

SB: 553 Workplace Violence Prevention

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SAFETY / OSHA / 553
COMPLIANCE



FRAMEWORK RISK
MANAGEMENT



Q&A DURING WEBINAR

Today's Topics

1. SB553 Overview
2. Conducting a vulnerability audit (hazard assessment)
3. Establishing your WVPP planning group
4. Developing your compliance policy
5. Understanding the 4 types of violence
6. Incidents, training, and recordkeeping requirements
7. Getting started
8. Resources

Overview

SB553



SB 553

Effective July 1, 2024, Cal/OSHA compliance requirement.

Effective July 1, 2024, California Senate Bill 553, requires covered California employers with 10 or more employees to establish, implement, and maintain, at all times in all work areas, an effective Workplace Violence Prevention Plan (WVPP).

The Workplace Violence Prevention Plan ensures that all employees adhere to work practices that are designed to make the workplace more secure.

ESM's two-month Workplace Violence Prevention Plan ensures employers are equipped with the tools to comply with this new standard, which will be governed by OSHA. Employees and managers can be equipped with the resources they need to identify, address, and prevent the 4 types of potential violence, all while ensuring regulatory compliance.

Workplace Violence Prevention in General Industry (Non-Health Care Settings) – Information for Employers

According to the Occupational Safety and Health Administration (OSHA), workplace violence is the second leading cause of fatal occupational injuries in the United States, affecting nearly 2 million American workers annually. SB 553 addresses workplace violence by requiring employers to implement basic protections to protect employees while at work.

This fact sheet is an overview of the **California Senate Bill 553** (SB 553), which was signed into law on September 30, 2023. SB 553 amended Labor Code section 6401.7 to require employers to develop and implement a workplace violence prevention plan in accordance with newly codified Labor Code section **6401.9**, which sets out the requirements for the plan. Starting July 1, 2024, the majority of employers in California must establish, implement, and maintain a Workplace violence Prevention Plan that includes:

- Prohibiting employee retaliation.
- Accepting and responding to reports of workplace violence.
- Employee workplace violence training and communication.
- Emergency response.
- Workplace violence hazard assessments.
- Other requirements, such as maintaining a Violent Incident Log.

What must employers know?

All employers, employees, places of employment, and employer-provided housing must comply with the new Labor Code requirements, except those listed in subsection (b) of Labor Code 6401.9.

This fact sheet only provides an overview.



Employers should review the full requirements of **California Senate Bill 553** (SB 553), which includes Labor Code section 6401.9.

Creating a workplace violence prevention plan

Labor Code section 6401.9 outlines the elements of a workplace violence prevention plan required by section 6401.7:

- Every covered employer is required to establish, implement, and maintain an effective workplace violence prevention plan.
- The plan needs to include the following:
 - The names of persons responsible for its implementation.
 - Effective procedures for employee involvement in developing and implementing the plan.
 - Methods to coordinate implementation of the plan with other employers, when applicable.
 - Procedures for employers to handle and respond to reports of workplace violence, while ensuring no retaliation against the reporting employee.
 - Procedures to ensure compliance from employees, including supervisors.

(continued on next page)

Compliance



CA SB 553 & OSHA

SB 553: Effective July 1, 2024, California Senate Bill 553, requires covered employers to establish, implement, and maintain, at all times in all work areas, an effective Workplace Violence Prevention Plan (WVPP).

OSHA: Under the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act of 1970, employers are required to provide their employees with a place of employment that is “free from recognized hazards that are causing or are likely to cause death or serious physical harm”. This includes the prevention and control of the hazard of workplace violence.

Definitions

TERM	DEFINITION
Workplace Violence	An action (verbal, written, or physical aggression) which is intended to control or cause, or is capable of causing, death or serious bodily injury to oneself or others, or damage to property. Workplace violence includes abusive behavior toward authority, intimidating or harassing behavior, and threats. 4 Types.
Workplace/Facility	A building, or part thereof, including grounds and parking lots, utilized or under the control of, assigned to, or leased by or on behalf of the Company and/or its components where its employees or contractors are present for the purpose of performing their official duties.
Threat	Any oral or written expression or gesture that could be interpreted by a reasonable person as conveying an intent to cause physical harm to persons or property.
Retaliation	Any adverse employment action taken against an applicant or employee who engaged in activity protected under the WVPP.

Compliance Framework

1

PLANNING GROUP

Establish your WVPP Planning Group (e.g., Emergency Action Plan group. Security team or Safety Committee).

2

AUDIT

Complete your inspection audit using ESM's digital checklist. Review and discuss corrective actions with your Planning Group. Implement feasible solutions. Repeat annually.

3

POLICY

Review and update your WVPP policy. Include corrective actions as needed. Review incident form and provide to supervisors (e.g., save in accessible public folder).

4

TRAINING

Provide the WVPP training to all employees, for compliance and awareness. Maintain training records for a minimum of one year. Repeat annually

5

RECORDKEEPING

Maintain violent incident logs for five years, training and inspections for minimum one year.

WVPP Contents

1. Names and titles of people responsible for implementation.
2. Procedures that allow for employee participation in developing and implementing the plan.
3. Effective procedures for accepting and responding to reports of workplace violence.
4. Effective procedures to ensure all employees comply.
5. Effective procedures to communicate with employees about workplace violence matters.



Your Company Name Here **Workplace Violence Prevention Program**

Our safety culture embraces the health and wellness of our team, customers and community. Creating a safe work environment is priority #1!

Updated April 2024

WVPP Contents

6. Effective procedures for responding to an actual or potential workplace violence emergency.
7. Procedures to develop and provide training to teach safe work practices.
8. Procedures to identify and evaluate hazards.
9. Procedures to correct workplace hazards identified.
10. Procedures for post incident response and investigation
11. Procedures to review the effectiveness of the plan.



Your Company Workplace Violence

Our safety culture embraces the
community. Creating a safe work

Updated April 2024

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WVPP Planning Group

- The WVPP Administrator has the overall responsibility of the WVPP.
- The WVPP Planning Group must assess the Company's vulnerabilities related to workplace violence and reach agreement on preventive actions to be taken.
- The WVPP Planning Group will be responsible for developing employee violence prevention training programs and create plans to use when responding to acts of violence.
- They will also audit the overall Workplace Violence Prevention Program on an annual basis.





WVPP Planning Group

- Safety Committee
- Emergency Action Plan team
- Safety & Site Security team
- WVPP Task Force

Management Commitment

- ✓ Create and disseminate a clear policy of zero tolerance for workplace violence.
- ✓ Outline a comprehensive plan for maintaining security in the workplace.
- ✓ Assign responsibility and authority for program to individuals with appropriate training and skills.
- ✓ Employees are encouraged to promptly report incidents and suggest ways to reduce or eliminate risks.
- ✓ Management will ensure no reprisals are taken against those employees who report incidents.
- ✓ Management is committed to creating and sustaining a supportive environment.
- ✓ System of accountability for all managers, supervisors, and employees.
- ✓ Maintaining effective communication about workplace violence prevention and violence concerns.

Managers & Supervisors

- ✓ Inform employees about the Company's WVPP.
- ✓ Evaluate all employees' compliance with established security measures.
- ✓ Recognize employees who perform work practices that promote security in the workplace.
- ✓ Provide training and/or counseling to employees who need to improve their workplace security skills.
- ✓ Discipline employees for failure to comply with workplace security practices.
- ✓ Follow established workplace security directives, policies, and procedures.
- ✓ Maintain an open, two-way communication system related to workplace safety, health, and security issues.



Employee Compliance

All employees are responsible and will be held accountable for using safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a secure work environment.

Employee involvement and feedback enable workers to develop and express their commitment to safety and health.

All employees are encouraged to participate by assisting with identifying, evaluating, and correcting workplace violence hazards, and reporting and investigating workplace violence incidents.



A man with a beard, wearing a white hard hat and a light blue button-down shirt, is focused on writing on a clipboard. He is holding a pen in his right hand. The background is a blurred industrial setting, likely a factory or warehouse, with various equipment and structures visible. A small orange rectangular graphic is located in the top left corner.

Vulnerability Audit

**Hazard Assessment
and Evaluation**



Hazard Assessment

The WVPP Planning Group can perform workplace security hazard assessments in the form of recordkeeping and review, periodic workplace security inspections, and a workplace survey.

The assessment group will identify workplace violence and security issues and make recommendations to management and employees.

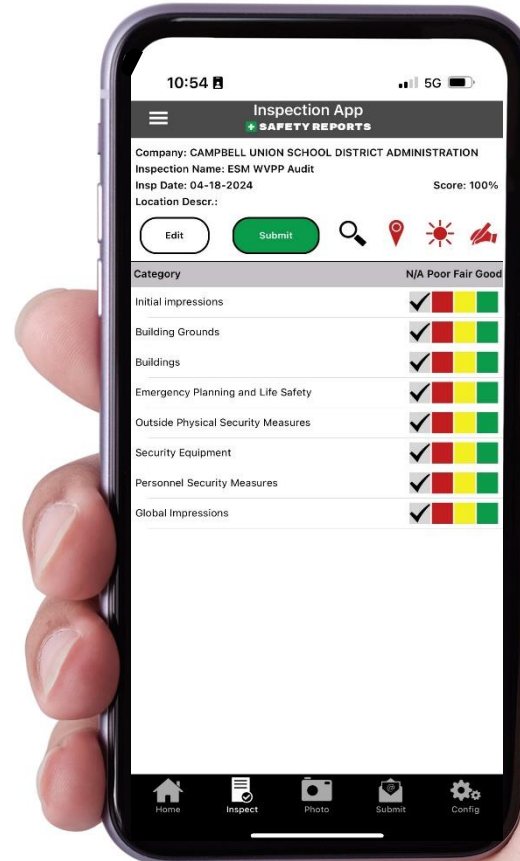
In addition, periodic inspections for security hazards consist of identification and evaluation of workplace security hazards and suggested changes in employee work practices.

Based on the findings from the risk analysis and inspections, the Planning Group will identify and implement secure site system actions that will lower the various levels of risk.

The corrective actions will be prioritized based on threat levels.

Inspection App

- ESM's inspection app provides employers with a comprehensive WVPP checklist. Features include:
- Comprehensive WVPP digital inspection checklist.
 - Complete report including % score, positive and negative findings, and trending analytics.
 - Corrective Action Tracker spreadsheet highlighting negative findings.
 - Review corrective actions and implement what is feasible with your planning group.
 - Document this in your WVPP policy.



Report Summary	
Report Name:	SBASIA - Evergreen
Completed for:	O.B. WHALEY ELEMENTARY SCHOOL
Inspection Date:	November 28, 2023
Contact:	Mike Butler, Director of Operations

Findings:

Emergency Planning and Life Safety

Positive Finding: Evacuation routes are kept clean and routes in buildings have emergency lighting
Positive Finding: Visitors and contractors sign in and are under responsibility of their sponsor

Parking Lots (High Volume Walking Areas)

Issue Identified: Surfaces are not level and/or have potholes, large cracks or trip hazards etc.
Recommendation: Review issues of non-compliance relating to Parking Lots (High Volume Walking Areas) (see comments, notes and/or photo(s) for detail) and take appropriate steps to correct deficiencies.

Photo(s)



Pedestrian path across public street. Visual traffic calming cues.

Positive Finding
Issue Identified
Recommendation

Pedestrian pathways on school property are easily monitored
Pedestrian pathways are not in good condition
Review issues of non-compliance relating to CPTED Grounds (see comments, notes and/or photo(s) for detail) and take appropriate steps to correct deficiencies.

Notes: Refer to photos

Severity: Moderate (marginal impact)
Contributing Factor: Environmental

Photo(s)



Fence at bottom of hill creating a safety hazard. Repair to mitigate.



Concrete curb misaligned. Repair to mitigate.



Tree root protruding from sidewalk. Repair to mitigate.

Positive Finding
Positive Finding
Photo(s)



Landscaping e windows, or off Exterior athletic

Inspection Name: SBASIA - SCCOE
Company: CHANDLER TRIPP ELEMENTARY
Location:
Inspector: Anthony Poston
Email: anthony.poston@esminsite.com
Inspect. Last Update: 11/5/2023

Parking Lots (High Volume Walking Areas)

Surfaces are not level and/or have potholes, large cracks or trip hazards etc.

Issue Identified
Recommendation

Review issues of non-compliance relating to Parking Lots (High Volume Walking Areas) (see comments, notes and/or photo(s) for detail) and take appropriate steps to correct deficiencies.

Notes: Note the concrete next to the drain is displaced, creating a tripping hazard. Additionally, concrete along the vehicular routes is beginning to show signs of cracking, potentially creating a tripping/drainage hazard.

Notes: Play

Severity: Moderate
Contrib. Factor: Environmental

Photos



Concrete around drain is deteriorating, potential trip and fall hazard. Recommend repaving to eliminate hazard.

Responsible Party

Assigned Name: _____

Corrective Action Entry

Please document the corrective action taken or planned below.

Action:

☒ Taken/Complete ☐ Requested/Planned



Types of Violence

4 Types

Type 1: Criminal Intent

The perpetrator has no legitimate relationship to the business or its employees and commits a crime in combination with the assault.

The violence is typically incidental to another crime such as shoplifting, robbery, or trespassing.

Mitigating practices include:

- ✓ Emergency telephone numbers for law enforcement, fire and medical services are posted.
- ✓ The use of work practices such as "buddy" systems when appropriate (e.g., leaving work at night).
- ✓ Adequacy of lighting and security/surveillance for designated parking lots or other high-risk areas.
- ✓ Requiring visitors to sign in and ensuring entrances are always secured.



Type 2: Customers

This type of violence occurs in a workplace, in which the violence is committed by clients, customers, students, patients, or anyone else that is known to the workplace.

The following industries are at higher risk: healthcare industry, law enforcement, firefighters, paramedics, flight attendants, and teachers. Mitigation practices include:

- ✓ Preventing open access to, and freedom of movement within, the workplace.
- ✓ Ensuring the adequacy of workplace security systems, such as door locks, security windows, physical barriers and restraint systems, and the availability of escape routes.
- ✓ Providing crisis de-escalation training to employees in safely handling threatening or hostile persons.
- ✓ Ensuring the effectiveness of systems and procedures used to warn others of a security danger or to summon assistance, e.g., alarms or panic buttons.

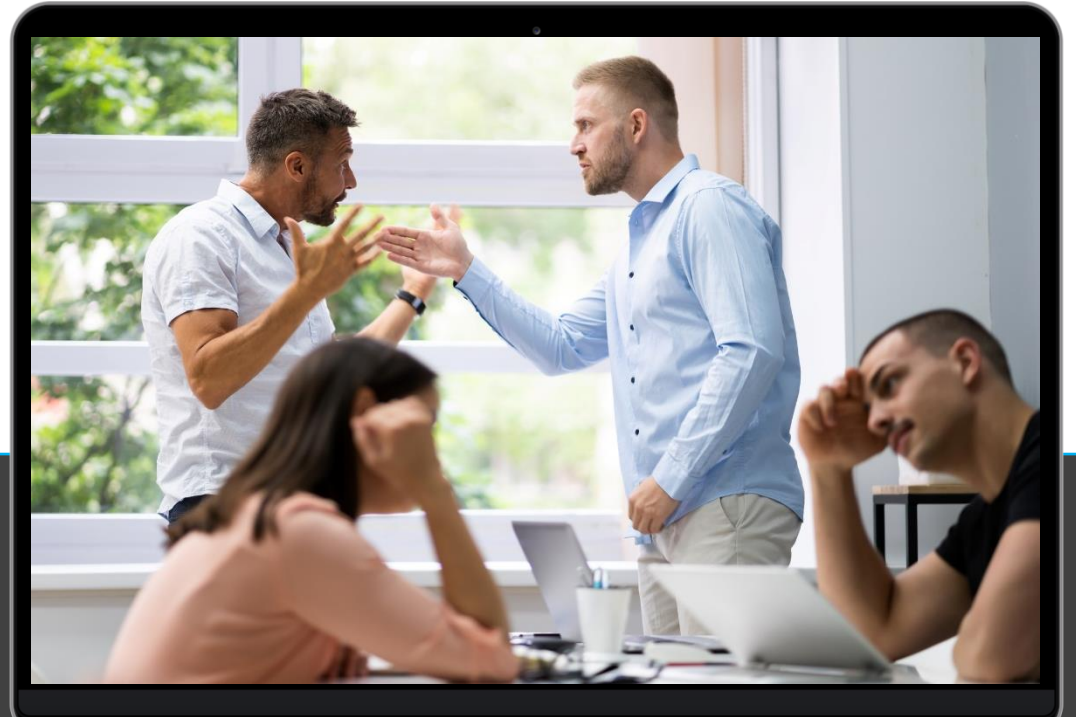


Type 3: Co-Workers

This type of violence is typically committed by a current or past employee of the workplace who attacks or threatens another current or past employee.

Contributing factors include: understaffing, downsizing, frustration over poorly defined job roles, poor management styles, poor due diligence in hiring practices, and/or a high rate of grievances and disputes. Mitigation practices include:

- ✓ Training employees, supervisors, and managers on the warning signs of potential workplace violence.
- ✓ Effective communication of the Company's anti-violence policy to employees, supervisors, and managers.
- ✓ Identification of any prior violent acts, threats of physical violence, verbal abuse, or other signs of strain in the workplace.
- ✓ Defined employee disciplinary and discharge procedures.



Type 4: Personal Relations

The perpetrator usually does not have a relationship with the business but does have a relationship with the intended victim.

Examples include: An ex-spouse attempts to physically harm their partner in their workplace; a spouse follows their partner to work and threatens them; or an ex-partner repeatedly calls the receptionist's office to threaten them and ask coworkers about the receptionist's daily routine. Mitigation practices include:

- ✓ Adequacy of workplace security systems, such as door locks, security windows, video surveillance, and physical barriers.
- ✓ The use of work practices such as "buddy" systems for higher risk areas.
- ✓ Adequacy of lighting and security for designated parking lots or areas.
- ✓ Procedures to notify law enforcement to have an employee's personal relation removed from the worksite, especially if a restraining order has been established.





Anti-Retaliation

Retaliation is defined as any adverse employment action taken against an applicant or employee.

Protected activities may include, but are not limited to, reporting or assisting with the reporting of suspected violations of Company's Workplace Violence Prevention Policy, seeking assistance or intervention from law enforcement or emergency services, and/or cooperating in investigations or proceedings arising out of a violation of Company policy.

Adverse employment action is conduct or action that affects the terms and conditions of the applicant's or employee's employment.

Even actions that do not result in a direct loss of compensation or in termination may be regarded as an adverse employment action when considered in the totality of the circumstances.



Any and all retaliation will not be tolerated, and immediate action will be taken.

Retaliation Examples

- Demotion, suspension, reduction in pay, or denial of a salary increase.
- Harassing another employee for filing a complaint.
- Denying employment opportunities because of making a complaint or for cooperating in an investigation.
- Changing someone's work assignments for identifying an exposure or violation of this policy.
- Treating people differently such as denying an accommodation.
- Excluding the employee from job-related activities because of engagement in activities protected under this policy.





Incidents, Training & Recordkeeping

Next steps

Incident Form

Employers must record any workplace violence incident in a violent incident log (including threats of violence.)

The information in the log must come from an employee who witnessed the incident, other witness statements or investigation findings.

Employers must omit any element of personally identifying information.

This confidential form will be used to track incidents and associated corrective actions.

[illegible]

Training

- ✓ Explanation of the WVPP, including measures for reporting any violent acts or threats of violence.
- ✓ Recognition of workplace security hazards.
- ✓ Measures to prevent workplace violence, including procedures for reporting hazards or threats to managers and supervisors.
- ✓ Ways to defuse hostile or threatening situations.
- ✓ Measures to summon others for assistance.
- ✓ Employee routes of escape.
- ✓ Notification of law enforcement when a criminal act may have occurred.
- ✓ The provision of emergency care in the event of any violent act.
- ✓ Post-event counseling for employees desiring such assistance.

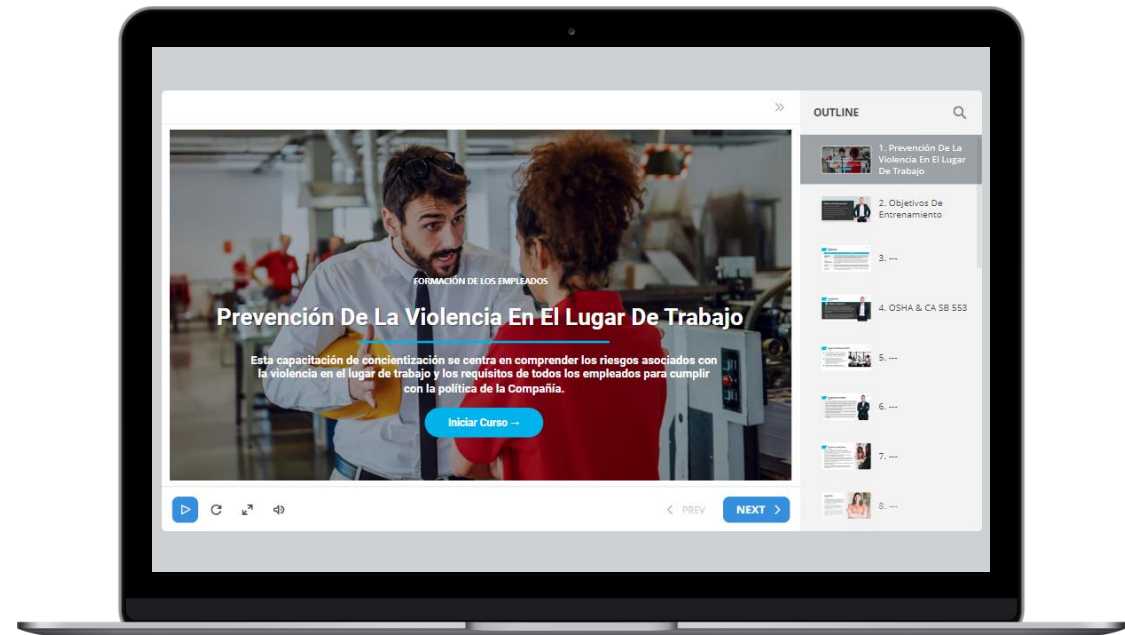
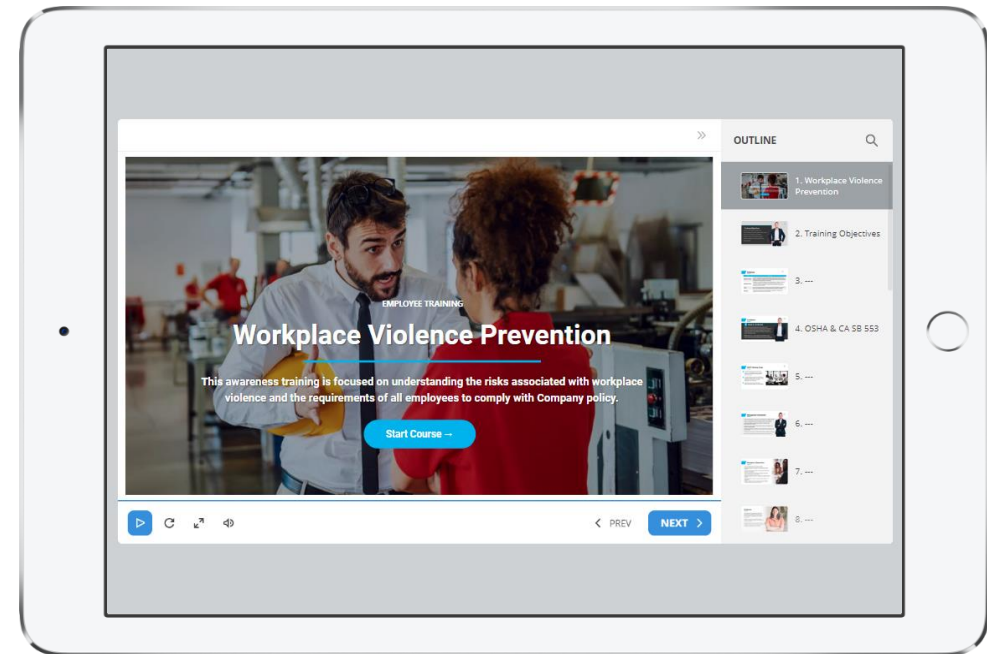


553 Trainings

Leverage ESM's Computer Based Training (CBT) for training employees digitally.

- Training Features:
 - Custom employer link for initial and new-hire training. Distribute via email or text.
 - 1 year license, valid till July 1, 2025.
 - 10 question pass/fail quiz.
 - Email report per employee.
 - One-page printable trainings included.
 - English and Spanish provided.

Per Cal/OSHA: Employers must provide employees with an initial training and annually thereafter.



Recordkeeping

1

Employers must keep records of each workplace violence hazard identification, evaluation and correction **for five years.**

2

Violent incident logs must be maintained **for five years.**

3

Training records must be maintained for a **minimum of one year.**

TIME TO GET STARTED...HERE'S YOUR NEXT STEPS



**ESTABLISH YOUR
WVPP PLANNING
GROUP,**

**BECAUSE YOU CAN'T
DO THIS ALONE.**



**COMPLETE THE
SAFETY AUDIT.**
IDENTIFY GAPS IN
YOUR PROGRAM
AND PRIORITIZE
ACTION ITEMS TO
COMPLETE THEM.



**DEVELOP YOUR
WVPP POLICY WITH
YOUR GROUP.**



**COMPLETE THE
REQUIRED TRAINING**



**REVIEW ANNUALLY
AND RETRAIN AS
NEEDED**

Project Plan *(Discount Pricing)*

WVPP Discount Pricing 2 Month Project

(\$3,250 + \$5/per EE training)

- ✓ Customizable WVPP template
- ✓ Digital Inspection app license (3-month license), with WVPP audit checklist, report, and corrective action tracker.
- ✓ Incident form and log for tracking cases
- ✓ WVPP Computer Based Trainings, including:
 - ✓ Custom employer training link (1 year license)
 - ✓ 10 question pass/fail quiz
 - ✓ Email status report per employee
 - ✓ One-page printable trainings
- ✓ Consultation and support

https://www.esminsite.com/s/WVPP-Program-Overview_Partner-Pricing_2024.pdf



YOUR ONLINE COMPLIANCE SOLUTION FOR A WORKPLACE VIOLENCE PREVENTION PLAN (WVPP)

Effective July 1, 2024, California Senate Bill 553, requires covered employers to establish, implement, and maintain, at all times in all work areas, an effective Workplace Violence Prevention Plan (WVPP).

The Workplace Violence Prevention Plan ensures that all employees adhere to work practices that are designed to make the workplace more secure.

ESM's Workplace Violence Prevention Plan ensures employers are equipped with the tools to comply with this new standard, which will be governed by OSHA. Employees and managers can be equipped with the resources they need to identify, address, and prevent the 4 types of potential violence, all while ensuring regulatory compliance.

ESM's Workplace Violence Prevention Plan includes:

1. Customizable WVPP template
2. *Digital Inspection app license (3-month license), with WVPP audit checklist, report, and corrective action tracker
3. *Incident form for tracking cases
4. *WVPP Computer Based Trainings, including:
 - a. Custom employer link (1 year license)
 - b. 10 question pass/fail quiz
 - c. Email pass/fail status report per employee
 - d. One-page printable trainings
5. Consultation and support

**Forms and Trainings are in both English and Spanish*

INSITE's compliance program provides:

- Customizable WVPP policy template and implementation guide
- Inspection forms for a vulnerability audit
- WVPP Incident form
- Web-based safety trainings
- Digital recordkeeping for regulatory compliance
- Scalable solution for any size employer
- Mobile friendly
- Complies with SB553 for California employers



Program Cost
\$3,250 + training (\$5/employee)
(Three monthly payments)

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Thank you!



**Need assistance with mitigating risk?
We're here to help.**

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