

118TH CONGRESS
2D SESSION

H. R. 8669

To direct the Secretary of Labor to issue nonmandatory guidance on reducing the threat of violence in the workplace, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2024

Mr. NEGUSE (for himself, Ms. WILLIAMS of Georgia, Mr. JOHNSON of Georgia, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To direct the Secretary of Labor to issue nonmandatory guidance on reducing the threat of violence in the workplace, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Workplaces Act”.

5 **SEC. 2. OSHA GUIDANCE ON REDUCING THE THREAT OF VI-**
6 **OLENCE IN THE WORKPLACE.**

7 (a) **STUDY.**—The Director of the National Institute
8 for Occupational Safety and Health shall conduct a study
9 on reducing the threat of violence in the workplace.

1 (b) REPORT.—Not later than 15 months after the
2 date of the enactment of this Act, the Director shall sub-
3 mit to the Secretary of Labor, the Committee on Edu-
4 cation and Labor of the House of Representatives, and
5 the Committee on Health, Education, Labor, and Pen-
6 sions of the Senate a report on the results of the study
7 conducted under subsection (a), which shall include rec-
8 ommendations that the Secretary of Labor shall consider
9 when issuing the guidance described in subsection (c).

10 (c) GUIDANCE.—

11 (1) IN GENERAL.—Not later than 4 years after
12 the date of enactment of this Act, the Secretary of
13 Labor, acting through the Occupational Safety and
14 Health Administration, shall issue nonmandatory
15 guidance on activities and work practice controls
16 that can be implemented by workplaces to reduce
17 workplace violence. Such guidance shall be differen-
18 tiated to the extent necessary to account for the
19 unique characteristics of, and the potential for
20 threats of violence at, of each variety of workplace,
21 including grocery stores, retail stores, movie thea-
22 tres, hospitals, office buildings, restaurants and
23 bars, religious facilities, manufacturing facilities,
24 mail distribution centers, community centers, child
25 care centers, and schools.

1 (2) CONSIDERATION.—In issuing the guidance
2 required under paragraph (1), the Secretary shall—

3 (A) consider the recommendations included
4 in the report required under subsection (b); and

5 (B) take into account engineering controls,
6 dangerous weapons, and environmental risk fac-
7 tors that may impact a workplace.

8 (d) DEFINITIONS.—In this Act:

9 (1) DANGEROUS WEAPON.—The term “dan-
10 gerous weapon” means an instrument capable of in-
11 flicting death or serious bodily injury, without re-
12 gard to whether such instrument was designed for
13 that purpose.

14 (2) ENGINEERING CONTROLS.—

15 (A) IN GENERAL.—The term “engineering
16 controls” means an aspect of the built space or
17 a device that removes a hazard from the work-
18 place or creates a barrier between an employee
19 and the hazard.

20 (B) INCLUSIONS.—For purposes of reduc-
21 ing workplace violence hazards, the term “engi-
22 neering controls” includes electronic access con-
23 trols to employee occupied areas, weapon detec-
24 tors (installed or handheld), enclosed work-
25 stations with shatter-resistant glass, deep serv-

1 ice counters, locks on doors, removing access to
2 or securing items that could be used as weap-
3 ons, furniture affixed to the floor, opaque glass,
4 closed-circuit television monitoring and video re-
5 cording, sight-aids, and personal alarm devices.

6 (3) ENVIRONMENTAL RISK FACTORS.—

7 (A) IN GENERAL.—The term “environ-
8 mental risk factors” means factors in the facil-
9 ity or area in which a service is performed that
10 may contribute to the likelihood or severity of
11 a workplace violence incident.

12 (B) CLARIFICATION.—Environmental risk
13 factors may be associated with the specific task
14 being performed or the work area, such as
15 working in an isolated area, poor illumination
16 or blocked visibility, and lack of physical bar-
17 riers between individuals and persons at risk of
18 committing workplace violence.

19 (4) THREAT OF VIOLENCE.—The term “threat
20 of violence” means a statement or conduct that—

21 (A) causes an individual to fear for such
22 individual’s safety because there is a reasonable
23 possibility the individual might be physically in-
24 jured; and

25 (B) serves no legitimate purpose.

1 (5) WORK PRACTICE CONTROLS.—

2 (A) IN GENERAL.—The term “work prac-
3 tice controls” means procedures and rules that
4 are used to effectively reduce workplace violence
5 hazards.

6 (B) INCLUSIONS.—The term “work prac-
7 tice controls” includes—

8 (i) assigning and placing sufficient
9 numbers of staff to reduce workplace vio-
10 lence directed at employees by customers,
11 clients, patients, students, inmates, or any
12 individual for whom the workplace provides
13 services or for whom the employee per-
14 forms services.

15 (ii) provision of dedicated and avail-
16 able safety personnel such as security
17 guards;

18 (iii) employee training on workplace
19 violence prevention methods and tech-
20 niques to de-escalate and minimize violent
21 behavior; and

22 (iv) employee training on procedures
23 for response in the event of a workplace vi-
24 olence incident and for post-incident re-
25 sponse.

1 (6) WORKPLACE VIOLENCE.—

2 (A) IN GENERAL.—The term “workplace
3 violence” means any act of violence or threat of
4 violence, without regard to intent, that occurs
5 at a workplace or while an employee performs
6 a service.

7 (B) EXCLUSIONS.—The term “workplace
8 violence” does not include lawful acts of self-de-
9 fense or lawful acts of defense of others.

10 (C) INCLUSIONS.—The term “workplace
11 violence” includes—

12 (i) the threat or use of physical force
13 against a employee that results in or has
14 a high likelihood of resulting in injury,
15 psychological trauma, or stress, without re-
16 gard to whether the employee sustains an
17 injury, psychological trauma, or stress; and

18 (ii) an incident involving the threat or
19 use of a firearm or a dangerous weapon,
20 including the use of common objects as
21 weapons, without regard to whether the
22 employee sustains an injury, psychological
23 trauma, or stress.

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