

# California Issues Guidance On its New Workplace Violence Prevention Mandates

## Labor & Employment Law Update

By Kevin Kleine on March 14, 2024

CAL/OSHA recently issued guidance on its Workplace Violence Prevention mandates that were created and implemented on September 30, 2023 when Governor Newsom signed Senate Bill 553 (SB 553) into law and which go into effect on July 1, 2024. Check out our blog on SB 553 for more information on the law.

### Workplace Violence Prevention Plan

Effective July 1, 2024, covered employers must have a comprehensive Workplace Violence Prevention Plan (WVPP) in place that includes and identifies certain required information. CAL/OSHA recently released a model WVPP that covered employers can use as a template to create their own plan document. A copy of CAL/OSHA's model WVPP can be obtained at the following link: [DOSH - Publications, Research and Education](#).

### Workplace Violence Training

SB 553 also requires covered employers to provide their employees with workplace violence training initially after the July 1, 2024 effective date and each year thereafter. Training materials must be easy for employees to understand and match employees' education, reading skills, and language. While there is currently no specific length of time needed for the training, it must cover many topics, including:

- Familiarizing employees with the plan, how to obtain a copy of, and how to participate in the development and implementation of the employer's plan;
- Definitions and requirements of California's new workplace violence prevention law (Cal. Lab. Code § 6401.9);
- How to report workplace violence incidents without fear of retaliation;
- An understanding of violence hazards specific to an employee's job;
- Preventive measures;

- The purpose of the violent incident log and how to obtain related records; and
- Opportunities for interactive discussions with someone knowledgeable about the employer's plan.

Covered employers must provide additional training when new or previously unidentified workplace violence hazards are discovered, or changes are made to their WVPP. Such additional training must cover any newly discovered or previously unidentified workplace violence hazards and any changes or modifications made to the employer's plan.

**Note:** On and after July 1, 2024, Covered employers must provide their employees with workplace violence training each year **IN ADDITION TO** the sexual harassment and abusive conduct training (i.e., bullying training) they are already required to provide their employees.

### Violent Incident Log

Covered employers must also record all incidents of workplace violence in a "violent incident log" that includes all pre and post incident activities and information, including any investigations or disciplinary actions taken. Specifically, the violent incident log must record the following information:

- The date, time, and location of the incident;
- A detailed description of the incident;
- A classification of who committed the violence;
- A classification of the circumstances at the time of the incident, including whether the employee was completing usual job duties;
- A classification of the location of the violence incident;
- The type of incident, including whether it involved physical, verbal, sexual, or animal attacks;
- Consequences of the incident, such as medical treatment needed and whether security or law enforcement was contacted; and
- Contact information for the individual completing the violent incident log.

### Required Record Retention

Covered Employers must also create and keep records of the following information for five years:

- Records of workplace violence hazard identification, evaluation, and correction;
- Violent incident logs; and
- All records of workplace violence incident investigations.

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Covered employers only need to create and keep workplace violence training records for a minimum of one year.

### Fact Sheets

CAL/OSHA also recently released fact sheets that provide employers and workers with information about their rights and obligations under SB 553. The fact sheets for employers provide an overview of the information required to be included in their WVPP and on the required workplace violence training. A copy of CAL/OSHA's fact sheets for covered employers and employees can be obtained at the following links:

- Fact sheet for General Industry employers: [WPV-General-Industry-for-employers-fs.pdf \(ca.gov\)](#)
- Fact sheet for General Industry employees: [WPV-General-Industry-for-workers-fs.pdf \(ca.gov\)](#)

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