Client News Brief

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When Threats are Directed at the Whole Workplace: AB 1961 Closes a Workplace Violence Restraining Order Gap

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On September 30, 2026, Governor Gavin Newsom signed Assembly Bill (AB) 1961, authorizing changes to Code of Civil Procedure section 527.8 to address a common problem for employers: threats directed at a group or worksite as a whole rather than at particular staff members. Beginning on January 1, 2027, California employers, including school districts and public agencies, will be able to seek a Workplace Violence Restraining Order (WVRO) on behalf of all employees at a worksite without naming a specific employee as the person being protected.

Background

California law currently authorizes an employer or collective bargaining representative to seek a WVRO on behalf of an employee who has suffered harassment, unlawful violence, or a credible threat of violence that can reasonably be construed as having occurred or as likely to occur at the workplace. Courts may also extend protection to other named employees. However, the existing framework generally requires identifying an employee who has been subjected to the conduct, which is challenging or practically impossible to comply with when threats are directed at an entire workplace rather than a specific individual.

For example, a threat to attack a school or other public agency building may place numerous employees at risk without singling out any particular individual. Under existing law, an employer seeking a WVRO might attempt to identify a particular employee as the protected party, such as an administrator or officer, even though the threat was directed at the workplace generally. This approach can unnecessarily identify that employee in court filings and create obstacles to obtaining relief if the court determines that the statutory requirements for a WVRO have not been satisfied.

What AB 1961 Changes

AB 1961 amends Code of Civil Procedure section 527.8, authorizing employers to seek a WVRO on behalf of all employees at a workplace or location where a group of employees perform their primary job duties, when harassment, unlawful violence, or a credible threat of violence is directed at that workplace or location rather than a specific employee. Employers may seek both a temporary restraining order and an order after hearing without naming an individual employee in the petition.

Under the new law, courts may issue orders prohibiting the restrained individual from contacting or coming within a specified distance of the affected workplace or location. AB 1961 also requires the Judicial Council to adopt or modify the necessary WVRO forms to implement this new framework on or before January 1, 2028.

These changes provide public agencies and other employers with an additional means of addressing threats directed at an entire workplace, while reducing the need to identify individual employees in WVRO proceedings. The resulting impact will provide employers with additional tools to protect employees from violence before it occurs and may enable employees to feel safer reporting harassment or threats of violence in the workplace.

Takeaways

AB 1961 provides public agencies and other employers with an additional tool to address threats directed at an entire workplace rather than a specific employee. Beginning January 1, 2027, employers may seek worksite-wide WVROs without naming an individual employee as the protected party.

Importantly, although the law takes effect on January 1, 2027, the Judicial Council has until January 1, 2028, to adopt or modify the necessary forms. During this interim period, agencies should consult legal counsel regarding how to seek workplace-wide protection using existing Judicial Council forms and supporting documentation. Agencies should also continue to ensure that any requested restrictions are appropriately tailored, particularly for facilities open to the public, because WVROs can run up against constitutional free-speech protections, as well as other protected activities.

If you have any questions about SB 1961, or Workplace Violence Restraining Orders in general, please contact the authors of this Client News Brief or an attorney at one of our nine offices located statewide. You can also subscribe to our podcast, follow us on Facebook, and LinkedIn or download our mobile app.

As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.