

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS15206-LR-101

Short Title: Workplace Violence Prevention/Mass Picketing. (Public)

Sponsors: Senators Moffitt, Daniel, and Britt (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED
AN ACT AMENDING WORKPLACE VIOLENCE PREVENTION LAWS TO COVER MASS
PICKETING.

The General Assembly of North Carolina enacts:

SECTION 1. Article 23 of Chapter 95 of the General Statutes reads as rewritten:

"Article 23.

"Workplace Violence Prevention.

"§ 95-260. Definitions.

The following definitions apply in this Article:

- (1) Civil no-contact order. – An order granted under this Article, which includes a remedy authorized by G.S. 95-264.
- (2) Employer. – Any person or entity that employs one or more employees. Employer also includes the State of North Carolina and its political subdivisions.
- (2a) Mass picketing. – Picketing, with or without signs, that constitutes an obstacle to the ingress and egress to and from the premises being picketed or any other premises, or upon the public roads, streets, highways, or other ways of travel or conveyance, either by obstructing by their persons or by placing of vehicles or other physical obstructions.
- (2b) Place of employment. – A building or conveyance of any kind, whether the building or conveyance is temporary or permanent, mobile or immobile.
- (3) Unlawful conduct. – Unlawful conduct means the commission of one or more of the following acts upon an employer or employee, but does not include acts of self-defense or defense of others:
 - a. Attempting to cause bodily injury or intentionally causing bodily injury.
 - b. Willfully, and on more than one occasion, following, being in the presence of, or otherwise harassing, as defined in G.S. 14-277.3A, without legal purpose and with the intent to place the employee or employer in reasonable fear for the employee's or employer's safety.
 - c. Willfully threatening, orally, in writing, or by any other means, to physically injure the employee or employer in a manner and under circumstances that would cause a reasonable person to believe that the threat is likely to be carried out and that actually causes the employee or employer to believe that the threat will be carried out.



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- d. Hindering or preventing, by mass picketing, unlawful threats, or force, the pursuit of any lawful work or employment.
- e. Obstructing or interfering with the entrance to or egress from any place of employment by mass picketing.
- f. Obstructing or interfering with free and uninterrupted use of public roads, streets, highways, railways, airports, or other ways of travel or conveyance by mass picketing.

"§ 95-261. Civil no-contact orders; persons protected.

An action for a civil no-contact order may be filed as a civil action in district court by an employer on behalf of an employee or by an employer who has suffered unlawful conduct from any individual or individuals that can reasonably be construed to be carried out, or to have been carried out, at the ~~employee's workplace.~~ place of employment. The employee or employer that is the subject of unlawful conduct shall be consulted prior to seeking an injunction under this Article in order to determine whether any safety concerns exist in relation to the employee's or employer's participation in the process. Employees or employers who are targets of unlawful conduct who are unwilling to participate in the process under this Article shall not face disciplinary action based on their level of participation or cooperation.

"§ 95-262. Commencement of action; venue.

(a) An action for a civil no-contact order is commenced by filing a verified complaint for a civil no-contact order in ~~any civil district court~~ the county where the unlawful conduct took place or by filing a motion in any existing civil action.

(b) A complaint or motion for a civil no-contact order shall be filed in the county where the unlawful conduct took place.

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"§ 95-264. Civil no-contact order; remedy.

(a) Upon a finding that the employee or employer has suffered unlawful conduct committed by the respondent, the court may issue a temporary or permanent civil no-contact order. In determining whether or not to issue a civil no-contact order, the court shall not require physical injury to the employee or employer or injury to the employer's property.

(b) The court may grant one or more of the following forms of relief in its orders under this Article:

- (1) Order the respondent not to visit, assault, molest, or otherwise interfere with the employer or the employer's employee at the employer's workplace, or otherwise interfere with the employer's operations.
- (2) Order the respondent to cease stalking the employer or the employer's employee at the employer's workplace.
- (3) Order the respondent to cease harassment of the employer or the employer's employee at the employer's workplace.
- (4) Order the respondent not to abuse or injure the employer, including the employer's property, or the employer's employee at the employer's workplace.
- (5) Order the respondent not to contact by telephone, written communication, or electronic means the employer or the employer's employee at the employer's workplace.
- (6) Order other relief deemed necessary and appropriate by the court.

(c) A civil no-contact order shall include the following notice, printed in conspicuous type: "A knowing violation of a civil no-contact order shall be punishable as contempt of court which may result in a fine or imprisonment."

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"§ 95-266. Permanent civil no-contact order.

Upon a finding that the employer or employee has suffered unlawful conduct committed by the respondent, a permanent civil no-contact order may issue if the court additionally finds that

process was properly served on the respondent, the respondent has answered the complaint and notice of hearing was given, or the respondent is in default. No permanent civil no-contact order shall be issued without notice to the respondent.

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"§ 95-271. Scope of Article; other remedies ~~available~~; severability.

(a) This Article does not expand, diminish, alter, or modify any duty of any employer to provide a safe workplace for employees and other persons. This Article does not limit the ability of an employer, employee, or victim to pursue any other civil or criminal remedy provided by law. This Article does not apply in circumstances where an employee or representative of employees is engaged in union organizing, union activity, a labor dispute, or any activity or action protected by the National Labor Relations Act, 29 U.S.C. § 151, et seq. Nothing in this Article is intended to change the National Labor Relations Act's preemptive regulation of legally protected activities, nor to change the right of the State and its courts to regulate activities not protected by the National Labor Relations Act.

(b) Nothing in this Article is intended, or shall be construed, to conflict with, restrict, limit, or infringe upon rights protected by the North Carolina or United States Constitution.

(c) If any provision of this Article is held by a court of competent jurisdiction to be invalid, void, or unenforceable, in whole or in part, the decision shall not affect the validity, enforceability, or applicability of the remaining provisions of this Article, which shall remain in full force and effect as if the provision held invalid, void, or unenforceable had not been included."

SECTION 2. This act is effective when it becomes law and applies to acts or omissions occurring on or after that date.