

CHECKLIST

COMPLYING WITH CALIFORNIA'S WORKPLACE VIOLENCE PREVENTION LAW

Presented by StoneTapert Insurance Services

California enacted a new law that requires most employers in the state to implement a written workplace violence prevention plan and provide employee training on workplace violence prevention (WVP). The new [California Workplace Violence Prevention Law](#) (WPVL), enforced by the California Division of Occupational Safety and Health (Cal-OSH), is **effective July 1, 2024**.

The following checklist outlines the steps employers should take to comply with the WPVL.

Section 1: Covered Workplace

Answer the following to determine if your company must comply with California's amended WPVL.

Covered Workplace	Yes	No
<p>Is your company or workplace subject to the WVP plan requirements?</p> <p>Select "Yes" and go to "Section 2: Establish a Written WVP Plan" if your company has employees working in California unless an exemption applies. In general, a workplace may be exempt from the WVPL's plan and training requirements if:</p> <ul style="list-style-type: none">• It is a health care facility, prison or law enforcement agency;• It has employees teleworking from a location of the employee's choice that is not under employer's control; or• It is a workplace where there are fewer than 10 employees working at any given time. <p>However, Cal-OSH may order an exempt employer to comply with any portion of the law. Select "Yes" and go to "Section 2: Establish a Written WVP Plan" (or another appropriate section) if Cal-OSH has ordered your company to comply with any provision of the WVPL.</p> <p>If "No," an employer's inquiry regarding its obligations under the WVP law stops here.</p>	<input type="checkbox"/>	<input type="checkbox"/>

Section 2: Written WVP Plan

Every employer must establish, implement and maintain an effective WVP plan that meets certain requirements. The written plan may be incorporated as a stand-alone section in an employer's written injury and illness prevention program required under California regulations, or it may be maintained as a separate document. Either way, the plan must be:

- In writing and available and easily accessible to employees, Cal-OSH and their representatives at all times;
- In effect at all times and in all work areas; and
- Specific to the hazards and corrective measures for each work area and operation.

Use the checklist below to ensure your WVP plan contains all the requirements elements.

Written WVP Plan	Complete	Needs Attention
<p>List names and job titles of individuals responsible for implementing the plan.</p> <p>Clearly describe all roles, especially if multiple individuals are responsible.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Explain how you will obtain employees' active involvement in developing and implementing the plan.</p> <p>This may be through, for example, the employees' participation in:</p> <ul style="list-style-type: none"> • Identifying, evaluating and correcting workplace violence hazards; • Designing and implementing training; and • Reporting and investigating workplace violence incidents. 	<input type="checkbox"/>	<input type="checkbox"/>
<p>Explain how you will coordinate implementation with other employers, when applicable, to ensure those employers and their employees understand their roles under the plan.</p> <p>This must include requirements that:</p> <ul style="list-style-type: none"> • All employees receive the required WVP training; • All workplace violence incidents involving any employee are reported, investigated and recorded. 	<input type="checkbox"/>	<input type="checkbox"/>
<p>Outline procedures the company will use to accept and respond to reports of workplace violence.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Outline procedures the company will use to prohibit retaliation against an employee who makes a report.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Outline procedures the company will use to ensure that supervisory and nonsupervisory employees comply with the plan.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Explain how the company will communicate with employees regarding workplace violence matters.</p> <p>This should include, for example:</p> <ul style="list-style-type: none"> • How an employee may report a violent incident, threat or other workplace violence concern to the employer or law enforcement without fear of reprisal; • How the employer will investigate employee concerns; and • How employees will be informed of any investigation results and of any corrective actions to be taken. 	<input type="checkbox"/>	<input type="checkbox"/>
<p>Explain how the company will respond to actual or potential workplace violence emergencies.</p>	<input type="checkbox"/>	<input type="checkbox"/>

Written WVP Plan	Complete	Needs Attention
<p>This should include, for example:</p> <ul style="list-style-type: none"> • Effective means to alert employees of the presence, location and nature of workplace violence emergencies; and • Evacuation or sheltering plans that are appropriate and feasible for the worksite. 		
<p>Explain how employees may obtain help from:</p> <ul style="list-style-type: none"> • Staff assigned to respond to workplace violence emergencies, if any; • Security personnel, if any; and • Law enforcement. 	<input type="checkbox"/>	<input type="checkbox"/>
<p>Identify, describe and evaluate workplace violence hazards specific to the worksite.</p> <p>This must include:</p> <ul style="list-style-type: none"> • Scheduled periodic inspections to identify unsafe conditions and work practices and employee concerns; and • Requirements for inspections to 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. 	<input type="checkbox"/>	<input type="checkbox"/>
<p>Explain how the company will correct all identified workplace violence hazards.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Describe the company's procedures for post-incident response and investigation.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Require all employees to undergo WVP training that complies with the law.</p> <p>Include a description of the training and annual requirements to complete the program.</p>	<input type="checkbox"/>	<input type="checkbox"/>

Section 3: Workplace Violence Incident Log

Under the WVPL, employers must record information in a violent incident log for every workplace violence incident that occurs in their employees' workplaces. Information that is recorded in the log for each incident must be based on:

- Information solicited from the employees who experienced the workplace violence;
- Witness statements; and
- Investigation findings.

Employers must omit any element of personal identifying information that may allow the identification of any person involved in a violent incident. This includes the person's name, address, email address,

telephone number, Social Security number and any other information that, alone or in combination with other publicly available information, reveals the person's identity.

If an employee working at a multiemployer worksite experiences workplace violence, the employer must record the incident in its violent incident log and provide a copy to the controlling employer.

Employers must keep all workplace violence incident logs for a minimum of **five years**.

Workplace Violent Incident Log	Complete	Needs Attention
Write the name of the person making the record.	<input type="checkbox"/>	<input type="checkbox"/>
Include the job title of the person making the record.	<input type="checkbox"/>	<input type="checkbox"/>
Provide the date the record is being completed.	<input type="checkbox"/>	<input type="checkbox"/>
Include the date, time and location of the incident.	<input type="checkbox"/>	<input type="checkbox"/>
Describe a detailed account of the incident.	<input type="checkbox"/>	<input type="checkbox"/>
<p>Describe who committed the violence, including whether the perpetrator was a:</p> <p><input type="checkbox"/> Client or customer <input type="checkbox"/> Family or friend of a client or customer <input type="checkbox"/> Co-worker, supervisor or manager <input type="checkbox"/> Stranger with criminal intent <input type="checkbox"/> Employee <input type="checkbox"/> Partner or spouse <input type="checkbox"/> Parent or relative <input type="checkbox"/> Other:</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Describe the circumstances at the time of the incident, such as whether the employee was:</p> <p><input type="checkbox"/> Completing usual job duties <input type="checkbox"/> Working in poorly lit areas <input type="checkbox"/> Rushed <input type="checkbox"/> Working during a low staffing level, isolated or alone <input type="checkbox"/> Unable to get help or assistance <input type="checkbox"/> Working in a community setting <input type="checkbox"/> Working in an unfamiliar or new location <input type="checkbox"/> Other:</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Describe where the incident occurred, such as in the <input type="checkbox"/> Workplace <input type="checkbox"/> Parking lot of the workplace <input type="checkbox"/> Other area near the workplace <input type="checkbox"/> Other:</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Describe the type of incident, including whether it involved any of the following:</p> <p><input type="checkbox"/> Physical attack without a weapon, such as: <input type="checkbox"/> Biting <input type="checkbox"/> Choking <input type="checkbox"/> Grabbing <input type="checkbox"/> Hair pulling <input type="checkbox"/> Kicking <input type="checkbox"/> Punching <input type="checkbox"/> Slapping <input type="checkbox"/> Pushing <input type="checkbox"/> Pulling <input type="checkbox"/> Scratching <input type="checkbox"/> Spitting <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Attack with a weapon or object, such as a firearm, knife or other object</p> <p><input type="checkbox"/> Threat of physical force or threat of the use of a weapon or other object</p>	<input type="checkbox"/>	<input type="checkbox"/>

Workplace Violent Incident Log	Complete	Needs Attention
<input type="checkbox"/> Sexual assault or threat, such as: <input type="checkbox"/> Rape <input type="checkbox"/> Attempted rape <input type="checkbox"/> Physical display of unwanted verbal or physical sexual contact <input type="checkbox"/> Animal attack <input type="checkbox"/> Other:		
Describe the consequences of the incident , including:		
<input type="checkbox"/> Whether security or law enforcement was contacted and their response; and	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.		

Section 3: Provide WVP Training

Employers must provide effective WVP training to all employees, using content and material appropriate to the educational level, literacy and language of the employees in a particular workforce. All employees must receive training at the following times:

- When the plan is first established; and
- Every year thereafter.

Additional training must be provided when a new or previously unrecognized workplace violence hazard has been identified and when changes are made to the plan. The additional training may be limited to addressing the new workplace violence hazard or changes to the plan.

Use the checklist below to create an outline for a training program that meets the WVPL's requirements.

Training Program Contents	Complete	Needs Attention
Assess the educational level, literacy and language of employees who will be attending the training to determine and ensure appropriate content, vocabulary and structure of the training.	<input type="checkbox"/>	<input type="checkbox"/>
Provide a general description of the company's overall WVP plan.	<input type="checkbox"/>	<input type="checkbox"/>
Describe how to obtain a written copy of the employer's plan at no cost.	<input type="checkbox"/>	<input type="checkbox"/>
Describe how to participate in the development and implementation of the plan.	<input type="checkbox"/>	<input type="checkbox"/>
Provide the definitions and requirements of the WVPL.	<input type="checkbox"/>	<input type="checkbox"/>
Describe how employees may report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal.	<input type="checkbox"/>	<input type="checkbox"/>

Training Program Contents	Complete	Needs Attention
Describe all workplace violence hazards specific to the employees' jobs, along with: <ul style="list-style-type: none"> • The corrective measures the employer has implemented; • How employees may seek assistance to prevent or respond to violence; and • Strategies to avoid physical harm. 	<input type="checkbox"/>	<input type="checkbox"/>
Describe and explain the workplace violence incident log and how to obtain copies of records under the WVPL.	<input type="checkbox"/>	<input type="checkbox"/>
Include an opportunity for interactive questions and answers with a person knowledgeable about the WVP plan.	<input type="checkbox"/>	<input type="checkbox"/>

Employers must also make and keep certain records related to their WVP plans and training programs. The following forms may be used as guides for compliance with these recordkeeping requirements.

WVP Training Program -- Individual Employee Record	Complete	Needs Attention
Write the name of the employee:	<input type="checkbox"/>	<input type="checkbox"/>
Include the employee's job title:	<input type="checkbox"/>	<input type="checkbox"/>
Record the date of initial WVP training:	<input type="checkbox"/>	<input type="checkbox"/>
Provide the place where the training happened and a description of the program.	<input type="checkbox"/>	<input type="checkbox"/>
Provide a summary of the training session.	<input type="checkbox"/>	<input type="checkbox"/>
Write the name of the individual who provided the WVP training.	<input type="checkbox"/>	<input type="checkbox"/>
Describe the trainer's qualifications.	<input type="checkbox"/>	<input type="checkbox"/>
Have the employee acknowledge the record by signing and dating it.	<input type="checkbox"/>	<input type="checkbox"/>
Include the same information from above for each subsequent training session for the employee.	<input type="checkbox"/>	<input type="checkbox"/>
Notes:	<input type="checkbox"/>	<input type="checkbox"/>
WPV Training Program – Group Record	Complete	Needs Attention
Write the date of the training.	<input type="checkbox"/>	<input type="checkbox"/>

WVP Training Program -- Individual Employee Record	Complete	Needs Attention
Write the name of the individual who provided the training.	<input type="checkbox"/>	<input type="checkbox"/>
Describe the trainer's qualifications.	<input type="checkbox"/>	<input type="checkbox"/>
Provide the contents or a summary of the training sessions.	<input type="checkbox"/>	<input type="checkbox"/>
List the names and job titles of all individuals attending the training session.	<input type="checkbox"/>	<input type="checkbox"/>

Section 5: Review and Recordkeeping Requirements

The WVPL requires all employers to review the effectiveness of and revise their WVP plans and training programs at the following times:

- As needed, but at least annually;
- Whenever a deficiency is observed or becomes apparent; and
- After any workplace violence incident.

This analysis must include a review of the employer's Violent Incident Logs and special attention to the employer's procedures to obtain active involvement of employees and authorized employee representatives in reviewing the plan.

The WVPL also requires employers to keep all workplace violence incident logs, along with any violent incident investigation records or hazard identification, evaluation and correction records, for a **minimum of five years**. Employers must also make all WVP-related records available to employees and their representatives upon request and without cost for examination and copying within **15 calendar days** of a request.