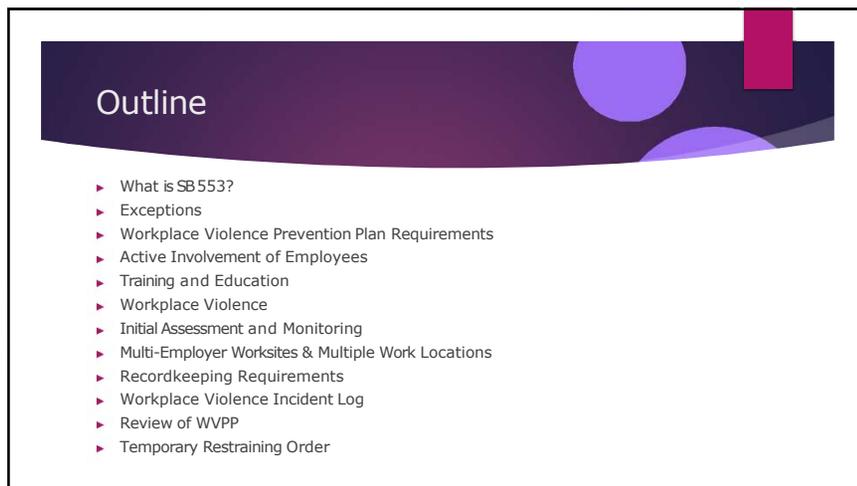


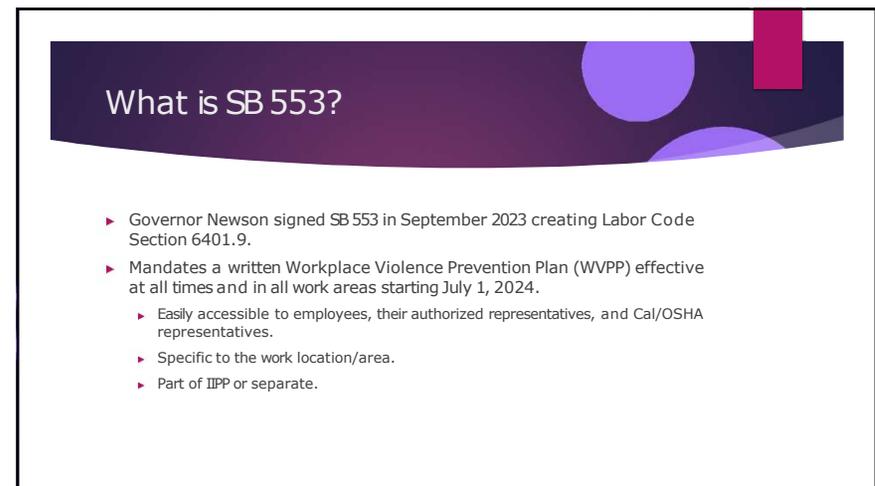
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Exceptions

- ▶ Healthcare facilities (Violence Prevention in Health Care standard).
 - ▶ Note that Governor Newsom recently signed AB 2975, which amends healthcare violence prevention requirements
- ▶ Employers that comply with Violence Prevention in Health Care standard.
- ▶ Department of Corrections and Rehabilitation.
- ▶ Law enforcement agencies.
- ▶ Teleworking employees.
- ▶ Places of employment with fewer than 10 employees and not accessible to the public.

5

Workplace Violence Prevention Plan Requirements

- ▶ Labor Code Section 6401.9 outlines the required elements of the WVPP.
 - ▶ Names or job titles of people responsible for implementation.
 - ▶ Procedures:
 - ▶ Employee involvement.
 - ▶ Coordination with other employers (if applicable).
 - ▶ Compliance.
 - ▶ Employee Communication.

6

Workplace Violence Prevention Plan Requirements (continued)

- ▶ Labor Code Section 6401.9 outlines the required elements of the WVPP.
 - ▶ Procedures:
 - ▶ Response to emergencies.
 - ▶ Training.
 - ▶ Hazard correction.
 - ▶ Post-incident response and investigation.
 - ▶ Review of WVPP effectiveness.
 - ▶ Any other procedure necessary for employee health and safety as required by the Division and Standards Board.

7

Active Involvement of Employees

- ▶ Obtaining active involvement of employees can be tricky.
- ▶ Required to collaborate with employees in:
 - ▶ Development.
 - ▶ Design and implementation.
 - ▶ Hazard identification, evaluation, and correction.
- ▶ Strategies:
 - ▶ Company meeting
 - ▶ Creating a task force
 - ▶ Suggestion form/box
 - ▶ Electronic or physical distribution
- ▶ DOCUMENT YOUR EFFORTS.

8

Training and Education

- ▶ Training must be appropriate to employee's educational level, literacy, and language.
- ▶ Training must occur:
 - ▶ First established;
 - ▶ Annually;
 - ▶ New or previously unrecognized hazard has been identified; and
 - ▶ Changes to the plan.
- ▶ Must be interactive.
 - ▶ Allow for questions and answers.
- ▶ Only for California employees.
- ▶ Completed by July 1, 2024.

9

Training and Education (continued)

- ▶ Training shall include the following topics:
 - ▶ How to obtain a copy.
 - ▶ How to participate in development and implementation.
 - ▶ Definitions and requirements.
 - ▶ Reporting incidents or concerns (no retaliation).
 - ▶ Job-specific hazards.
 - ▶ How to seek assistance to prevent or respond to violence.
 - ▶ Strategies to avoid physical harm.
 - ▶ Violent Incident Log and how to obtain copies.

10

Workplace Violence

- ▶ Workplace violence means any act of violence or threat of violence that occurs in a place of employment.
 - ▶ Threat or use of physical force.
 - ▶ Does not need to lead to injury, psychological trauma, or stress.
 - ▶ A threat or use of a firearm or other dangerous weapon.
 - ▶ Includes animal attacks
- ▶ Does not include lawful acts of self-defense or defense of others.

11

Workplace Violence (continued)

- ▶ Four types of workplace violence (one or more can apply):
 - ▶ Type I: workplace violence committed by someone who has no legitimate business at the worksite.
 - ▶ Type II: workplace violence directed at employees by customers, clients, patients, students, inmates, visitors.
 - ▶ Type III: workplace violence committed against an employee by a current or former employee.
 - ▶ Type IV: workplace violence committed by a non-employee who has a personal relationship with an employee.

12

Initial Assessment & Monitoring

- ▶ Must perform an initial assessment of the workplace.
- ▶ Assessments should identify workplace violence risk factors that are specific to each job and worksite.
- ▶ Monitoring to identify changes to the worksite.
- ▶ Monitoring new positions and new locations.
 - ▶ New/different threats?

13

Multi-Employer Worksites

- ▶ Required to coordinate implementation of WVPP with other employers (if applicable).
 - ▶ Coordination with the property owner/manager and other employers in the building.
 - ▶ Coordination with staffing agencies.
 - ▶ Construction: Coordination with the site owner, general contractor, and any subcontractors.
- ▶ Joint collaboration includes:
 - ▶ Which employees are involved in plan development;
 - ▶ Which employers are responsible for training specific employees;
 - ▶ Which employer investigates reports of workplace violence hazards or concerns; and
 - ▶ Which employer maintains the incident log.

14

Multiple Work Locations

- ▶ Ensure that the WVPP is specific to the hazards and corrective measures for each location.
- ▶ Must include all worksites that employees that travel to.
 - ▶ Delivery drivers
 - ▶ Mail couriers
 - ▶ Salespersons

15

Recordkeeping

- ▶ Records of hazard identification, evaluation, and correction: Created and maintained for a minimum of 5 years.
- ▶ Training records: Created and maintained for a minimum of 1 year.
- ▶ Violent incident logs: Maintained for a minimum of 5 years.
- ▶ Records of workplace violence incident investigations: Maintained for a minimum of 5 years.
- ▶ Employees and their authorized representatives have the right to receive records listed above within 15 calendar days of a request.

16

Workplace Violent Incident Log

- ▶ Record all incidents in the violent incident log.
- ▶ Information recorded should come from:
 - ▶ The employees who experienced the workplace violence;
 - ▶ From witnessed; and
 - ▶ From investigation findings.
- ▶ Omit any element of personal identifying information such as:
 - ▶ Name
 - ▶ Address
 - ▶ Email address
 - ▶ Phone number
 - ▶ Social security number

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Workplace Violent Incident Log (continued)

- ▶ Information recorded in the log shall include the following:
 - ▶ Date, time, and location of violent incident.
 - ▶ Workplace violence type(s)(Type I- Type IV).
 - ▶ Description of incident.
 - ▶ Classification of who committed violence.
 - ▶ Classification of circumstances at the time of the incident.
 - ▶ Classification of where the incident occurred.
 - ▶ Type of incident.
 - ▶ Consequences of the incident.
 - ▶ Information of person completing the log (name, job title, and date completed).

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Review of WVPP

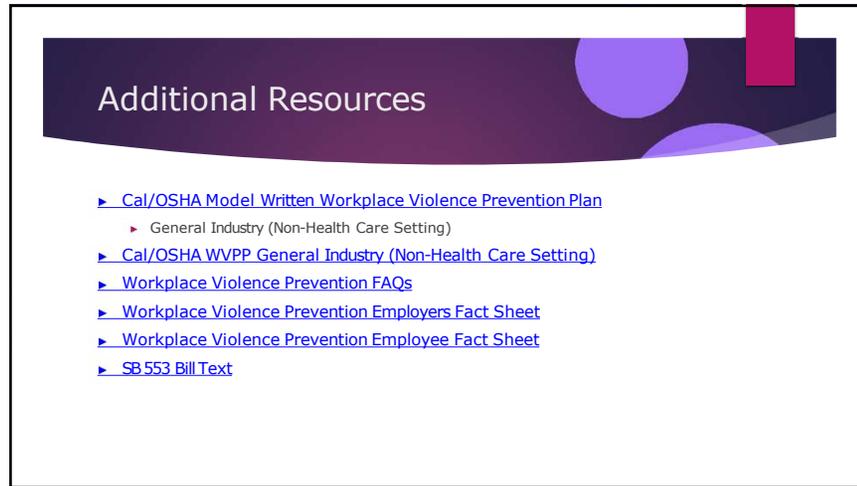
- ▶ Shall review WVPP:
 - ▶ Annually;
 - ▶ When deficiencies are observed or becomes apparent; and
 - ▶ After each incident of workplace violence
- ▶ Obtain active involvement of employees and their representatives.
- ▶ No guidance on what reviewing the effectiveness of the plan entails.
- ▶ Review of violent incident log.

19

Temporary Restraining Orders

- ▶ Beginning January 1, 2025, collective bargaining representatives (in addition to employers) may seek a temporary restraining order and an order after hearing on behalf of the employees.
- ▶ Requires the employer or collective bargaining representative to provide the employees the opportunity to decline to be named in the temporary restraining order prior to filing the petition.

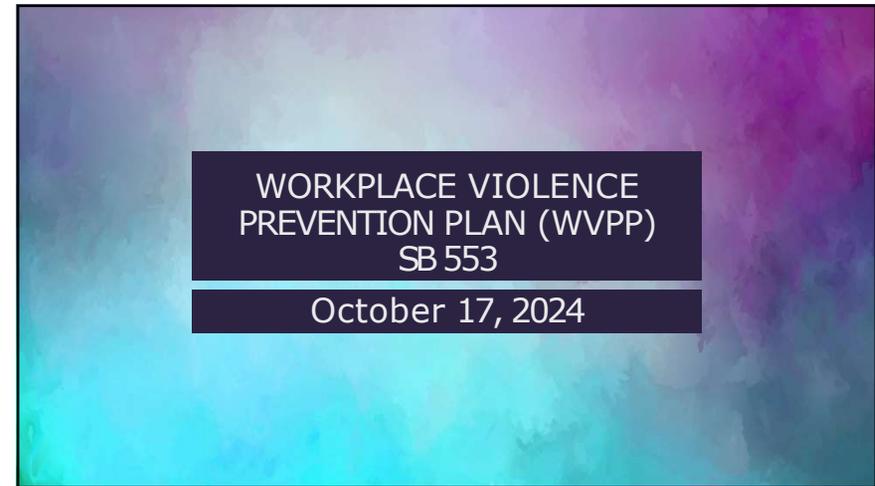
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Additional Resources

- ▶ [Cal/OSHA Model Written Workplace Violence Prevention Plan](#)
 - ▶ General Industry (Non-Health Care Setting)
- ▶ [Cal/OSHA WVPP General Industry \(Non-Health Care Setting\)](#)
- ▶ [Workplace Violence Prevention FAQs](#)
- ▶ [Workplace Violence Prevention Employers Fact Sheet](#)
- ▶ [Workplace Violence Prevention Employee Fact Sheet](#)
- ▶ [SB 553 Bill Text](#)

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WORKPLACE VIOLENCE
PREVENTION PLAN (WVPP)
SB 553

October 17, 2024

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