

SB 553 – Workplace Violence

OVERALL SUMMARY OF LEGISLATION

EXECUTIVE SUMMARY As of June 1, 2024

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Workplace safety and health hazards have traditionally been associated with unsafe work practices and hazardous conditions, but violent acts committed in the workplace are a growing concern.

On September 30, 2023, Governor Gavin Newsom signed into law [Senate Bill 553](#), (SB 553), which requires virtually every California employer to implement a comprehensive workplace violence prevention plan with very specific requirements. There are actually two separate provisions of SB553.

Here is a summary of the two sections of the new law according to the California Legislature.

This bill requires an employer to also establish, implement, and maintain, at all times in all work areas, an effective workplace violence prevention plan. The employer will also need to record information in a violent incident log for every workplace violence incident. In addition, the employer must provide effective training to employees on the workplace violence prevention plan and provide additional training when a new or previously unrecognized workplace violence hazard is identified and when changes are made to the plan.

Of course, records of workplace violence hazard identification, evaluation, and correction and training records must be created and maintained. Violent incident logs and workplace incident investigation records also need to be maintained and will require certain records to be made available to the division, employees, and employee representatives, as specified.

The bill would make these requirements operative on and after July 1, 2024.

This bill, starting January 1, 2025, first will authorize a union collective bargaining representative of an employee to seek a temporary restraining order, (TRO), and an order after hearing on behalf of the employee and other employees at the workplace, as described.

The bill will also require an employer or union collective bargaining representative of an employee, before filing a TRO, to provide the employee who has suffered unlawful violence or a credible threat of violence an opportunity to decline to be named in the temporary restraining order. Under the new law, however, an employee's request to not be named in the TRO would not limit the ability of an employer or collective bargaining representative from seeking a TRO additionally on behalf of other employees at the workplace, and, if appropriate, employees at other workplaces of the company.

Once an employer gets everything set in place with respect to workplace violence, this bill will extend the perceived protection of employees through the use of a TRO. This provision will be in effect on January 1, 2025, so every company should consult with their employment counsel.

In the meantime, the first item our clients need to do is develop the written program. You can develop one on your own, use the model program provided by Cal-OSHA, or use the template available through Leavitt Pacific. Once the program is developed (including the Violence Incident Log), the appropriate training for employees needs to take place as outlined in the program, and then the training records need to be kept at least for a year.

For more details, see [Leavitt Pacific's Workplace Violence Informational Bulletin](#), [Leavitt Pacific's Workplace Violence Frequently Asked Questions](#), and [Leavitt Pacific's Workplace Violence Model Program Template](#).