

Offered by City Councilors Henry Santana and Ruthzee Louijeune



**CITY OF BOSTON
IN CITY COUNCIL**

IN THE YEAR TWO THOUSAND TWENTY-SIX

**AN ORDINANCE ESTABLISHING MINIMUM TRAINING REQUIREMENTS FOR
UNARMED SECURITY GUARDS**

WHEREAS, Unarmed security guards serve a vital public safety function throughout the City of Boston by protecting people and property, deterring criminal activity, monitoring public and private facilities, responding to emergencies, and assisting residents, employees, visitors, and first responders; and

WHEREAS, Unarmed security guards are employed in office buildings, hospitals, schools, colleges and universities, housing developments, retail establishments, transportation facilities, cultural institutions, nonprofit organizations, and other locations where they are often the first individuals to respond to emergencies or public safety incidents; and

WHEREAS, In the performance of their duties, unarmed security guards regularly encounter individuals experiencing mental health crises, substance use disorders, homelessness, behavioral health challenges, medical emergencies, and other situations requiring sound judgment, de-escalation techniques, and coordination with police, fire, emergency medical services, and other public safety agencies; and

WHEREAS, Massachusetts law establishes training requirements for armed security guards but does not establish comparable minimum training standards for unarmed security guards, despite the increasing responsibilities assigned to these workers; and

WHEREAS, The absence of standardized training requirements may create unnecessary risks for unarmed security guards, the public, employers, and emergency responders, and may result in inconsistent preparedness across the security industry;

WHEREAS, A comprehensive training program could establish uniform minimum standards in areas including first aid, CPR and AED use, opioid overdose response, conflict and crisis de-escalation, mental and behavioral health awareness, crime

prevention, emergency preparedness, fire and building safety, incident reporting, workplace rights, and coordination with public safety agencies; and

WHEREAS, The City of Boston explore to examine the feasibility of establishing minimum training requirements for unarmed security guards, including standards for training providers, employer responsibilities, certification procedures, compliance, enforcement, and implementation through the Office of Labor Compliance and Worker Protections; **NOW THEREFORE**

Be it ordained by the City Council of Boston as follows:

The City of Boston Code, Ordinances, is hereby amended in Chapter XVII by inserting the following new section immediately after Section 17-21.

17-22 MINIMUM TRAINING FOR UNARMED SECURITY GUARDS

17-22.1 - Purpose

The purpose of this section is to ensure that unarmed security guards receive training necessary to protect themselves and the public while on duty. Unarmed Security Guards are essential to the safety and security of organizations, individuals, and the greater Boston public. Unarmed Security Guards are increasingly relied upon by property managers, businesses, nonprofits, and public entities to deter crime, professionally deescalate dangerous situations, secure property, and protect the interests of the organizations and individuals they serve. Unarmed Security Guards in Boston interact with individuals with substance abuse, mental health, behavioral, and other issues that elevate risks for guards and members of the public.

17-22.2 Definitions.

For the purpose of this Section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) **AGENCY**. The Office of Labor Compliance and Worker Protections.

(B) **CITY**. The City of Boston.

(C) **CERTIFIED SECURITY TRAINING PROGRAM**. An entity designated under this Chapter to furnish the training requirement for Unarmed Security Guards as certified by the Agency pursuant to § 17-22.5.

- (D) **COVERED PROPERTY.** Any property, parcel of land or other real estate intended for any purpose located within the physical boundaries of the City of Boston, whether privately or publicly owned, where any Unarmed Security Guard is employed to perform Security Services.
- (E) **EMPLOY or HIRE.** Assigned or employed directly or indirectly by such business whether part-time, temporary or on a permanent basis regardless of whether the guard is an employee of such business or is employed by a contractor or subcontractor engaged in offering unarmed security guard services as permitted in M.G.L. Chapter 147, Section 22-30.
- (F) **SECURITY EMPLOYER.** Any individual, corporation, association, partnership, or business trust, watch, guard or patrol agency as defined in M.G.L. Chapter 147, Section 22, or other business entity, or any group of persons, or a successor thereof, that employs two (2) or more Unarmed Security Guards to perform Security Services at one (1) or more Covered Property. "Security Employer" does not include the United States or the Commonwealth.
- (G) **UNARMED SECURITY GUARD** Any person employed, directly or indirectly at a Covered Property to perform one (1) or more of the following functions: to protect persons or property, to prevent the theft or the unlawful taking of goods, wares or merchandise, or the misappropriation or concealment thereof or of money, bonds, stocks, notes or other valuable documents, papers or articles of value, or to procure the return thereof, whether or not other functions or services are also performed for hire or reward, or other persons are employed to assist therein. This definition shall exclude armed watchmen, armed guards or armed private patrolmen, any City, County, State and Federal law enforcement officers, or any law enforcement officer pursuant to M.G.L. Chapter 6E, Section 1. This definition shall include, where applicable, any person who applies to be employed as an Unarmed Security Guard as defined above.
- (H) **SECURITY SERVICES.** The services provided by a watch, guard or patrol agency as described in M.G.L. Chapter 147, Section 22.

17-22.3 Permit Application, Reporting and Record Keeping.

- (A) A Security Employer shall maintain a valid Permit in order to employ Unarmed Security Guards within the City of Boston.
- (B) Beginning no later than July first following the effective date of this Chapter, and every July first thereafter, a Security Employer shall apply to the Agency for a Permit and apply annually to renew its Permit. The Agency shall not grant or renew a Permit unless the Provider has satisfied the requirements of this Section. The Agency may revoke a Permit if a Security Employer is not in compliance with this Section.
- (C) Initial Registration

1. The Agency shall develop an initial Permit application form and a separate annual renewal application form to certify compliance with the requirements of this Section.
2. The Agency shall determine what information a Security Employer shall be required to provide in the initial Permit application consistent with the requirements of this Section.

(D) Annual Permit Re-Registration

1. Security Employers shall submit to the Agency an annual renewal application regarding the number of Unarmed Security Guards employed by the Security Employer who have completed the training required under Section § 17-22.4 this Chapter during the previous July through June twelve month period. In the annual renewal application, a Security Employer shall affirm it has complied with all training requirements under Section § 17-22.4 using a training program certified under Section § 17-22.5. An annual renewal application shall include the following:
 - a. A list of all Unarmed Security Guards employed at any Covered Property during that twelve-month reporting period and the date of hire of each Unarmed Security Guard; and
 - b. A list of all Unarmed Security Guards who have completed trainings pursuant to § 17-22.4 (B) and (C): and
 - c. The identity of the Certified Security Training Program at which the training was received, and;
 - d. The training curricula of the training provided at every Certified Security Training Program identified under subparagraph (c) above; and
 - e. Any additional information as required by rules or regulations promulgated by the Agency pursuant to § 17-22.12.
2. Failure to demonstrate compliance with the requirements of § 17-22.4 (B) or (C), or a finding of a violation under 17-22.9 may be grounds for the denial, suspension or revocation of a Permit under this Section.

(E) As of the effective date of this ordinance, Security Employers shall commence keeping records documenting training received by Unarmed Security Guards, including wage records and payments of fees and costs associated with such training upon the effective date of this Chapter, shall retain such records for a period of three (3) years, and shall

allow the Agency access to such records, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of this Chapter.

17-22.4 Obligation for Security Employers to Provide Training to Unarmed Security Guards.

- (A) In order to preserve peace and good order in the city, Security Employers must ensure that Unarmed Security Guards employed at a Covered Property have received the following training from a Certified Security Training Program as set forth at 17-22.4 and subject to the timeline and minimum hours required for such training set forth at subparts (B) and (C) of this Section.
- (B) The required training shall include a minimum of forty (40) hours of initial instruction within ninety (90) days of hire for newly hired Unarmed Security Guards hired after the effective date of this section, and within one hundred and eighty (180) days of the effective date of this Chapter for existing Unarmed Security Guards.
- (C) On an annual basis following each Unarmed Security Guard's first twelve (12) months of employment with a Security Employer, the Security Employer shall provide eight (8) hours of recurrent annual training to every Unarmed Security Guard working at a Covered Property.

17-22.5 Designation of a Certified Security Training Program.

- (A) Only a Certified Security Training Program as designated by the Agency pursuant to this Section and any implementing regulations may be utilized by any Security Employer to satisfy the requirements of Section 17-22.3.
- (B) The Agency shall develop a process for certifying a Certified Security Training Program. Such process shall involve an application procedure, notice of requisite criteria and qualifications, guidance and other assistance as determined by the Agency.
- (C) The Agency shall only certify a Certified Security Training Program that satisfies the following criteria:
 - 1. The Certified Security Training Program must be owned or operated by an entity exempt from federal income taxation under section 501(c)(3), 501(c)(4) or 501(c)(5) of the Internal Revenue Code; and
 - 2. The Certified Security Training Program must not be owned, controlled or dominated by any Security Employer;
 - 3. The Certified Security Training Program must provide training exclusively through in-person, interactive classroom instruction;

4. The Certified Security Training Program must possess a minimum of five (5) years demonstrated experience providing training related to Security Services.
5. The Agency shall only certify a Certified Security Training Program that satisfies the following procedural requirements:
 - a. Each Certified Security Training Program applicant shall appoint a school director, whose name, address, instructor certification (if any), and telephone number shall be filed with the Agency upon his or her appointment.
 - b. Each Certified Security Training Program applicant shall file a copy of its qualifications with the Agency. The qualifications shall be in a form prescribed by the Agency and shall include, but not be limited to:
 - i. The name of the Certified Security Training Program;
 - ii. The location(s) of the Certified Security Training Program;
 - iii. The names of the security instructor(s), the type of instructor certification(s) held by such instructor, proof that the instructor(s) possess said certification(s), and proof that the instructor(s) satisfy other minimum qualification criteria relating to education, teaching experience, formal training, and security experience as determined by the Agency.
 - iv. The name(s) and address(es) of the owner(s) of the Certified Security Training Program;
 - v. The educational experience and qualifications of the owners and director relevant to operating a security training program;
 - vi. A chronological listing of curriculum topics, consistent with § 17-22.4(D), including the date, time and number of hours allotted to each topic;
 - vii. An affirmation that the owners and director(s) are not delinquent with respect to any City tax, fine, or fee; and
 - viii. Proof of liability, workers' compensation, and other insurance of the type and in the amount determined by the Agency.
 - c. Each Certified Security Training Program applicant shall pay an application fee as determined by the Agency.

d. The Agency may require any additional information deemed necessary for the purposes of designating a Certified Security Training Program.

e. Each Certified Security Training Program shall refile on an annual basis the Program's updated qualifications described in § 17-22.4(C)5.b.

(D) The Agency shall require certain topics to be included in any initial and recurrent training program and shall only certify a Certified Security Training Program that provides such training, including, at a minimum:

1. Community health and wellness, including drug and alcohol addiction, homelessness, and mental illness;
2. First aid, including training in administering cardiopulmonary resuscitation (CPR), use of automated external defibrillators (AED), and administering opioid antagonists;
3. Conflict and crisis de-escalation strategies and techniques for responding to incidents of violence, persons impaired by alcohol or a controlled substance, and persons who are suffering from a mental health crisis;
4. Orientation to the security industry, including industry standards for reporting incidents and preparing written incident reports;
5. Orientation to the entities responsible for public safety and the entities' duties and roles;
6. The legal and industry standards governing Security Guards' interaction with employees of other entities responsible for ensuring public safety;
7. Responding to disruptions in building operations, including electrical outages, water disruption, water leaks, flooding, elevator service disruptions, and elevator entrapments;
8. Identifying internal and external threats to buildings and the buildings' occupants;
9. Security Guards' workplace rights, including health and safety, anti-discrimination, and wage and hour laws;
10. Other miscellaneous topics as determined by the City to be relevant such as professional image, effective communication, including communicating with clients, and report writing.

(E) The Agency shall post publicly on a City website a list of all Certified Security Training Programs, including the names of the program, address(es), and names of the program owners.

17-22.6 Issuance of Certification of Training.

Upon the satisfactory completion of any training required under this Chapter, the Certified Security Training Program shall issue to the Unarmed Security Guard a written Certification of Training in a form and manner as prescribed by the Agency. The Certified Security Training Program shall also provide a true and accurate copy of each Certification of Training issued under this provision to the Agency and the Security Employer of the Unarmed Security Guard recipient of the certification.

17-22.7 Training Costs Paid by Security Employer.

- (A) A Security Employer shall pay the enrollment fee, tuition, and any other costs associated with enrolling in or completing the training required under this Chapter on behalf of each Unarmed Security Guard it employs. A Security Employer may not deduct any portion of the training costs from an Unarmed Security Guard's pay, nor may it otherwise require an Unarmed Security Guard to reimburse the Security Employer for any training costs. A Security Employer may not charge any Unarmed Security Guard a fee for the written Certification of Training, if the Training Program fails to provide the Certification of Training directly to the Unarmed Security Guard.
- (B) A Security Employer must compensate Unarmed Security Guards for all hours spent attending the training program at the Unarmed Security Guards' regular hourly rate of pay.
- (C) No Security Employer may require possession of a Certification of Training as a condition of hire for any candidate seeking employment as an Unarmed Security Guard.

17-22.8 Notice and Posting.

- (A) The Agency shall publish and make available on its website a notice for Unarmed Security Guards, informing them of the requirements under this Chapter. The notice shall include information on the procedure for filing a complaint with the Agency for violations, stating that retaliation for filing a complaint is prohibited, and providing such other information as the Agency may require.
- (B) Security Employers shall provide such notice to each Unarmed Security Guard within 30 days of the effective date of this Chapter, or, for Unarmed Security Guards hired 30 days or more after the effective date of this Chapter, at the commencement of employment. Security Employers shall additionally post the notice in a conspicuous location visible to all Unarmed Security Guards at the job site.

17-22.9 Exercise of Rights Protected; Retaliation Prohibited.

- (A) A Security Employer or its agent may not discharge, reduce the compensation of, retaliate against, or discriminate against any Unarmed Security Guard or any other person for making a complaint to the Agency, otherwise asserting his or her rights under this Chapter, participating in any of its proceedings, or using any civil remedies to enforce his or her rights under the Chapter. The Agency shall investigate allegations of retaliation or discrimination and shall, if found to be true, after notice and a hearing order appropriate penalties for the Security Employer.
- (B) There shall be a rebuttable presumption of unlawful retaliation under this Section whenever a Security Employer discharges, suspends, demotes, or takes other adverse action against a person within 90 days of when that person:
 - 1. Files a complaint with the Agency alleging a violation of any provision of this Chapter;
 - 2. Informs any person about a Security Employer's alleged violation of this Chapter;
 - 3. Cooperates with the Agency or other persons in the investigation or prosecution of any alleged violation of this Chapter; or
 - 4. Opposes any policy, practice, or act that is unlawful under this Chapter.

17-22.10 Administrative Enforcement and Penalties.

The Agency shall be responsible for the implementation and enforcement of this Section.

- (A) The provisions of this section may be enforced by all enforcement mechanisms authorized, including but not limited to the noncriminal disposition process of M.G.L. c. 40, § 21D, and, if applicable, by seeking to restrain a violation by injunction. Any Unarmed Security Guard or any member of the public alleging a violation of this chapter may file a complaint with the Agency within 3 years of the date they knew or should have known of the alleged violation.
 - 1. Upon receiving such a complaint, the department shall investigate it. The Agency may open an investigation on its own initiative.
 - 2. The Agency is authorized to develop criteria and procedures for the investigation and redress of violations alleged under this chapter.

Any Security Employer that provides Security Services when such a Security Employer does not have a valid Permit shall be fined three hundred dollars (\$300) per day per Unarmed Security Guard employed. The Agency may also seek an injunction

from a court of competent jurisdiction prohibiting the provision of Security Services by any unpermitted Security Employer.

17-22.11 Procurement Penalties.

1. Any Security Employer that has been found to have employed Unarmed Security Guards without possessing a valid Permit shall be ineligible for any future City Contract for three years.
2. All City contracts shall contain a provision that the contract shall be null and void if the person entering into the contract with the City fails to maintain a valid Permit.

17-22.12 Regulation.

The Agency is authorized to coordinate implementation, administration, and enforcement of this Chapter and shall promulgate appropriate guidelines or regulations for such purposes, and for the purposes of establishing procedures for the filing, investigation, and resolution of complaints regarding alleged violations of this Chapter.

17-22.13 Severability.

If any provision of this Chapter or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or applications of the Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are declared severable.

17-22.14 Effective Date.

This ordinance shall take effect thirty (30) days after passage.

Filed on: August 5, 2026