



Insurance Brokers &
Consultants

Workplace Violence

Plan for Prevention,
Response, and
Compliance

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Poll Question



**Has your company
already started discussing
or developing your
Workplace Violence
Prevention Program?**

Please answer in the chat window.

History – What Brought Us Here?



1

- Cal/OSHA regulations for workplace violence have existed for years in certain industries (2017 healthcare).
- Specific Cal/OSHA regulations are expanding to all industries in 2024 – **SB 553**
- It's Not Just California...

Conflict/Violence is Rising

- 1 Terra Garden/Concord Farms - Half Moon Bay January 2023
- 2 Home Depot Pleasanton, CA – April 2023
- 3 Old National Bank – Louisville, KY – April 2023



Assaults/violence are now a leading cause of workplace fatalities*

**Traditional causes include falls, exposures, struck-by, etc., - excludes Transportation related fatalities.*



What Are The Requirements?

The Written Workplace Violence Prevention Plan



Workplace Violence Written Plan – Requirements

1. Designated **Individual responsible** for the Plan
2. **Involvement of employees** – how we will involve employees
3. Methods for **Assessing/Controlling** the **Risk** – Exposures can vary by job
4. **Communications**
 - Reporting of threats (and anti-retaliation statement)
 - Emergency notifications
 - Coordination with other Employers on-site
5. **Procedures** for reported incidents, **responses, and investigations**
6. **Training** Requirements
7. **Incident logs**
8. **Compliance methods**
9. **Annual Reviews** (and/or when deficiencies are found or observed)



Employee Involvement

Effective procedures to obtain active involvement of employees

- Active Safety Committees are a great resource
- Seek involvement with assessments, controls, and communications

Coordination with other employers



Assessing Our Risk – Methods & Types of Events

1. “Type 1 violence,” which means workplace violence committed by a person who has no legitimate business at the worksite - includes violent acts by anyone who enters the workplace or approaches workers with the intent to commit a crime.
2. “Type 2 violence,” which means workplace violence directed at employees by customers, clients, or visitors.
3. “Type 3 violence,” which means workplace violence against an employee by a present or former employee, supervisor, or manager.
4. “Type 4 violence,” which means workplace violence committed in the workplace by a person who does not work there, but has or is known to have had a personal relationship with an employee.

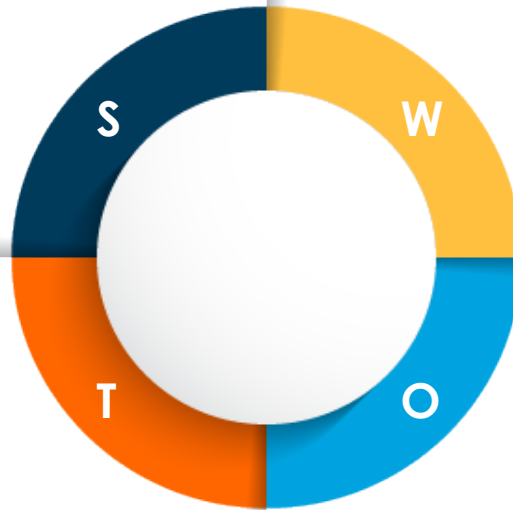


Conducting Assessments

STRENGTH

Consider operation layout and current controls – like controlled access areas, existing communication systems & hardware.

- Layouts
- Ability to Hide
- Community Resources



WEAKNESS

What interactions with the public are critical to your business? How do those effect or expose employees?

- Open Areas
- Security
- Language barriers

THREATS

Identify threats that could target employees. Accessibility by someone with intent to harm.

- Drivers
- Location/Economic Conditions
- Multi-employer Worksites

OPPORTUNITIES

Employee involvement, open and encouraged communications.

- Training
- Counseling
- Identified Controllable Hazards



Controlling Our Risks

- Entry gates & Secure Areas
- Identified areas to take cover
- Threat response training
- Employee Termination Protocols
- Managing tension between employees



Communications

Consider this in three parts

1. How an employee should notify management of a threat or active incident
2. How to communicate to all employees how that threat notice was handled
 - a) How concern was investigated
 - b) What corrective actions were taken/planned
3. How to communicate quickly & effectively to all during an emergency
 - a) Alert to presence, location, and nature of workplace violence emergencies.
 - b) Appropriate evacuation or sheltering instructions
 - c) How to obtain help from staff/security/law enforcement



Incident Logs

Details must be documented

- Nature of incident – Pushing, punching, animal attack, use of weapons, etc.
- Circumstances at the time of incident
- Consequences of incident
- Response details
- Actions taken



Additional Requirement

Information about the person completing the log is also required – Name, title, and the date log was completed.





Training Requirements

- Upon Implementation & annually
- How to get access/copy
- How to report concerns without reprisal
- Workplace violence hazards specific to employee's jobs
- Corrective measures that have been implemented
- How to respond to violence & avoidance strategies
- How to access incident logs
- Interactive Q&A
- Additional admin details

Ensuring Compliance

- 1 Training & Drills
- 2 Retraining & Discipline
- 3 Anti-bullying and Zero-tolerance policies



Consider methods of compliance for your IPPs:

- Annual effectiveness reviews
- Annual retraining
- Reinforcement

Recordkeeping Requirements

1 Year

Training records

- Dates
- Attendee names/titles
- Facilitators
- Content/Summaries

5 Years

1. Hazard Assessments
2. Control Measures
3. Incident Logs
4. Incident Investigations

15 Days

All WVPP records requested by employees must be made available within 15 days of requests.



Plan Effectiveness Reviews

Revisions Required 'As Needed'

- Personnel/Administration changes
- Incident Log Reviews (lessons learned)
- Any reported or identified new hazards
- Annually – At minimum



Terms & Definitions Discussion

- 1 Course of Conduct
“A pattern of conduct showing purpose...”
- 2 Credible Threat of Violence
“A knowing and willful statement or conduct that would place a reasonable person in fear for their safety...”
- 3 Temporary Restraining Orders
SB 553 allows any employer to seek a temporary restraining order on behalf of an employee when certain conditions are met.



A Legal Minefield?

For credible threats or conduct toward any employee, it is strongly recommended to involve Human Resources and company counsel as quickly as possible to help navigate these matters.

Workplace Violence Prevention Programs



Q & A



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Joey Freeman, C.S.P.