



Workplace Violence Prevention Plan Fact Sheet

SB 553 Overview

While healthcare facilities have been required to maintain a workplace violence prevention plan (WVPP) for a number of years, SB 553, codified at California Labor Code Section 6401.9, now requires almost all employers to maintain a written WVPP as of July 1, 2024. Similar to an Injury and Illness Prevention Plan (IIPP), the WVPP has a number of requirements, including but not limited to delegating authority to someone to oversee the plan, annual employee training specific to the workplace, ongoing hazard assessment and correction, investigation of workplace violence incidents, maintaining a violent incident log, and record retention requirements. Unlike a traditional IIPP, the WVPP requires employees' and unions' active involvement in developing and implementing in the plan. Employers may choose to implement the WVPP into their IIPP, or maintain it as a separate, stand-alone document.

Notably, SB 553 gives Cal/OSHA until December 1, 2025 to propose a general industry workplace violence prevention standard and gives Cal/OSHA's Standards Board until December 31, 2026 to adopt the standard. As such, there may eventually be additional and/or revised requirements for California employers to follow once the standard is finalized. In the meantime, Cal/OSHA will enforce the requirements under SB 553 (Labor Code Section 6401.9) and may issue citations.

Cal/OSHA has published a [Sample WVPP Template for general industry employers here](#).

Covered Employers & Exemptions

The WVPP requirement applies to all California employers, unless specifically exempted. The exemptions include:

- Employers who are already covered by the Workplace Violence Prevention in Healthcare standard (or employers that already comply with that standard);
- Employees teleworking from a location of the employee's choice that is not under the control of the employer;
- Places of employment that are not accessible to the public and have less than 10 employees working at any given time; and
- Facilities operated by the California Department of Corrections and Rehabilitation and law enforcement agencies.

Definition of Workplace Violence

Workplace violence is broadly defined to include "any act of violence or threat of violence that occurs in a place of employment." Employers are required to record all workplace violence incidents on the violent incident log. This includes:

- Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
- Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
- Threat of physical force or threat of the use of a weapon or other object.
- Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
- Animal attack.

Some examples that may come up in the workplace include not only threats or acts from coworkers, but also from disgruntled customers, vendors, former employees, or an employee's family member or significant other. There may also be random acts or threats from strangers with no connection to the workplace, including when you send employees to different locations or job sites. Employers should proactively prepare for threats of violence in connection with retail theft and active shooter situations, which unfortunately have become increasingly common. Moreover, whenever an employer receives a complaint of harassment or bullying, they should assess whether it involves *sexual harassment* for purposes of recording on the violent incident log. Comments or acts the employee subjectively perceives as traumatizing or stress-inducing may qualify as "workplace violence."

Written WVPP Requirement

The WVPP must be in writing and available to employees and authorized employee representatives. It must include each of the following:

- Names or job titles of the persons responsible for implementing the WVPP;
- Effective procedures allowing for active involvement of employees and authorized employee representatives in developing and implementing the WVPP;
- Methods the employer will use to coordinate implementation of the WVPP with other employers, when applicable;
- Effective procedures to accept and respond to reports of workplace violence, and to prohibit retaliation against an employee who makes such a report;
- Procedures to ensure compliance from all employees, including supervisors;
- Procedures to communicate with employees regarding workplace violence matters, including how an employee can report a violence concern as well as how those concerns will be investigated and/or corrected;
- Procedures to respond to workplace violence emergencies;
- Procedures to develop and provide required training under Section 6401.9;
- Procedures to identify, evaluate, and correct workplace violence hazards in a timely manner;
- Procedures for post-incident response and investigation; and
- Procedures to review the effectiveness of the WVPP periodically and, if workplace violence incident occurs, how to revise the WVPP as needed.

Employee Training Requirements

The required employee training must be customized to the specific workplace and job duties. The trainer must be someone that is knowledgeable in the employer's WVPP. It must be interactive and allow for employee questions and answers. The training must be provided when the WVPP is first established, upon identification on new hazards/plan changes, and on an annual basis. It must cover:

- The employer's WVPP;
- How to obtain a copy of the WVPP at no cost;
- How to participate in development and implementation of the WVPP;

- The definitions and requirements under Section 6401.9;
- How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal;
- Information regarding workplace violence hazards specific to the employees' jobs;
- Corrective measures that the employer has implemented;
- How employees can “seek assistance to prevent or respond to violence, and strategies to avoid physical harm;” and
- The employer’s violence incident log and how to obtain copies of required records.

Violent Incident Log & Record-Keeping Requirements

Every time there is a workplace violence incident (which as noted above is defined *broadly*) the employer must investigate it, engage in hazard correction/update the WVPP, and record the incident on the violent incident log with specific required information. CEA members may refer to our [Sample Violent Incident Log here](#).

The log should not include any personally identifying information. More specifically, the employer is required to remove any element of personal identifying information sufficient to allow identification of any person involved in a violent incident, such as the person’s name, address, electronic mail address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, reveals the person’s identity. The log must be made available to employees and their representatives, upon request and without cost, for examination and copying within 15 calendar days of a request.

Record Retention

Violent incident logs and other WVPP records must be maintained for a minimum of five years. The only exception is employee training records, which must be maintained for a minimum of one year.