

California Workplace Violence Restraining Orders (2024–2025)

1. What a Workplace Violence Restraining Order Is

Under **California law (Code of Civil Procedure § 527.8)**, an **employer** (including cities, public agencies, corporations, nonprofits, etc.) can petition a court for a *workplace violence restraining order on behalf of one or more employees* who have been stalked, harassed, threatened with violence, or physically harmed in connection with their workplace. These orders:

- Can require the restrained person to stay away from employees and the workplace.
- Can prohibit contact or threats of violence or harassment.
- Can, in some cases, require the restrained person to surrender firearms.

Only an **employer or collective bargaining representative** can file this specific type of restraining order—not an individual employee directly.

2. Recent Legislative Changes (Effective Jan. 1, 2025)

California's **Senate Bill 428** expanded the law starting in 2025 so that employers can seek a workplace violence restraining order **not just for threats or actual violence, but also for harassment** that causes substantial emotional distress—even if there's no actual threat of violence.

This means:

- Employers may have broader grounds for requesting a restraining order based on repeated harassing conduct that isn't necessarily violent.
- Employers need to document a *course of conduct* showing significant impact on employees.

3. How the Process Works

Process Overview:

1. **Employer files Petition:** Using forms like WV-100 (petition) and WV-110 (temporary restraining order request).

2. **Judge reviews:** The judge may grant a temporary order immediately to protect employees until a hearing.
3. **Hearing:** Both sides can present evidence. If the court finds harassment or credible threats of violence, it can issue a restraining order lasting up to 3 years.

At the hearing, the court looks at whether employee safety in the workplace is at risk due to harassment, threats, or violent conduct by the respondent.

Other Cases Mentioning *Maywood* (Not Workplace Restraining Orders)

There are some 2024–2025 federal and state cases involving the *Village/City of Maywood*, but none appear to be about a workplace restraining order:

- **Lacy v. Maywood Police Department** — A § 1983 civil rights case involving alleged excessive force; not a workplace restraining order.
- **Townes et al v. Village of Maywood** — Another civil rights § 1983 case; unrelated to restraining orders.
- **McDonald v. Board of Trustees of the Fire & Police Commissioners of the Village of Maywood** — Employment-termination appeal, not restraining order litigation.

If you were referencing one of these by name or a local restraining order filed in municipal or superior court (not published), the **record might only be viewable on PACER or local court docket systems**.

If You're Dealing With a Specific Order

If your question is *about interpreting or responding to a specific workplace restraining order*, here's what generally matters:

- **Read the actual order carefully:** The terms dictate where you must stay away from and whom you may not contact.
- **Compliance is required:** Violating a California restraining order can lead to criminal charges or contempt of court.
- **You can ask to modify it:** If it restricts your ability to work or live normally, you can request a modification through the court that issued it.

Summary

Topic	Key Point
Maywood vs. City	No widely published case by that name found in 2024–2025.
Workplace violence restraining orders in CA	Employers can seek them under CCP § 527.8; expanded to include harassment as of 2025.
Who can file	Only employers or collective bargaining representatives.
Who is protected	Employees, and sometimes their families/household members, from threats or harassment at work.