
DIGEST

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HB 422 Original

2026 Regular Session

McMakin

Abstract: Enacts the Behind the Counter Safety Act, which addresses workplace violence in retail and food service establishments.

Proposed law states that proposed law shall be known and may be cited as the "Behind the Counter Safety Act".

Proposed law defines "department", "regulated establishment" and "workplace violence".

Proposed law requires each regulated establishment to develop, implement, and maintain a written workplace violence prevention plan specific to its location and operations.

Proposed law requires the workplace violence plan to include, at a minimum, all of the following:

- (1) Procedures for identifying and assessing potential risks that may lead to workplace violence, such as handling cash payments, working night shifts, working at isolated counters, or working in high crime areas.
- (2) Engineering controls and safety measures, such as panic buttons, bullet-resistant enclosures, adequate lighting, clear sight lines to entrances and exits, video surveillance, drop safes to limit accessible cash, time delay safes, and audible alarms.
- (3) Administrative controls, such as employee training on de-escalation, recognizing warning signs, emergency procedures, and response protocols.
- (4) A system for incident reporting, investigation, and correction action.
- (5) Procedures for post-incident support, including access to counseling or leave.

Proposed law requires a regulated establishment to review and update its workplace violence prevention plan every year and after any significant incident.

Proposed law requires all employees, including temporary and part-time employees, to receive orientation and annual training on the workplace violence prevention plan.

Proposed law requires each regulated establishment to display at its premises a sign that conforms to certain specifications and contain the following statement in 48 boldface font:

"WARNING: Violence, threats, or abuse against an employee is a crime and will not be tolerated. Such acts may result in arrest and felony conviction under Louisiana law."

Proposed law provides the following specifications that the aforementioned sign must adhere to:

- (1) The sign shall be posted in a conspicuous location and visible to the public near the entrance and counter area.
- (2) The sign shall be at least 11 inches tall by 18 inches wide.

Proposed law requires a regulated establishment to report any instances of workplace violence to local law enforcement and its internal reporting system as provided in the workplace violence prevention plan.

Proposed law requires the regulated establishment to notify La. Works as soon as practicable, but no later than 24 hours, for any incident that results in injury, involves a weapon, or poses an immediate threat to safety.

Proposed law requires La. Works to maintain aggregated, anonymized data on all reported incidents.

Proposed law requires La. Works to develop, publish, and maintain public information regarding the issue of workplace violence in retail and food service establishments on its website.

Proposed law requires La. Works to address in the published public information the following:

- (1) A listing of best practices, toolkits, and resources on the issue of workplace violence from governmental and private authorities, including, without limitation, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and other organizations that report on occupational health and safety regulations.
- (2) Actions that regulated establishments may take and policies such establishments may adopt to prevent, respond to, report, and mitigate workplace violence.
- (3) A checklist of items for regulated establishments to consider when developing a workplace violence prevention plan.
- (4) A downloadable example of text that complies with signage requirements.
- (5) A mechanism for anonymous reporting for non-compliance.

Proposed law prohibits a regulated establishment from discharging, demoting, suspending, threatening, harassing, or otherwise retaliating against any employee for good faith reporting of workplace violence, cooperating in an investigation, or participating in prevention activities.

Proposed law requires La. Works to inspect regulated establishments in order to ensure compliance

with proposed law and to issue citations for any violations of proposed law.

Proposed law authorizes and directs La. Works to promulgate any rules and regulations necessary to implement proposed law.

Proposed law provides penalties for anyone who disrupts the operation of a regulated establishment.

(Adds R.S. 23:271-278)