

Workplace Violence Prevention Checklist

Effective January 1, 2024, California Senate Bill 553 (SB 553) was enacted to codify (under California Labor Code §6401.9) the majority of the requirements in Cal/OSHA's regulation requiring most employers to establish, implement, and maintain a Workplace Violence Prevention Plan (WVPP, or "the plan"). The law is quite specific and details numerous regulatory requirements for employers to comply with to avoid enforcement action by the Division of Labor Standards Enforcement (DLSE, or "the Division").

This checklist is provided as a tool to not only help your ministry ensure its compliance with State of California regulatory requirements, but which reflects best practices to help you create a safer workplace environment for your ministry regardless of in which state you are located. As always, we encourage organizations to consult with their insurance provider and legal counsel before implementing any new policy, procedure, plan, or program.

☒	STATUTORY REQUIREMENTS	LABOR CODE §
	The employer has established, implemented, and maintains an effective WVPP plan as required by law.	6401.9(c)(1)(A)
	The plan is in writing, is available, and is easily accessible to employees, authorized employee representatives, and representatives of the Division at all times.	6401.9(B)
	The plan is in effect at all times, in all work areas, and is written specific to the hazards and corrective measures for each work area and operation.	6401.9(B)
	The written plan is either incorporated as a stand-alone section within the organization's written Injury and Illness Prevention Plan (IIPP) or maintained as an entirely separate document.	6401.9(B)
	The plan is applicable to all employers, all employees, all places of employment (all worksites), and all employer-provided housing [with certain limited employer exceptions as specified under Labor Code §6401.9(b)(2)].	6401.9(b)(1)
	A printed copy of the plan is available from the employer upon request by the employee at no cost to the employee.	6401.9(e)(2)(A)
	The plan includes the name(s) or job title(s) of the person(s) responsible for the implementation of the WVPP and, if there are multiple persons responsible, their roles are clearly described.	6401.9(c)(2)(A)
	The plan includes effective procedures to obtain the active involvement of employees and authorized employee representatives in the development and implementation of the plan, including, but not limited to, their participation in: 🍏 identifying, evaluating, and correcting workplace violence hazards 🍏 designing and implementing training 🍏 reporting and investigating workplace violence incidents	6401.9(c)(2)(B)

	The plan includes methods the employer will use to coordinate implementation of the plan with other employers, when applicable, to ensure: 🍏 that those employers and employees understand their respective roles as provided in the plan 🍏 that all employees are provided with required, effective training, including: ○ initial training upon first implementation of the WVPP, or initial training upon the employee's hire ○ annual training thereafter ○ additional training when new or previously unrecognized workplace violence hazards have been identified ○ additional training when revisions are made to the WVPP ○ all training material provided is appropriate in content and vocabulary to the educational level, literacy, and language of employees 🍏 that workplace violence incidents involving any employee are reported, investigated, and documented	6401.9(c)(2)(C)
	The plan includes effective procedures for the employer to accept and respond to reports of workplace violence.	6401.9(c)(2)(D)
	The plan includes effective procedures for the employer to prohibit retaliation against an employee who reports workplace violence.	6401.9(c)(2)(D)
	The plan includes effective procedures to ensure supervisory and non-supervisory employees comply with the plan [in a manner consistent with California Code of Regulations, Title 8, §3203(a)(2)] including: 🍏 recognition of employees who follow safe and healthful work practices 🍏 training and retraining programs 🍏 disciplinary actions 🍏 other such means that ensure employee compliance with safe and healthful work practices	6401.9(c)(2)(E)

	The plan includes effective procedures to communicate with employees regarding workplace violence matters, including, but not limited to: 🍏 how employees can report to the employer or to law enforcement violence, threats of violence, or other workplace violence concerns they have experienced, witnessed, or otherwise learned of without fear of reprisal • how employee concerns will be investigated as part of the employer's obligation 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 will be conducted: ○ upon initial implementation of the plan ○ after each workplace violence incident ○ whenever the employer is made aware of a new or previously unrecognized hazard. 🍏 how employees will be informed of the results of an investigation and any corrective actions to be taken 🍏 how corrections of identified and evaluated workplace violence hazards will take place in a timely manner based on the severity of the report	6401.9(c)(2)(F) 6401.9(c)(2)(F)(i) 6401.9(c)(2)(F)(ii) 6401.9(c)(2)(I) 6401.9(c)(2)(F)(ii) 6401.9(c)(2)(J)
	The plan includes effective procedures on how employees should respond to an actual or potential workplace violence emergency, including, but not limited to: 🍏 effective means to alert employees of the presence, location, and nature of a workplace violence emergency 🍏 appropriate and feasible evacuation and shelter-in-place plans and how employees can protect themselves 🍏 how employees can obtain help from staff assigned to respond to workplace violence (staff, security, law enforcement)	6401.9(c)(2)(G) 6401.9(c)(2)(G)(i) 6401.9(c)(2)(G)(ii) 6401.9(c)(2)(G)(iii)
	The plan includes effective procedures to develop and provide required effective training as follows: 🍏 initial training upon WVPP implementation 🍏 or initial training upon hire 🍏 annual training thereafter 🍏 additional training when a new or previously unrecognized workplace violence hazard has been identified 🍏 when revisions are made to the WVPP 🍏 with training material appropriate in content and vocabulary to the educational level, literacy, and language of employees	6401.9(c)(2)(H) 6401.9(e)(1) 6401.9(e)(2) 6401.9(e)(2) 6401.9(e)(3) 6401.9(e)(3) 6401.9(e)(1)

	The plan includes 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 to be conducted: ○ upon initial implementation of the plan ○ after each workplace violence incident ○ whenever the employer is made aware of a new or previously unrecognized hazard	6401.9(c)(2)(I)
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	The plan includes procedures for post-incident response and investigation.	6401.9(c)(2)(K)
	The plan includes procedures to review the effectiveness of the plan and to revise the plan as necessary, including, but not limited to: 🍏 procedures to obtain the active involvement of employees and authorized employee representatives in reviewing the plan 🍏 plan review at least annually, when a deficiency is observed or becomes apparent, and after a workplace violence incident	6401.9(c)(2)(L)
	The plan includes procedures for the implementation and maintenance of a Violent Incident Log, including, but not limited to: 🍏 recorded information in the Violent Incident Log for every workplace violence incident	6401.9(d)(1)(A)
	🍏 log entries documented based on information solicited from the employees who experienced the workplace violence, witness statement(s), and investigative findings	6401.9(d)(1)(B)
	🍏 log entries that exclude any element of personal identifying information sufficient to allow identification of any person involved in the incident, such as the person's name, address, email, phone number, social security number, or any other information that, alone or in combination with other publicly available information, reveals the person's identity	6401.9(d)(1)(B)
	🍏 log entries reviewed at least annually during the periodic WVPP effectiveness review	6401.9(d)(1)(B)

	🍏 Information recorded in the Violent Incident Log includes: ○ date and time ○ location ○ workplace violence type(s) [per 6401.9(a)(6)(B)(iii)] ○ detailed description of the incident ○ classification of who committed the violence (client or customer; family or friend of client or customer; stranger with criminal intent; current or former coworker, supervisor, or manager; partner or spouse; parent or other relative, or other perpetrator) ○ classification of the circumstances at time of incident, including, but not limited to, whether employee was completing usual job duties; working in a poorly lit areas; rushed/hurried; working during low staffing levels; isolated or alone; unable to get help or assistance; working in a community setting; working in a new or unfamiliar area, etc. ○ classification of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area ○ incident type ◇ physical attack with no weapon ◇ physical attack with a weapon or other object ◇ threat of physical force or threat of the use of a weapon or other object ◇ sexual assault or threat ◇ animal attack ◇ other ○ consequences of the incident ○ information on person completing the log entry	6401.9(d)(2) 6401.9(d)(2)(A) 6401.9(d)(2)(A) 6401.9(d)(2)(B) 6401.9(d)(2)(C) 6401.9(d)(2)(D) 6401.9(d)(2)(E) 6401.9(d)(2)(A) 6401.9(d)(2)(G) 6401.9(d)(2)(G)(i) 6401.9(d)(2)(G)(ii) 6401.9(d)(2)(G)(iii) 6401.9(d)(2)(G)(iv) 6401.9(d)(2)(G)(v) 6401.9(d)(2)(G)(vi) 6401.9(d)(2)(H) 6401.9(d)(2)(I)
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Employees receive training that includes:	6401.9(e)(2)
🍏 the Workplace Violence Prevention Plan (WVPP)	6401.9(e)(2)(A)
🍏 how to obtain a copy of the plan at no cost	6401.9(e)(2)(A)
🍏 how to participate in the development and implementation of the plan	6401.9(e)(2)(A)
🍏 definitions and requirements of Labor Code §6401.9	6401.9(e)(2)(B)
🍏 how to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal	6401.9(e)(2)(C)
🍏 awareness of 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	6401.9(e)(2)(D)
🍏 the Violent Incident Log and how to obtain copies of: ○ workplace violence hazard identification, evaluation, and correction ○ training records ○ Violent Incident Log	6401.9(e)(2)(E)
🍏 the opportunity for interactive questions and answers with a person knowledgeable about the plan	6401.9(e)(2)(F)
Records of workplace violence hazard identification, evaluation, and correction are created and maintained for a minimum of five years.	6401.9(f)(1)
Training records are created and maintained for a minimum of one year and include training dates, contents or a summary of the training sessions, names and qualifications of persons conducting the training, and names and job titles of all persons attending the training sessions.	6401.9(f)(2)
Violent Incident Logs are maintained for a minimum of five years.	6401.9(f)(3)
Records of workplace violence incident investigations are maintained for a minimum of five years. (These records shall not contain "medical information," as defined in California Civil Code §56.05(j)).	6401.9(f)(4)
All records required by this subdivision are made available to the Division upon request for examination and copying.	6401.9(f)(5)
All workplace violence hazard identification, evaluation, and correction records, WVPP training records, and Violent Incident Logs are made available to employees and their representatives upon request and without cost for examination and copying within 15 calendar days of request.	6401.9(f)(6)