California's Workplace Violence Prevention Bill Passes Assembly Appropriations Committee With New Amendments

On August 28, 2023, California State Senator Dave Cortese (D-15) announced last-minute amendments to Senate Bill (SB) No. 553. SB 553, if enacted, would require virtually every employer in California to adopt comprehensive workplace violence prevention plans, starting on July 1, 2024.

Quick Hits

- On September 1, 2023, SB 553 passed the California State Assembly's Appropriations Committee.
- SB 553 would establish a workplace violence prevention standard applicable to virtually every employer in California.
- If enacted, the workplace violence prevention requirements set forth in SB 553 would go into effect on July 1, 2024.

Previous drafts of SB 553 were substantially similar to the California Division of Occupational Safety and Health's (Cal/OSHA) workplace violence regulations, which are currently applicable only to healthcare settings. The new last-minute amendments to SB 553 more closely resemble Cal/OSHA's draft regulations on workplace violence prevention. For the past six years, Cal/OSHA has been developing a proposed workplace violence prevention standard known as the Workplace Violence Prevention in General Industry Draft.

Under the new amendments, SB 553's workplace violence prevention requirements would go into effect on July 1, 2024. SB 553 also would require Cal/OSHA to adopt its own general industry workplace violence regulation by December 31, 2026. Essentially, SB 553 is a placeholder until Cal/OSHA passes its own standard, which would replace SB 553's requirements.

On September 1, 2023, the California State Assembly Appropriations Committee passed newly amended SB 553. SB 553 now heads to the Assembly and Senate for final approval. **If passed and signed into law, SB 553 would require virtually every California employer to do the following:**

- Implement a comprehensive written workplace violence prevention plan specific to each work area and operation's hazards
- Ensure that the written plan provides effective procedures to accept and respond to employees' workplace violence reports and that all supervisory and non-supervisory employees comply with the plan
- Review the plan's efficacy and revise the plan as necessary
- Record every workplace violence incident in a violent incident log with information on the incident's date, time, and location, the workplace violence type(s) involved, and other details, such as the perpetrator's identity, the underlying circumstances, the use of any weapon or object, the presence of a

sexual assault or threat, security or law enforcement contact and response, and the identity of the person completing the log
- Provide effective training to employees—using appropriate material based on employees' educational levels, literacy, and languages—on workplace violence prevention, including information on how to obtain a copy of the employer's plan for free, the requirements under Labor Code Section 6401.9, how to report workplace violence incidents or concerns to the employer or law enforcement, and how to seek assistance to prevent or respond to violence
- Keep training records for at least one year, violent incident logs for at least five years, and workplace violence incident investigation records for at least five years

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