict harm to themselves or others
- Displaying a weapon
- Making threats to use a weapon

Report within your organization

In situations where you recognize warning signs of violence but there is no imminent threat, inform a manager, supervisor, or security guard of what you observed.

De-escalate

In situations where you think de-escalation could calm the situation, for example an irate customer, and you feel capable to do so, utilize de-escalation techniques. However, if the situation begins to escalate, be prepared to ask for help, report within the organization, or call 911 as needed.

Ask for help

In situations where you think de-escalation could calm the situation, but you do not feel skilled or equipped to de-escalate yourself, ask a co-worker, manager, supervisor, or security guard for help. It is important to know your limits and vulnerabilities. Sometimes the best intervention is knowing when to seek help.

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De-escalation Techniques

When confronted with an angry or aggressive individual you can use de-escalation techniques to calm a potentially dangerous situation. In the retail industry de-escalation techniques may be especially useful for dealing with irate customers.

De-escalation involves using purposeful actions, verbal communication, and body language to calm volatile situations.

De-escalation: Acting with Purpose

When de-escalating you should act with purpose. Remember to:

1. Remain calm or act calm, even if you don't feel calm. Try to relax your body and keep your composure.
2. Respect personal space. Maintain a safe distance from an aggressive or concerning individual and avoid touching them.
3. Empathize. Present genuine concern and a willingness to understand without judging.
4. Actively listen to the individual of concern. Give them your full attention, nod, ask questions, and avoid changing the subject or interrupting.

De-escalation: Verbal Communication

You can use verbal communication to deescalate by monitoring your tone, volume, rate of speech and inflection. It is important to:

- Speak calmly to demonstrate an understanding of what the other person is feeling.
- Speak at regular conversation volume and avoid raising your voice.
- Try not to speak fast. Slower rates of speech can be more soothing.
- Be aware of your inflection. Make sure not to emphasize certain words or syllables that may be taken negatively.

De-escalation: Body Language

Your physical action and body language are also important to de-escalate a situation.

When de-escalating, you should:

- Keep your stance relaxed and alert.
- Keep your hands down, open, and visible at all times.
- Use slow, deliberate movements.
- Keep your facial expression neutral and attentive.

Remember some individuals may be more skilled at de-escalation than others. It is important to be aware of your vulnerabilities and know when to ask for help.

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Knowing When to Report

As discussed through this unit, it is important to report behavior that raises concern or incidents of escalating violence.

There are two types of reporting:

- Calling 911 for immediate threats
- Reporting to a manager, supervisor or designated office or staff member

Reporting to 911

If someone is directly threatening you or others, has a weapon, or you believe violence is imminent, move to a safe location and call 911. Report as much information as you safely can. Important information for 911 includes:

- Your name
- Your exact location
- A description of the situation, including how many people are hurt, if any
- If the incident is still in progress
- The location of the incident
- The location of the concerning person
- If bystanders are present
- A physical description of the suspicious person
- The type and number of weapons you observed

Organizational Reporting

After a violent incident occurs, a manager, supervisor, or designated staff person should record the details of the incident in an incident report form. An incident report enables management to evaluate what caused the incident and what protective measures must be implemented to ensure a similar incident does not occur again.

Incidents where there is no immediate threat of violence but there is behavior that is concerning should also be reported to a manager, supervisor, or designated staff person.

Knowing the details of concerning behavior allows management to assess whether there is an evolving threat of violence and act before violence occurs.

Unit 3: Preparing for Emergencies

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Before an emergency occurs, employers, managers, and staff can prepare by taking specific actions to ensure staff can escape quickly, effectively, and safely.

- Employers should have an evacuation plan in place for each workplace in the event of emergencies. This plan should specify how staff will evacuate quickly, effectively, and safely.
- Managers and supervisors must make sure each employee knows where all emergency exits are located and where employees will meet in the event of an emergency situation.
- Staff should ensure they know the best evacuation route from the areas of the workplace where they commonly work.

Store-Specific Emergency Procedures

As part of this training, your employer should provide you with instruction on the store's evacuation plan. At minimum, staff should receive training on:

- **W** here all emergency exits are located, including which exit individuals should use based on their location in the store.
- **W** here staff will meet in the event of an emergency.
- **H** ow emergency-related devices, including fire alarms, operate.
- **A** ny additional emergency procedures.

This information should be appended to this training.

Unit 4: Active Shooter Events

Active shooter events can occur anywhere, at any time. An active shooter is an individual actively engaged in killing or attempting to kill people (with a firearm) in a confined space or other populated area. In most cases, active shooters attempt to kill people indiscriminately. If an active shooter enters your workplace, your best defense is to be prepared and know what types of action you will take.

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Taking Action: Run, Hide, and Fight

This training will cover various ways you can respond in an active shooter situation, following guidance from the U.S. Department of Homeland Security. However, in an active shooter situation, it is important to use your judgement about the safest course of action. If it is safe to do so, the best response to an active shooter situation might be to run. If running is not possible, the next best option might be to hide. Finally, if there is no other option, your final option may be to fight.

It is a natural human reaction to freeze when you hear what may be a gun shot, but for your safety, this training will provide some options to take action.

Run

The ideal response to an active shooter event is to run – to evacuate the area and get to a safe location. If your path is clear and you can reach an exit safely, evacuate as soon as possible.

If you make the decision to run, remember to:

- Evacuate regardless of whether others agree to follow you.
- Leave all non-lifesaving belongings behind.
- Help others escape, if possible.
- Warn others of danger as you leave and prevent them from entering an area where the active shooter may be.
- Do not attempt to move any wounded people.
- Keep your hands up and empty as you leave the building so that law enforcement know you are not a threat.

Once you clear danger, call 911 to assist law enforcement's response. Provide law enforcement with information about what you observed, such as about the shooter, the weapon(s) they are carrying, who is still inside, and how many people are wounded.

Hide

When evacuating is not possible, making the decision to hide is the next best option. Because active shooter events typically last no longer than 10 to 15 minutes, hiding from an attacker can be very effective at keeping you safe.

The ideal hiding place:

- Is out of the shooter's view
- Does not trap you or restrict your options for movement
- Provides protection if shots are fired in your direction

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To minimize the chances that your hiding place is found, you should:

- Keep quiet
- Silence cell phones
- Turn off any sources of noise (i.e. computers, radios, iPads, televisions, etc.)

To prevent an active shooter from entering your hiding spot, you should:

- Lock the door
- Turn off the lights
- Blockade the door with heavy furniture

To protect yourself from stray bullets, you should:

- Hide behind large or hard items (i.e. cabinets, desks)
- Stay close to the ground

Fight

If neither running nor hiding is an option and you are confronted by the active shooter, your last resort is to fight. If you have to fight, you must commit to this action and act as aggressively as possible to disrupt or incapacitate the active shooter. You have to assume that your actions are all that stand between yourself, your coworkers, and grave harm.

Law Enforcement Response

It is important to be prepared for how law enforcement will respond in an active shooter event.

During law enforcement's response:

- There may be loud noises, such as bangs, yelling, and sirens.
- There also may be smoke that obstructs vision and irritates the eyes and throat.
- Officers may wear regular patrol uniforms or external bullet proof vests, Kevlar helmets, and other tactical equipment or military style gear.
- Officers may be armed with rifles, shotguns, and handguns.
- Officers will shout commands, provide non-verbal instruction, and may push individuals to the ground for their safety.

You can assist law enforcement by doing the following:

- Always keep your hands visible
- Keep your hands free and put down any objects you are holding.

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- Avoid quick movements toward officers.
- Avoid pointing, screaming, or yelling.
- Avoid asking officers for help or directions.
- Immediately raise your hands and spread your fingers when exiting the building or when law enforcement approaches.

Training Summary

Employee training on workplace violence is key to increasing safety and reducing employee risk. If you encounter workplace violence, you can protect yourself and your coworkers by utilizing the knowledge presented in this training.

After this training, all employees should understand the actions, techniques, and procedures discussed, including:

1. The specific actions retail employers must take to promote worker safety under New York State Labor Law.
2. De-escalation techniques, including how to recognize the signs of violence and determine the appropriate course of action when confronted with a violent situation.
3. Emergency procedures and evacuation plans including instruction on any emergency-related devices the store utilizes.
4. Reporting systems for incidents of workplace violence.

For additional information on preventing workplace violence, visit: dol.ny.gov/retail-worker-safety

Appendix: Store Specific Information

Instructions to Employer: To complete this training for staff distribution, enter the following store-specific information in the space provided. You may use this template form or create your own.

Worksite-Specific list of emergency exits*:

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**Provide a detailed list or attach a floor map with emergency exits clearly marked to this template.*

Staff meeting location in the event of an emergency:

Emergency-related devices* and how to operate them:

**Including fire-alarms*

Additional emergency procedures*:

**For example, specific procedures for an evacuation.*

Security-related devices* and how to operate them:

**Including personal response systems and panic alarms*

Store-specific security problems and how to address them*:

**This information only needs to be provided to supervisors*