
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1250 Session of
2026

INTRODUCED BY KANE, HUGHES, VOGEL, TARTAGLIONE, COMMITTA,
HAYWOOD, STREET, COSTA, PISCIOTTANO AND CAPPELLETTI,
MARCH 30, 2026

REFERRED TO LABOR AND INDUSTRY, MARCH 30, 2026

AN ACT

1 Providing for legal protections from abusive work environments
2 and for remedies.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Safe
7 Workplace Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Abusive conduct." As follows:

13 (1) Unwelcome, degrading and dehumanizing conduct that
14 is severe or pervasive enough to create a work environment
15 that a reasonable person would consider toxic, hostile or
16 abusive. The following apply:

17 (i) Conduct may include false accusations, sabotage

1 of work performance, consistent ignoring or ostracism,
2 removal of major responsibilities, consistent
3 unreasonable workloads, excessive monitoring, consistent
4 micromanagement, persistent hypercriticism, impossible
5 deadlines, pressure to engage in unethical behavior or
6 give up rights or benefits, retaliation for speaking up
7 or repeated verbal abuse.

8 (ii) Isolated, minor incidents and expressions of
9 disagreement and constructive feedback are not bullying
10 unless they meet the threshold of abuse.

11 (iii) Workplace bullying may be perpetrated by one
12 or more persons.

13 (iv) Workplace bullying is found by a review of the
14 totality of the circumstances, including, but not limited
15 to, the nature, frequency and duration of the conduct.

16 (2) It shall be considered an aggravating factor if the
17 conduct exploited an employee's known psychological or
18 physical illness or disability.

19 (3) A single act normally shall not constitute abusive
20 conduct unless the act is egregious.

21 "Abusive work environment." An employment condition
22 permeated with acts or omissions of acts by an employer,
23 supervisor or one or more of an employer's employees
24 sufficiently plausible to cause pain or distress to an employee.

25 "Adverse employment action." A materially and objectively
26 adverse reduction in terms, conditions or privileges of
27 employment, including:

28 (1) a termination, demotion, unfavorable reassignment or
29 failure to promote;

30 (2) disciplinary action; or

1 (3) reduction in compensation.

2 "Employ." To engage, suffer or permit to work.

3 "Employee." As follows:

4 (1) An individual employed by an employer.

5 (2) A worker is considered an employee and not an
6 independent contractor unless the worker satisfies all three
7 of the following conditions:

8 (i) The worker is free from the control and
9 direction of the employer in connection with the
10 performance of work, both under the contract for the
11 performance of the work and in fact.

12 (ii) The worker performs work that is outside the
13 usual course of the employer's business.

14 (iii) The worker is customarily engaged in an
15 independently established trade, occupation or business
16 of the same nature as that involved in the work
17 performed.

18 "Employer." The Commonwealth, a political subdivision of the
19 Commonwealth, an instrumentality of the Commonwealth or a
20 political subdivision of the Commonwealth or a person,
21 association, organization, partnership, business trust, limited
22 liability company or corporation that, directly or indirectly,
23 through an agent or any other person, employs or exercises
24 control over the wages, hours or working conditions of an
25 employee.

26 Section 3. Abusive work environment.

27 (a) Prohibition.--An employee may not be subjected to an
28 abusive work environment by an employer or other employee.

29 (b) Retaliation prohibited.--An employer or employee may not
30 retaliate in any manner against an employee who has opposed an

1 unlawful employment practice under this act or who has made a
2 charge, testified, assisted or participated in any manner in an
3 investigation or proceeding under this act, including by:

- 4 (1) internal complaints and proceedings;
- 5 (2) arbitration and mediation proceedings; or
- 6 (3) legal actions.

7 Section 4. Employer liability.

8 An employer shall be liable for a violation of section 3
9 committed by an employer's employee. If the alleged violation of
10 section 3 does not include an adverse employment action, it
11 shall be an affirmative defense for an employer only that the
12 employer exercised reasonable care to promptly prevent and
13 correct any actionable behavior.

14 Section 5. Employee liability.

15 An employee may be individually liable for a violation of
16 section 3. It shall be an affirmative defense for an employee
17 only that the employee committed a violation of section 3 at the
18 direction of the employer, under actual or implied threat of an
19 adverse employment action.

20 Section 6. Affirmative defenses.

21 (a) Preventive and responsive measures.--Employers and
22 representative employees shall take all reasonable preventive
23 and responsive measures to provide safe work environments free
24 from bullying by:

25 (1) Acknowledging and responding to complaints of
26 bullying within a reasonable time frame appropriate to the
27 level of urgency.

28 (2) Providing and executing a transparent, timely
29 complaint process that includes a legitimate, fair and fact-
30 finding investigation and the issuance of timely and accurate

1 reports of findings.

2 (3) Providing and executing a transparent disciplinary
3 process according to the severity of the offense within a
4 reasonable time frame, if applicable, including, but not
5 limited to, coaching, counseling, issuing a warning or other
6 disciplinary action, including removal of supervisory duties
7 or termination.

8 (4) Maintaining accurate records of complaints, findings
9 and discipline.

10 (5) Within 90 days of the effective date of this
11 paragraph, writing, distributing, posting or otherwise
12 providing a written preventive policy against all forms of
13 bullying, to include an anti-retaliation policy and an
14 identification and description of all reporting methods,
15 consistent with this section and all other laws. The policies
16 shall be distributed to employees on a regular basis.

17 (6) Training all employees on preventive and reporting
18 policies.

19 (b) Complaint.--Any of the following is an affirmative
20 defense to an action under section 3:

21 (1) The complaint is based on a reasonable performance
22 evaluation.

23 (2) The complaint is based on an employer's reasonable
24 investigation about potentially illegal or unethical
25 activity.

26 (3) The complaint is based on an action taken by the
27 employer that it was required by law to take.

28 Section 7. Enforcement.

29 A person aggrieved by a violation of this act may initiate a
30 civil action or other proceeding in a court of competent

1 jurisdiction not later than three years from the date of the
2 last alleged violation of section 3.

3 Section 8. Remedies.

4 (a) Relief.--If a defendant has been found liable for a
5 violation of section 3, the court may enjoin the defendant from
6 engaging in the unlawful employment practice and may order any
7 other relief that is deemed appropriate, including any of the
8 following:

- 9 (1) Rehiring of the plaintiff, reinstatement to a
10 position and rescission of an adverse employment action.
- 11 (2) Removal of the offending party from the plaintiff's
12 work environment.
- 13 (3) Payment of back pay, front pay and medical expenses.
- 14 (4) Damages for pain and suffering.
- 15 (5) Damages for emotional distress.
- 16 (6) Punitive damages.
- 17 (7) Reasonable attorney fees and costs.

18 (b) Limitation.--If an employer is liable for a violation of
19 section 3 that did not include an unlawful adverse employment
20 action, emotional distress damages and punitive damages may be
21 awarded only when the actionable conduct was extreme and
22 outrageous. The limitation does not apply to individually named
23 employee defendants.

24 Section 9. Collective bargaining or arbitration agreements.

25 This act shall not prevent, interfere, exempt or supersede
26 provisions of an employee's collective bargaining or arbitration
27 agreement that provide greater rights and protections than
28 prescribed in this act. This act shall not prevent new
29 provisions of the collective bargaining or arbitration agreement
30 that provide greater rights, remedies and protections from being

1 implemented and applicable to the employee within the collective
2 bargaining or arbitration agreement.

3 Section 10. Effect of other laws.

4 (a) Effect.--Except as provided in subsection (b),
5 provisions of this act may not be deemed to exempt a person from
6 a liability, duty or penalty provided by any other provision of
7 law. The remedies provided under section 8 shall be in addition
8 to remedies provided under any other provision of law.

9 (b) Exception.--Payments of workers' compensation shall be
10 reimbursed from damages paid under this act if an employee
11 receives compensation:

12 (1) for medical costs for the same injury or illness
13 under this act and the act of June 2, 1915 (P.L.736, No.338),
14 known as the Workers' Compensation Act; or

15 (2) in cash payments under this act and the Workers'
16 Compensation Act for the same period of time not working as a
17 result of the compensable injury or illness or unlawful
18 employment practice.

19 Section 11. Effective date.

20 This act shall take effect in 60 days.