

APMA Workplace Violence and Compliance

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SB 553 (Cortese) Workplace Violence Prevention Plan Requirement – How Did We Get Here?

Unions began advocating for employer mandates on workplace violence in the early 2000s; unions representing psychiatric hospital employees, then unions seeking to unionize retail employees

Picked up momentum as violent crime became a greater concern in recent years

SB 503 (1993) required hospitals to create and implement violence plans; **SB 1299 (2014)** expanded that to healthcare employers generally

Cal/OSHA implemented a workplace violence standard for healthcare employers in 2017

Discussions with stakeholders on a general industry workplace violence standard began around that time

SB 553 passed in 2023

SB 553 (Cortese) Workplace Violence Prevention Plan Requirement

Virtually all employers required to establish, implement and maintain an effective Workplace Violence Prevention Plan by July 1, 2024, except:

- Facilities covered by Healthcare WPV;
- Facilities covered by Dept. of Corrections & Rehabilitation
- Law Enforcement agencies
- Employees working remotely
- Workplaces not publicly accessible, 10 or fewer employees, in compliance with IIPP

SB 553 (Cortese) Workplace Violence Prevention Plan Requirement

“Workplace violence:” any act of violence or threat of violence that occurs in a place of employment; includes, not limited to:

- Threat or use of physical force resulting in, or having a high likelihood of resulting in, injury psychological trauma, or stress (whether or not the employee sustains an injury)
- Incident involving the threat or use of a firearm or other dangerous weapon, including use of common objects as weapons (regardless of whether the employee sustains an injury)

SB 553 (Cortese) Workplace Violence Prevention Plan Requirement

“Threat of Violence:” any verbal or written statement, including texts, electronic messages, social media messages, online posts or any behavioral or physical conduct that conveys or reasonably could be perceived to convey intent to cause or place someone in fear of physical harm, and that serves no legitimate purpose

Workplace violence does not include lawful acts of self-defense or defense of others

SB 553 (Cortese) Workplace Violence Prevention Plan Requirement

Plan Overview:

- May be part of an IIPP, or established and maintained separately
- Create and maintain records of workplace violence, hazard identification, evaluation, correction and investigation
- Violent Incident Log
- Employee/supervisor training

SB 553 (Cortese) Workplace Violence Prevention Plan Requirement

Plan Overview:

- Develop and implement a workplace violence prevention plan
- Provide employee training programs
- Prohibit employee retaliation
- Accept and respond to reports of workplace violence
- Maintain a Violent Incident Log
- Requires Cal/OSHA to proposed additional requirements

Practical Takeaways

Understand Coverage

- Most employers must implement a Workplace Violence Prevention Plan by July 1, 2024.
- Exemptions: healthcare facilities, corrections, law enforcement, remote employees, and small workplaces (10 or fewer employees, not publicly accessible, compliant with IIPP).

Define Workplace Violence

- Includes threats or acts of physical force likely to cause injury, trauma, or stress. Covers threats via verbal, written, electronic, or physical conduct. Excludes lawful self-defense or defense of others.

Develop a Prevention Plan

- Can be part of the IIPP or a standalone document. Address hazards identification, evaluation, correction, and incident investigation.

Maintain Records

- Keep a Violent Incident Log documenting all incidents.

Provide Training

- Train employees and supervisors on identifying, preventing, and responding to workplace violence.

Support Reporting

- Establish clear procedures for accepting and responding to workplace violence reports.
- Prohibit retaliation against employees who report incidents.

Prepare for Updates

- Monitor for additional Cal/OSHA requirement related to workplace violence prevention.

Tips for Developing an Action Plan

Develop a manageable Prevention Plan

- Develop a committee, team that incorporates people from all areas of your facility
- Address hazards identification, evaluation, correction, and incident investigation
- Many local police departments will come to your facility and do a thorough assessment of any potential hazards or areas of vulnerability
- Create a process for employees to be able to share confidential potential hazards that may be created at their home or other outside situations
- Develop a system to be able to identify this threat before they gain access to the facility
- Number office areas to assist the police in identifying where the person may be quickly
- Add a lockbox externally for police, fire and medics to gain easy access to the facility
- Add a “Go Bag” by the entrance that will have maps and other essentials that the police may need once in your facility
- Remember that when calling from a cell phone, give your address immediately as they cannot always tell where your location is unless you call from a landline

Provide Training

- Train employees and supervisors on identifying, preventing, and responding to workplace violence
- Identify locations where staff can barricade themselves and others
- What modifications could be made to ensure enhanced safety (locks on offices, etc.)
- Practice drills often

Workplace Violence Prevention Plan Requirement – Employer Compliance Resources

FELS: Workplace Violence Prevention: FELS *Newsletter* subscriber-exclusive Resources:

[Workplace Violence Prevention Plan \(.pdf\)](#)

[Hazard Assessment Form \(.pdf\)](#)

[Training Topics \(.pdf\)](#)

[Violent Incident Log \(.pdf\)](#)

Other:

[Model Written Workplace Violence Prevention Program](#) (editable, MS Word format), Cal/OSHA

[Workplace Violence Prevention in Agricultural Operations Employers Fact Sheet](#), Cal/OSHA

[Workplace Violence Prevention in Agricultural Operations Employees Fact Sheet](#), Cal/OSHA

[Workplace Violence Prevention in General Industry Employers Fact Sheet](#) (includes non-healthcare and agricultural employment), Cal/OSHA

[Workplace Violence Prevention in General Industry Employees Fact Sheet](#) (includes non-healthcare and agricultural employment), Cal/OSHA

[FAQ: Workplace Violence Prevention in General Industry](#) (includes non-healthcare and agricultural employment), Cal/OSHA

Thank You!

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