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# Approaching July 1, 2024 Deadline for Workplace Violence Prevention Program

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May 22, 2024  
Number 25

**Written by:**

Chelsea Olson Murphy  
Partner  
San Luis Obispo

Aislinn Kiyomi Roberts  
Associate  
San Luis Obispo

As the July 1, 2024 deadline quickly approaches, this is a reminder of the obligations related to preventing and responding to workplace violence placed on all employers, both public and private, by Senate Bill (SB) 553. “Workplace Violence” is defined as “any act of violence or threat of violence that occurs in a place of employment.” The law was established in response to concerns about workplace violence, which can impact employees and expose them to physical and emotional harm as well as impact the workplace in the form of missed work, lost wages, and decreased productivity.

## Workplace Violence Prevention Program

SB 553 added section 6401.9 to the Labor Code, requiring employers to establish, implement, and maintain a Workplace Violence Prevention Plan (WVPP), a violent incident log; provide related training to all employees; and maintain certain associated records.

- **WVPP:** The WVPP must be a comprehensive written plan, which includes extensive required components. [Click here](#) to view the Lozano Smith WVPP Checklist.
- **Violent Incident Log:** Every violent incident that occurs in the employer’s workplace must be recorded in a violent incident log. The log must also include numerous required components. Many school districts have raised questions about whether incidents involving students, especially special education students, and teachers or other employees must be recorded in the log. Cal/OSHA recently released [guidance](#) on this question and stated that, “In this scenario, regardless of whether the act was intentional or not, this would be categorized as a ‘Type 2 Violence’ workplace violence incident and the employer is required to record it in the violent incident log.” Because incidents involving students arguably must be included on the log, it should be noted that no personally identifiable information about those involved in the incident should be included.
- **Employee Training:** Public agencies must provide an initial training to their employees when the WVPP is first established and then annually

thereafter. Additional training must be provided whenever a new or previously unrecognized workplace violence hazard is identified or when changes are made to the WVPP.

- ***Record-Keeping Requirements:*** Records of workplace violence hazard identification, evaluation and correction, records of violent incident investigations, and violent incident logs must be maintained for a minimum of five years. Training records must be created and maintained for a minimum of one year.
- ***Active Involvement of Employees and Representatives:*** The WVPP must include procedures to obtain the active involvement of employees and authorized employee representatives in developing and implementing the plan, including, but not limited to, through their participation in identifying, evaluating, and correcting workplace violence hazards, in designing and implementing training, and in reporting and investigating workplace violence incidents.

## Enforcement

The Department of Industrial Relations (DIR), through Cal/OSHA, will propose standards regarding workplace violence prevention plans by December 31, 2025, which must be adopted by DIR's board no later than December 31, 2026. However, Cal/OSHA has confirmed that the law will be in effect and enforceable as of July 1, 2024.

## Takeaways

Our Lozano Smith attorneys have prepared template WVPPs and violent incident logs, which can be individualized for your agency, including specific guidance and step-by-step instructions on preparing and implementing a compliant WVPP program. We are also available to assist in preparing agency-wide training materials to meet the initial and annual training obligations.

If you would like assistance implementing your agency's WVPP program, or if you have any questions about the impact of SB 553 or workplace violence issues in general, please contact the authors of this Client News Brief or any attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcasts](#), follow us on [Facebook](#), [Twitter](#) and [LinkedIn](#) or download our [mobile app](#).

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