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California's New Workplace Violence Prevention Law in Effect, by Kartikey Pradhan, Esq.

California employers are facing new obligations under the state's sweeping workplace violence prevention law, which recently took effect. Under SB 533, by July 1, 2024, the majority of employers in California were required to establish, implement, and maintain at all times in all work areas, an effective workplace violence prevention plan that among requirements included:

- Identifying who is responsible for implementing the plan;
- Involving employees and their representatives;
- Communicating with employees regarding workplace violence matters;
- Responding to actual and potential emergencies;
- Developing and providing effective training;
- Identifying, evaluating, and correcting workplace violence hazards; and,
- Performing post incident response and investigations.

Training

In addition to the workplace violence prevention plan, SB 533 also imposed certain training requirements on employers by July 1 including conducting employee training about the plan. Among requirements, employers must provide effective training and ensure that training materials are easy to understand and match the workers' education, reading skills and language. Employers were required to provide employees with an initial training and annually thereafter. The training is required to cover various aspects including familiarizing employees with the plan, how to obtain a copy, and how to participate in the development and implementation of the employer's plan.

Violent Incident Log Requirements

Employers must also maintain a log of all incidents of workplace violence even if the incident did not result in injury. This log must include information on every workplace violence incident based on employee statements, witness statements, and investigation findings. Various pieces of incident information must be included such as incident, date, time and location and a detailed description of the incident.

Exemptions

Most employers must comply with the requirements of SB 533, with limited exceptions including employees teleworking from a location of their choice not under the employer's control. To assist employers with compliance, the California Division of Occupational Safety and Health (Cal/OSHA) published a model workplace violence prevention plan, as well as a fact sheet with key obligations under SB 533.

Next Steps

Employers should already be complying with the law's requirements. If you are unsure of any of your obligations under SB 533, please contact the attorneys in Kaufman Dolowich's labor and employment team.

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