



Risk
Resiliency™

CALIFORNIA

SB553

REQUIREMENTS

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Executive Summary

Workplace violence is a significant threat and risk for all organizations. Workplace violence can manifest in various forms, including:

- ⚠ Physical assaults
- ⚠ Written and verbal threats
- ⚠ Sexual harassment
- ⚠ Active shooter situations

These incidents not only jeopardize the safety, health, and well-being of employees, vendors, and visitors but also lead organizations to suffer significant reputational damage. The consequences of mishandling workplace violence can range from:

- Increased insurance premiums
- Penalties and fines
- Legal action from victims' families
- Lost business revenue from adverse public perception

In this White Paper, Risk Resiliency will outline the essential components of a Workplace Violence Prevention Program (WVPP). Additionally, this White Paper considers the requirements of California Senate Bill 553 which all employers with more than one employee will need to implement no later than July 1, 2024. The goal of SB 553 is 'To create a safe and secure work environment, promote employee well-being, and protect an organization's assets and reputation.'



For additional information on Workplace Violence Prevention Plans, visit: [Risk Resiliency](#).
Or reach out to us at sales@riskresiliency.com.

Introduction

Violence in the workplace is a growing issue that impacts employees' physical and psychological well-being, organizational productivity, and public perception of the organization. An effective Workplace Violence Prevention Program (WVPP) is vital for employers to mitigate these risks and maintain a harmonious, safe, and productive work environment.

In September 2023, California Governor Gavin Newsom signed [Senate Bill No. 553](#) ("SB 553"), a first of its kind workplace violence prevention law, which requires nearly all California employers to create, adopt, and implement Workplace Violence Prevention Plans prior to July 1, 2024. The goal of SB 553 is 'To create a safe and secure work environment, promote employee well-being, and protect an organization's assets and reputation.'



SB 553 requires employers to create a plan to address Workplace Violence and threats thereof, provide training to their employees regarding the plan and procedures, and maintain a record system of WPV events and threats.

These plans must be in writing and easily accessible by employees. Further, the law outlines specific components required in addition to the Workplace Violence Prevention Plans, including annual workplace violence prevention training, violent incident logs, and the creation and retention of records regarding every incident, post-incident, response, and workplace violation injury investigation.

"Workplace violence" is defined broadly as any act of violence or threat of violence that occurs in a place of employment. This includes, as expected, verbal and written threats of violence and incidents involving use of firearms or dangerous weapons regardless of whether an employee sustains an injury. However, the definition also captures acts such as a threat that results in or has a high likelihood of resulting in injury, psychological trauma, or stress, regardless of whether the employee sustains an injury.

Given the extensive and detailed requirements under California Labor Code section 6401.9, employers in California must ensure they have a compliant workplace violence prevention plan in place before July 1st.

[Don't know where to begin?](#) Risk Resiliency has developed a "[CA SB 553 Compliance Checklist](#)" to help your organization in its journey to compliance.

We're here for you. Risk Resiliency has worked with organizations just like yours to ensure they're not just in compliance but taking responsibility to protect their employees and the longevity of their business. We can get you there, too. [Reach out if you need help.](#)

Required Components

Risk Assessment

Identification of Potential Risks: Employers must conduct a comprehensive risk assessment to identify potential sources of violence. This includes evaluating the nature and types of the work being conducted, the work environment, the industry, and any relevant historical incidents to include near misses that have occurred either at the organization or within the sector that the organization resides. The identification of risks must consider the active involvement of employees to understand their respective roles. Risk assessments must be conducted upon the initiation of a Workplace Violence Prevention Plan, once a new risk or hazard has been identified, or after a violent event occurs.

Policies and Procedures

Workplace Violence Prevention Plan: Develop and communicate clear policies that explicitly state that violence and threats are unacceptable, along with the consequences of violating these policies such as disciplinary actions, restraining orders, and exclusion lists. There are several requirements for the plan that includes the following:

- List the names and roles of those responsible for implementing the plan.
- Effective procedures to obtain the active involvement of employees to plan, respond, and revise the plan for workplace violence hazards. Methods used to implement the plan include training, reporting, and investigating incidents of Workplace Violence (WPV).
- Procedures to accept and respond to WPV.
- A policy that prohibits retaliation against employees who report WPV.
- Instructions on how an employee can report WPV, how those reports are investigated, and the results of the investigation and any corrective action taken.
- Procedures to respond to actual or potential WPV events including a means to alert employees to WPV and evacuation or sheltering plans.
- Procedures on how to contact appropriate staff to respond to WPV (i.e. security or law enforcement).
- Evaluations of workplace hazards. This includes updating a risk register and maintaining a log of identified workplace hazards. At minimum when the plan is established, after a WPV event, and after a newly recognized hazard.
- Procedures for post-incident response and investigation.
- Procedures for a WPV incident log with details from witness statements and investigation findings.

Incident Reporting Procedures: Establish accessible yet confidential reporting procedures for employees to report incidents or concerns related to WPV. Records of violent incidents must be formally documented and maintained for five years and may not contain personally identifying information (PII) or medical records for anyone involved in a violent event. A log of reports and violent events must be shared with any controlling employer of a multiemployer worksite. The log of events must contain the following items:

- Date, time, location, the type of violent event, description, and classification of the suspected perpetrator.
- A classification of circumstances at the time of the incident, including, but not limited to, whether the employee was completing usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, working in a community setting, or working in an unfamiliar or new location.

- Type of violent event: physical attack without a weapon, attack with a weapon, sexual assault or threat, animal attack, or other.
- Consequences of the incident: security or Law Enforcement involved; actions taken to protect employees.
- Name of employee who completed the log including name, job title, and date completed.

Investigation Protocols: Develop consistent and fair investigation protocols to respond to reported incidents, including procedures for interviewing involved parties, preserving evidence, identifying a program that eliminates reprisal, and ensuring confidentiality of all employees, vendors, and visitors.

Employee Training and Awareness

Training Programs: Regularly train employees on the WPV plan, recognizing signs of potential violence, hazard vulnerabilities, injury prevention, effective conflict resolution, de-escalation techniques, and the organization's violence prevention policies. Training must be conducted at the employee's education level, literacy, and language. Conduct training when the WPV plan is established, and annually thereafter. All training courses must include:

- The employer's plan, how to obtain a copy of the employer's plan at no cost, and how to participate in development and implementation of the employer's plan.
- How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal.
- Workplace violence hazards specific to the employees' jobs, the corrective measures the employer has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm.

Training records must be maintained for five years including the date of training, name, and qualifications of the instructor conducting the training, along with names and job titles of attendees.

Ongoing Evaluation

Incident Tracking and Analysis: Continuously track and analyze workplace violence incidents to identify trends and areas for improvement. Records of WPV events and hazards must be kept at minimum for five years.

Program Review: Regularly review and update the WVPP to ensure its effectiveness and relevance, annually at a minimum or upon discovery of a new hazard.

Best Practice Components

While not part of the requirements, Risk Resiliency recommends these components as part of a complete program.

Risk Assessment

Threat Assessment Group (TAG): An internal group or external vendor responsible for assessing and managing threats, including potential violence from visitors, employees, vendors, or third parties is critical. Employers should establish an interdisciplinary team appropriately trained and resourced to respond to WPV events, as well as protocols for reporting and responding to threats.

Policies and Procedures

Disciplinary Measures: Implement a graduated disciplinary system for individuals in violation of the violence prevention policies. The purpose of graduated discipline allows for documentation to further identify risk factors of WPV. In combination with a well-trained TAG, the disciplinary measures allow for the opportunity to minimize or eliminate WPV before it occurs.

Employee Training and Awareness

Awareness Campaigns: Conduct ongoing awareness campaigns and promote a culture of open communication so that employees feel comfortable reporting concerns without fear of reprisal. Conduct an annual review of job safety analysis with active participation of employees to further identify workplace hazards.

Security Measures

Access Control: Employ access control systems to limit unauthorized entry to the workplace and ensure a safe working environment.

Physical Security: Implement security measures such as surveillance cameras, alarms, and panic buttons. Secure exits to deter violence and respond effectively if an incident occurs.

Emergency Response and Communications Management

Emergency Response Team: Develop and regularly update an emergency response plan that includes procedures for responding to workplace violence incidents and evacuations for environmental hazards.

Communication Systems: Ensure reliable communication systems are in place to promptly notify employees and emergency services in case of a violent incident.

Mental Health and Support Services

Employee Assistance Programs (EAPs): Offer EAPs to provide employees with confidential counseling and support for mental health issues that could contribute to WPV.

Conflict Resolution Resources: Provide resources and training for conflict resolution and interpersonal skills to help reduce workplace tensions.

CA SB 553 Compliance Checklist

Plan Components

The written plan must include and address:

- Easily accessible to employees and employee's authorized representatives at all times.
- Contain procedures to accept reports of WPV.
- Include how an employee can report WPV, how those reports are investigated, and the results of the investigation and any corrective action taken.
- Procedures to obtain the active involvement of employees to plan, respond, and revise the plan for workplace violence hazards and what methods will be used to implement the plan including training, reporting, and investigating incidents of WPV.
- The names and roles of those responsible for implementing the plan.
- A policy statement that prohibits retaliation against employees who report WPV.
- Procedures to respond to actual or potential WPV events including a means to alert employees to WPV and evacuation or sheltering plans.
- Procedures on how to contact appropriate staff to respond to WPV (i.e. security or law enforcement).
- Process for evaluations of workplace hazards. Evaluation should occur at minimum when the plan is established, after a WPV event, and after a newly recognized hazard.
- Procedures for post-incident response and investigation.
- Procedures detailing the creation and management of a WPV incident log with details from witness statements and investigation findings.

Reporting Components

Reporting components must include and address:

- The establishment and maintenance of a log of all WPV incidents.
- The log must be reviewed during the WPV plan's periodic reviews and kept for five years.
- The log must be shared with any controlling employer of a multiemployer worksite.
- The log will include the following regarding violent incidents:
 - Basic information: Date, time, location, the type of violent event, description, classification of the suspected perpetrator.
 - A classification of circumstances at the time of the incident, including, but not limited to, whether the employee was completing usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, working in a community setting, or working in an unfamiliar or new location.
 - Type of violent event: physical attack without a weapon, attack with a weapon, sexual assault or threat, animal attack, other
 - Consequences of the incident: security or law enforcement involved, actions taken to protect employees.
 - Name of employee who completed the log including name, job title, and date completed.

- The log SHOULD NOT include: Personal Identifying Information and Personal Health Information for any person involved in a violent event.

Training Components

- Training on WPV must be at the employee's education level, literacy, and language.
- Training shall occur when the plan is established and annually thereafter.
- Training must include:
 - The employer's plan, how to obtain a copy of the employer's plan, and how to participate in development and implementation of the employer's plan.
 - How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal.
 - Workplace violence hazards specific to the employees' jobs, the corrective measures the employer has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm.
- Training records must be maintained for five years including date, contents, names, and qualifications of those conducting the training, and names and job titles of attendees.
- Training records and logs must be made available to the regulatory auditors or an employee and their representative upon their request for examination and copying.

Conclusion

A workplace violence prevention program is an essential element and regulatory requirement per CA SB 553 of any employer's commitment to ensuring the safety, well-being, and productivity of their workforce. It not only mitigates the risk of violence but also contributes to a positive workplace culture and supports an organization's overall success. Employers must understand that investing in a WVPP is not just a matter of compliance but a responsibility to protect their employees and the longevity of their business. By addressing the needs outlined in this White Paper, organizations can significantly reduce the risk of workplace violence and create a safer and more productive workplace.



For additional information on Workplace Violence Prevention Plans, visit: [Risk Resiliency](#).
Or reach out to us at sales@riskresiliency.com.

Works Cited

1. https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB553
2. <https://www.osha.gov/sites/default/files/publications/factsheet-workplace-violence.pdf>

Resources

<https://www.shrm.org/topics-tools/news/risk-management/viewpoint-workplace-violence-hope-best-plan-worst>