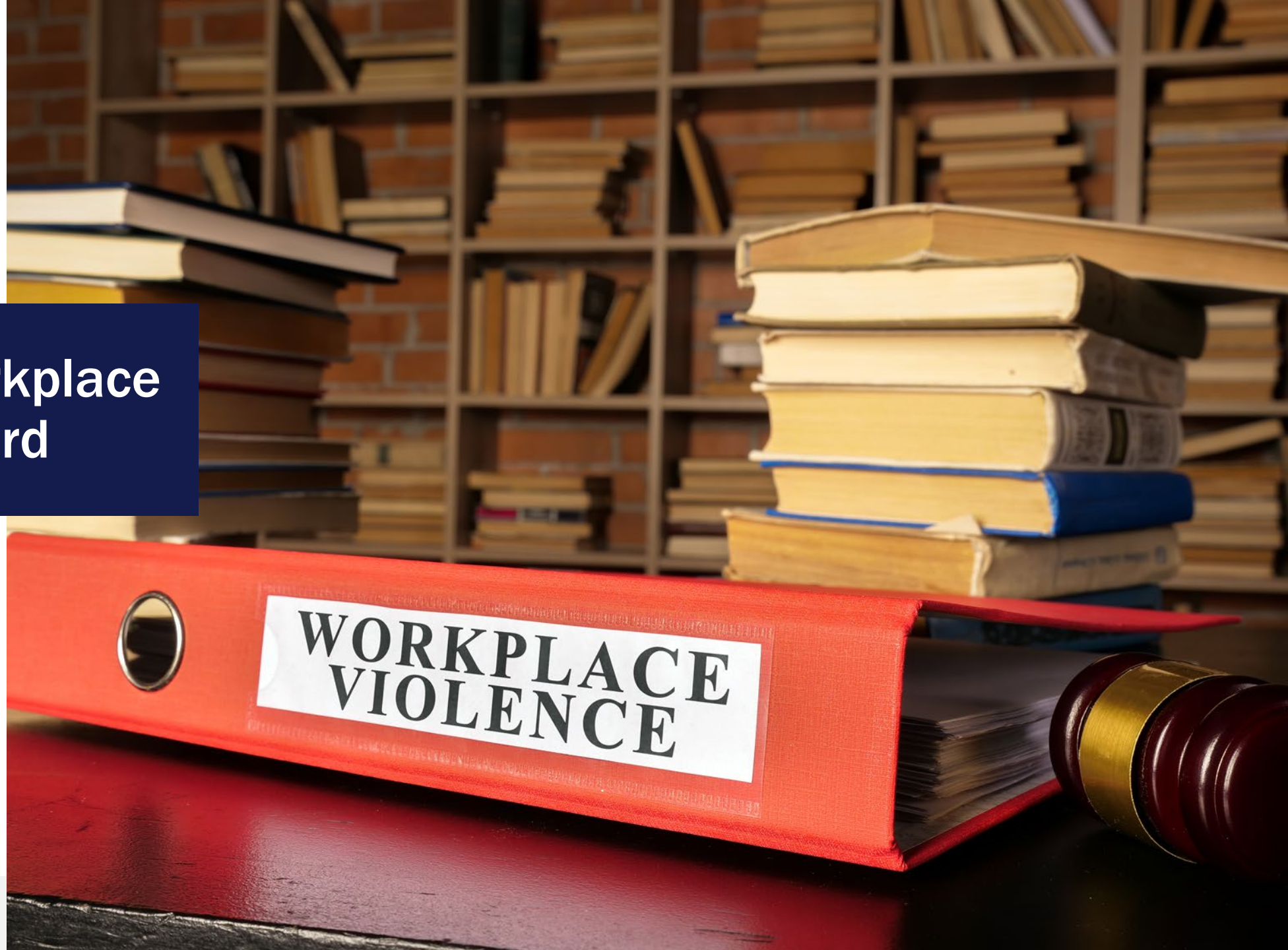




Cal/OSHA's Workplace Violence Standard



Presenters



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Agenda

1 > General Requirements

2 > Types of WPV

3 > Workplace Violence Prevention Plan

4 > Hazard Assessment

5 > Hazard Controls

6 > Incident Logs

7 > Training

8 > Recordkeeping

General Requirements

- California Senate Bill 553 (SB 553)
- Beginning July 1, 2024, all California employers will be required to establish, implement and maintain an effective workplace violence prevention plan
- Plan can be added to the IIPP or it can be a stand-alone program
- SB 553 applies to all employers, employees, places of employment and employer-provided housing
- SB 553 applies only to CA worksites and CA employees

General Requirements

- Employers obligations:
 - Written plan
 - Training
 - Access to employees and representatives
 - Hazard assessment(s) specific for each work area and operation
 - Corrective measures identified
 - Investigation protocols
 - Record keeping / violent incident log

Exemptions

Exemptions:

- Places of employment with fewer than 10 employees working at any given time AND NOT accessible to the public.
 - Less than 10 employees but public accessible = required
- Teleworking/Remote employees not under employer's control
- Health care facilities already covered by existing Workplace Violence in Healthcare Standard (Title 8 Section 3342)
 - For instance, skilled nursing is not covered by SB 553 whereas assisted living falls under SB 553

SB 553 Not Your Average OSHA Standard

- This bill puts the onus on the **employer** first
- Standards division must propose a standard no later than December 1, 2025
- Standards must meet the minimum requirements of SB 553 and can include additional requirements that the division deems necessary and appropriate
- The standards board must adopt by December 31, 2026

SB 553 Not Your Average OSHA Standard

- Employee **engagement** is required for the plan development and training
- The plan must be effective
- Plans shall be specific to occupational exposures
- Annual review is required

Workplace Violence

- Any act of violence or threat of violence that occurs in a place of employment
- Threat or use of physical force towards an employee that results in or has the likelihood of resulting in, injury, psychological trauma or stress, regardless of whether employee sustains an injury
 - This can also include texts, electronic messages, social media or online posts
- An incident (verbal and or written) involving a threat or use of a firearm or other dangerous weapon
 - This can include common objects used as weapons regardless of whether the employee sustains an injury
- Self-defense or defense of other is not included in the definition of workplace violence

Types of Workplace Violence

Type 1:

- Committed by a person who has no legitimate business at the worksite
- Covers violent acts by anyone entering a workplace or approaches workers with the intent to commit a crime

Type 2:

- Directed at employees by customers, clients, patients, students or guests

Type 3:

- Against an employee by a present or former employee, supervisor or manager

Type 4

- Committed in the workplace by a person who does not work there but has or is known to have had a personal relationship with an employee



Workplace Violence Prevention Plan (WVPP) Overview

- Establish written plan with procedures that address **YOUR** specific workplace hazards
- Employer must put plan into place the plan that includes:
 - Hazard assessments focused on workplace violence
 - Communication with employees when hazards are identified
 - Completing employee training
 - Recordkeeping / violent incident log
- Maintain Plan
 - Annual refresher training

Elements of the WVPP

- Name(s) of individuals responsible for implementing and maintaining the plan
- Effective procedures for employee's involvement in developing and implementing the plan
 - Safety committee
 - Identifying, evaluating, correcting hazards, designing and implementing training, reporting and investigation of workplace violence
 - Feedback
 - In situation where there are numerous employees, responsible individual roles must be clearly described in the plan

Elements of the WVPP

- **6401.7**

(a) – Every employer shall establish, implement, and maintain an effective injury prevention program. The program shall be written, except as provided in subdivision (e), and shall include, but not be limited to, the following elements:

- (1) Identification of the person or persons responsible for implementing the program.
- (2) The employer's system for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices.
- (3) The employer's methods and procedures for correcting unsafe or unhealthy conditions and work practices in a timely manner.

Elements of the WVPP

- (4) An occupational health and safety training program designed to instruct employees in general safe and healthy work practices and to provide specific instruction with respect to hazards specific to each employee's job assignment.
- (5) The employer's system for communicating with employees on occupational health and safety matters, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal.
- (6) The employer's system for ensuring that employees comply with safe and healthy work practices, which may include disciplinary action.
- (7) A workplace violence prevention plan conforming to the requirements of Section 6401.9.

(b) The employer shall correct unsafe and unhealthy conditions and work practices in a timely manner based on the severity of the hazard.

Elements of the WVPP

- Coordination with other employers
 - Multi-employer worksites
 - Vendors
 - Worksite roles and procedures
 - Have one for each that reviews specific workplace violence hazards and responsible person at the site
- Procedures for employers to handle and respond to reports of workplace violence, free of reprisal
 - Employees need to know how to respond to an incident from line employees to the manager/supervisor/upper management

Elements of the WVPP

- Procedures to ensure compliance from all employees, including supervisors to comply with the plan.
 - Examples of employee compliance:
 - Employee recognition for safe and healthful work practices
 - Training and retraining programs
 - Disciplinary actions
 - General safety work practices
- Procedures to communicate with employees regarding workplace violence matters.
 - How an employee can report a violent incident
 - How will employee concerns be investigated and how will they be informed of the results of the investigation

Elements of the WVPP

- Emergency Response
 - Procedures for *responding to actual or potential workplace violence emergencies*
 - Evacuation or sheltering plans appropriate and feasible for the worksite
 - How to obtain help from staff assigned to respond to workplace violence emergencies, security personnel, and law enforcement
- Procedures to identify and evaluate workplace violence hazards that include inspections with the following frequency:
 - When the plan is first set up
 - Periodic schedule
 - After a violent incident
 - When ever a new hazard becomes known
- Training

Elements of the WVPP



Hazard Assessments

- Employee code of conduct
- Law enforcement response time (numbers posted)
- Poor lighting
- Doors propped open - block/rock/door catchers
- Human Element Factor
- Open doors at loading docks
- Unlocked doors
- Blind spots
- Covered windows
- Hours of operation
- High value items in plain sight
- Training program
- Signage
- Cameras in plain sight
- Partitions
- Overall environment
- Past issues and concerns
- Employee input

Hazard Controls: Engineering

- Cashless operations
- Ballistic film
- Limited entry points
- Access control systems
- Onsite security
- Internal notification system
- Lock down buttons
- RUN, HIDE, FIGHT
- Lighting
- Camera and surveillance systems
- Opening and closing protocols

Hazard Controls: Administrative

- Emergency action plan
- Training
- Industry trends
- Staffing (working alone)
- Hazard assessments
- Employee Assistance Program
- Zero tolerance for workplace violence
- Employee badges
- Relationship with local law enforcement
- Client communication
- Text notifications
- Visitor sign in process
- Color coded safety vests

Violent Incident log

- Must maintain a log of all incidents of workplace violence even if the incident did not result in injury
 - *“Threat of violence” means any verbal or written statement, including, but not limited to, texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct, that conveys an intent, or that is reasonably perceived to convey an intent, to cause physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.”*
- Any act of violence or threat that occurs in the workplace
 - Physical attack - with or without a weapon
 - Threat of physical force - verbal or written or electronic
 - Sexual assault or threat (Confidentiality is a must)
 - Animal attack



Violent Incident log Information

When - Date and time

Where - location

Workplace violence type (1,2,3 and/or 4)

Classification of who committed the violence

The circumstances at the time of the incident



Violent Incident log Information

Where the incident occurred

Specific incident characteristics, such as physical attacks, weapon involvement, threats, sexual assault, animal incidents, or other events

What the consequences of the incident were, including any involvement law enforcement

What steps were taken to protect employees from further threat or hazards

Who completed the log, including their name, job title, and the date completed

California Workplace Violence Prevention Law - Sample Violent Incident Log

This form is designed to meet requirements for an employer's violent incident log required under California's Workplace Violence Prevention Law (WVPL) as of July 1, 2024. Under the WVPL, employers must record information in a violent incident log for every workplace violence incident that occurs in their employees' workplaces.

Completed workplace violence incident logs, along with any violent incident investigation records or hazard identification, evaluation and correction records, must be kept for a minimum of five years. Employers must also make all WVP-related records available to employees and their representatives upon request and without cost for examination and copying within 15 calendar days of a request.

Use the spaces provided below to record the required information. Add additional spaces as needed for responses.

| Company Information | |
|---------------------|--|
| <i>Company Name</i> | <i>Address</i> |
| <i>Phone Number</i> | <i>Location of Incident (If Different Than Address Listed Above)</i> |


| Incident Reported By | | |
|----------------------|---------------------|------------------|
| <i>Full Name</i> | <i>Today's Date</i> | <i>Job Title</i> |
| <i>Phone Number</i> | <i>Email</i> | <i>Address</i> |




| Incident Details | | | | | | | | | | | | | | |
|--|-----------------------------------|--|---------------------------------|----------------------------------|----------------------------------|----------------------------------|-----------------------------------|-------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|---------------------------------------|----------------------------------|---------------------------------|
| <i>Date of Incident</i> | <i>Time of Incident</i> | <i>Location/Area the Incident Occurred</i> | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| Incident Circumstances | | | | | | | | | | | | | | |
| <i>Alleged Victim's Relationship to Alleged Perpetrator</i> <input type="checkbox"/> Client or customer <input type="checkbox"/> Family or friend of a client or customer <input type="checkbox"/> Co-worker, supervisor or manager <input type="checkbox"/> Stranger with criminal intent <input type="checkbox"/> Peer (employee) <input type="checkbox"/> Partner or spouse <input type="checkbox"/> Parent or relative <input type="checkbox"/> Other: | | | | | | | | | | | | | | |
| <i>Circumstances at the Time of the Incident, Including Whether the Alleged Victim Was:</i> <input type="checkbox"/> Completing usual job duties <input type="checkbox"/> Working in poorly lit areas <input type="checkbox"/> Rushed <input type="checkbox"/> Working during a low staffing level <input type="checkbox"/> Isolated or alone <input type="checkbox"/> Unable to get help or assistance <input type="checkbox"/> Working in a community setting <input type="checkbox"/> Working in an unfamiliar or new location <input type="checkbox"/> Other: | | | | | | | | | | | | | | |
| <i>Describe the Type of Incident, Including Whether It Involved:</i> <input type="checkbox"/> A physical attack without a weapon, such as: <table border="0"><tr><td><input type="checkbox"/> Biting</td><td><input type="checkbox"/> Kicking</td><td><input type="checkbox"/> Pulling</td></tr><tr><td><input type="checkbox"/> Choking</td><td><input type="checkbox"/> Punching</td><td><input type="checkbox"/> Scratching</td></tr><tr><td><input type="checkbox"/> Grabbing</td><td><input type="checkbox"/> Slapping</td><td><input type="checkbox"/> Spitting</td></tr><tr><td><input type="checkbox"/> Hair Pulling</td><td><input type="checkbox"/> Pushing</td><td><input type="checkbox"/> Other:</td></tr></table> <input checked="" type="checkbox"/> An attack with a weapon or object <input type="checkbox"/> Threat of physical force or threat of the use of a weapon or other object <input type="checkbox"/> Sexual assault or threat, such as rape, attempted rape, or physical display of unwanted verbal or physical sexual contact <input type="checkbox"/> Animal attack <input type="checkbox"/> Other: | | | <input type="checkbox"/> Biting | <input type="checkbox"/> Kicking | <input type="checkbox"/> Pulling | <input type="checkbox"/> Choking | <input type="checkbox"/> Punching | <input type="checkbox"/> Scratching | <input type="checkbox"/> Grabbing | <input type="checkbox"/> Slapping | <input type="checkbox"/> Spitting | <input type="checkbox"/> Hair Pulling | <input type="checkbox"/> Pushing | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Biting | <input type="checkbox"/> Kicking | <input type="checkbox"/> Pulling | | | | | | | | | | | | |
| <input type="checkbox"/> Choking | <input type="checkbox"/> Punching | <input type="checkbox"/> Scratching | | | | | | | | | | | | |
| <input type="checkbox"/> Grabbing | <input type="checkbox"/> Slapping | <input type="checkbox"/> Spitting | | | | | | | | | | | | |
| <input type="checkbox"/> Hair Pulling | <input type="checkbox"/> Pushing | <input type="checkbox"/> Other: | | | | | | | | | | | | |





Training Procedures

 Employers must provide employees *“effective training,”* and training materials used must be *“appropriate* in content and vocabulary level, literacy, and language of employees”

 The training must be conducted when the Plan is first established (July 1st) and annually thereafter

 Additional training is required when a new or previously unrecognized WV hazard has been identified, or changes are made to Plan or following a workplace violence incident

 Training must include discussion of: The Plan, how it is accessed, and how to participate in development/implementation of Plan

 SB 553’s definitions and requirements

Training Employees

Familiarizing employees with the plan, how to obtain a copy, and how to participate in the development and implementation of the plan.

Definitions and requirements of Labor Code section 6401.9 (SB 553)

Understanding of job-specific violence hazards and preventive measures

Purpose of the violent incident log and how to obtain related records

Opportunities for interactive discussions with someone knowledgeable about the employer's plan

Q& A

Record Keeping

Plan must be easily accessible to all employees and authorized representative

Records of workplace violence **hazard identification, evaluation, and correction** must be created and maintained for a **minimum of 5 years**

Training records must be created and maintained for a minimum of one year

Violent incident logs must be maintained for a minimum of five years

Records of workplace violence incident investigations under must be maintained for a minimum of five years

| Written WVP Plan | Complete | Needs Attention |
|--|--------------------------|--------------------------|
| <p>List names and job titles of individuals responsible for implementing the plan.</p> <p>Clearly describe all roles, especially if multiple individuals are responsible.</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Explain how you will obtain employees' active involvement in developing and implementing the plan.</p> <p>This may be through, for example, the employees' participation in:</p> <ul style="list-style-type: none"> Identifying, evaluating and correcting workplace violence hazards; Designing and implementing training; and Reporting and investigating workplace violence incidents. | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Explain how you will coordinate implementation with other employers, when applicable, to ensure those employers and their employees understand their roles under the plan.</p> <p>This must include requirements that:</p> <ul style="list-style-type: none"> All employees receive the required WVP training; All workplace violence incidents involving any employee are reported, investigated and recorded. | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Outline procedures the company will use to accept and respond to reports of workplace violence.</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Outline procedures the company will use to prohibit retaliation against an employee who makes a report.</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Outline procedures the company will use to ensure that supervisory and nonsupervisory employees comply with the plan.</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Explain how the company will communicate with employees regarding workplace violence matters.</p> <p>This should include, for example:</p> <ul style="list-style-type: none"> How an employee may report a violent incident, threat or other workplace violence concern to the employer or law enforcement without fear of reprisal; How the employer will investigate employee concerns; and How employees will be informed of any investigation results and of any corrective actions to be taken. | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Explain how the company will respond to actual or potential workplace violence emergencies.</p> | <input type="checkbox"/> | <input type="checkbox"/> |



Resources

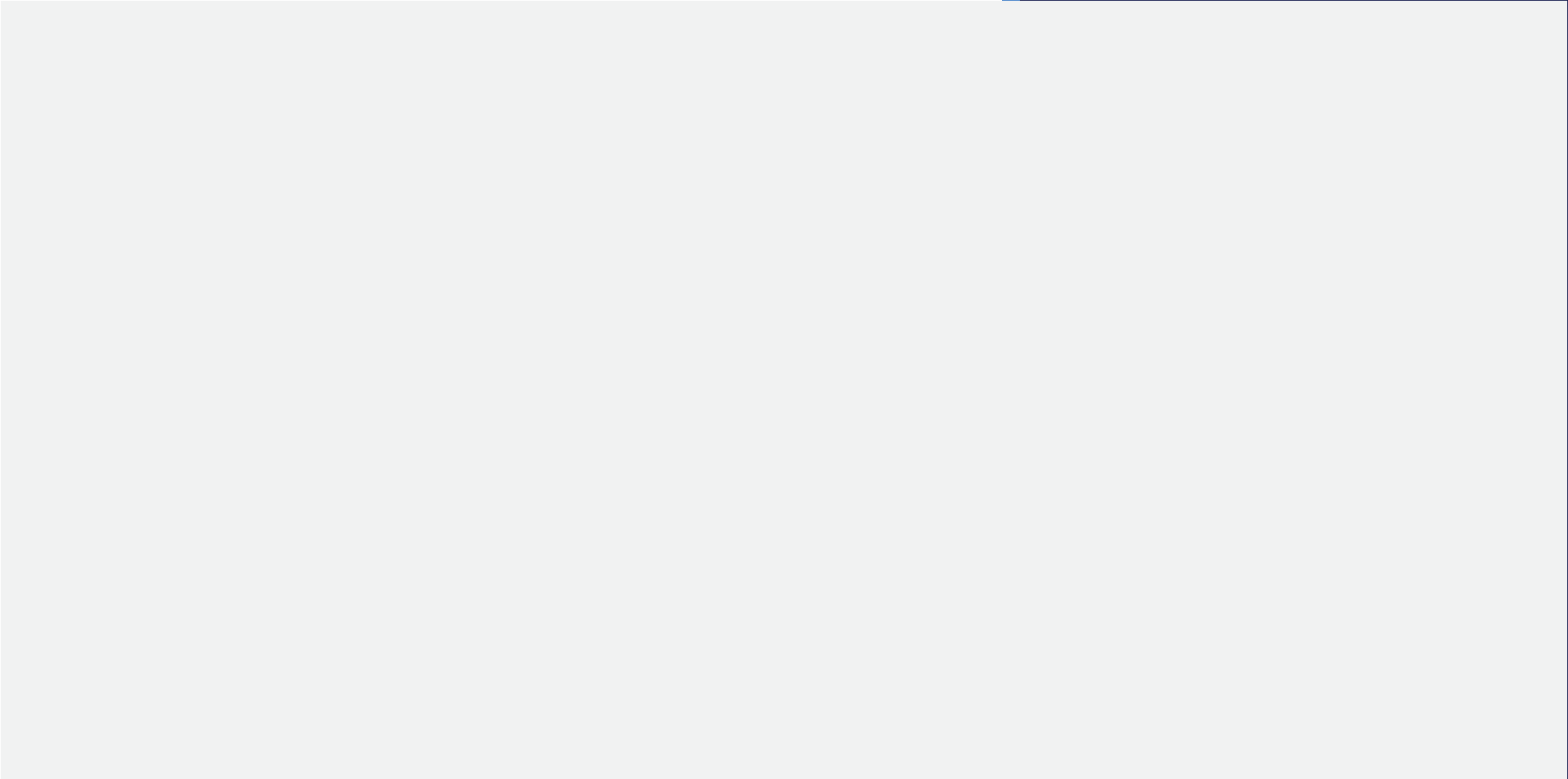
- [Checklist for Complying with CAL/OSHA Workplace Violence Prevention Law](#)
- [Preparing for California's Workplace Violence Prevention Law](#)
- [Overview of California Workplace Violence Prevention Plan and Training Law](#)
- [Model Written Workplace Violence Prevention Plan \(Non-Healthcare\)](#)
- [Sample Violent Incident Log](#)



Questions?

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Resources

- https://www.dir.ca.gov/dosh/dosh_publications/WPV-General-Industry-for-employers-fs.pdf
- https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB553
- https://www.dir.ca.gov/dosh/dosh_publications/WPV-General-Industry-for-workers-fs.pdf

