



New California Law Requires Businesses to Implement Workplace Violence Prevention Plans

California employers must implement detailed Workplace Violence Prevention Plans by no later than July 1, 2024, following the recent promulgation of [California Senate Bill 553](#), which creates a series of new obligations intended to safeguard employees and workplace safety.

According to [CalOSHA](#) and the [National Safety Council](#), workplace assault is one of leading causes of worker deaths. There are currently no national workplace violence standards issued by the Occupational Safety and Health Administration (OSHA), but the federal agency has utilized its [General Duty Clause](#) authority under Section 5(a)(1) of the OSH Act to pursue enforcement against employers who fail to provide a workplace safe of recognized hazards. Indeed, in 2023 alone, OSHA has issued citations against four hospitals and health care systems stemming from workplace violence.

Since April 2017, CalOSHA has required [health care employers](#) in California to implement workplace violence safety rules. Now, however, virtually all employers in California will be required to implement precautionary programs following the California Legislature's September 30, 2023, enactment of SB 553. There are some limited exceptions, such as companies with teleworkers working from their choice of location, as well as businesses with less than 10 employees that are not accessible to the public.

In pertinent measure, the new law requires California businesses to "establish, implement, and maintain" a Workplace Violence Prevention Plan. Among other substantive requirements, the written plan must include response protocols addressing:

- “Procedures to identify and evaluate workplace violence hazards, including, but not limited to, scheduled periodic inspections to identify unsafe conditions and work practices and employee reports and concerns. Inspections shall be conducted when the plan is first established, after each workplace violence incident, and whenever the employer is made aware of a new or previously unrecognized hazard;
- Effective means to alert employees of the presence, location, and nature of workplace violence emergencies;
- Evacuation or sheltering plans that are appropriate and feasible for the worksite; and
- How to obtain help from staff assigned to respond to workplace violence emergencies, if any, security personnel, if any, and law enforcement.”

And, of course, there are a variety of training and recordkeeping obligations. Notably, for example, California employers are required to “record information in a violent incident log for every workplace violence incident” including incidences of animal attacks, threat of physical force, and threat of unwanted verbal or physical sexual contact. The new law also broadens who can request Workplace Violence Restraining Orders and procedural mechanisms to further protect victims of potential violence.

Key Takeaways

- Businesses with employees in California will be required to implement a Workplace Violence Prevention Plan no later than July 1, 2024, unless the business qualifies for one of the limited exceptions.
- California companies will need to train employees and log workplace violence incidents.

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