Workplace Violence Prevention in General Industry – Draft July 2026
Draft revisions compared to April 23, 2026 draft

KEY

- Regular text is April 23, 2026 draft
- Single underlined text are proposed additions to April 23, 2026 draft
- ~~Single strikeout text are proposed deletions to April 23, 2026 draft~~
- *Italic text in boxes is explanatory and not part of the proposal*

§3343. Workplace Violence Prevention.

(a) Scope and Application. This section applies to all employers, employees, places of employment, employer-provided housing, and employer-provided transportation under the employer's control.

The revision was made based on stakeholder comments to provide clarity that the standard would only apply to employer-provider transportation where they would have control and avoid being overly broad.

(1) The following are exempt from this section:

EXCEPTION 1: Healthcare facilities, service categories, and operations covered by section 3342.

EXCEPTION 2: Employers that comply with section 3342.

EXCEPTION 3: Facilities operated by the Department of Corrections and Rehabilitation, if the facilities are in compliance with section 3203.

EXCEPTION 4: Employers that are law enforcement agencies that are a "department or participating department," as defined in Section 1001 of Title 11 of the California Code of Regulations and that have received confirmation of compliance with the Commission on Peace Officer Standards and Training (POST) Program from the POST Executive Director in accordance with Section 1010 of Title 11 of the California Code of Regulations. This exception only applies to facilities in compliance with section 3203.

EXCEPTION 5: Employees teleworking from a location of the employee's choice, which is not under the control of the employer.

EXCEPTION 6: Places of employment that are not accessible to the public if the employer meets the following conditions:

(A) Has less than a total of 10 employees at the place of employment at all times during the preceding 365 days, and

(B) Is in compliance with section 3203.

Exception 6 does not apply to:

1. Security services,
2. Janitorial services, and
3. Domestic workers who are "domestic work employees" pursuant to Labor Code section 1451.

(2) The Division may require exempt employers to comply with this section through the issuance of an Order to Take Special Action.

(b) Definitions.

(1) "Authorized employee representative" means a labor organization which has a collective bargaining relationship with an employer and which represents affected employees or an employee organization which has been formally acknowledged by a public agency as an employee organization that represents employees of the public agency.

(2) "Designated representative" means any individual or organization to whom an employee gives written authorization to exercise a right of access. A recognized or certified collective bargaining agent shall be treated automatically as a designated representative for the purpose of access to records required by this section.

(3) "Emergency" means unanticipated circumstances that can be life-threatening or pose a risk of significant injuries to employees or other persons, requiring immediate action.

(4) "Engineering controls" means an aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between the worker and the hazard. Examples of engineering controls include, as applicable, but are not limited to:

(A) Electronic or mechanical access controls to employee occupied areas;

(B) Weapon detectors (installed or handheld);

(C) Enclosed workstations with shatter-, smash-, or bullet-resistant glass;

(D) Deep service counters;

(E) Spaces configured to optimize employee access to exits, escape routes, and alarms;

(F) Separate rooms or areas for high-risk persons;

(G) Locks on doors;

(H) Furniture affixed to the floor;

(I) Translucent glass (protects privacy, but allows employees to see where potential risks are);

(J) Adequate lighting in dark areas, sight aids, visibility improvements, and removal of sight barriers;

(K) Video monitoring and recording; and

(L) Personal and workplace alarms.

(5) "Log" means the violent incident log required by this section.

(6) "Plan" means the workplace violence prevention plan required by this section.

(7) “Threat of violence” means any verbal or written statement, including, but not limited to, texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct, that conveys an intent, or that is reasonably perceived to convey an intent, to cause physical harm or place someone in fear of physical harm, and that serves no legitimate purpose.

~~EXCEPTION: The employer is not responsible for texts, electronic messages, or personal social media that are not brought to the attention of the employer or that the employer could not otherwise be reasonably be aware of~~.

> *The exception was removed to align the regulation with the existing statutory definition in LC 6401.9. Additional clarification included in the exception will be provided in a future Cal/OSHA guidance document.*

(8) “Workplace violence” means any act of violence or threat of violence that occurs in a place of employment. Workplace violence includes, but is not limited to, the following:

(A) The threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury.

(B) An incident involving a threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether the employee sustains an injury.

(C) The four workplace violence types for the purposes of this section are:

1. "Type 1 violence" means workplace violence committed by a person who has no legitimate business at the worksite, and includes violent acts by anyone who enters the workplace or approaches workers with the intent to commit a crime.
2. "Type 2 violence" means workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.
3. "Type 3 violence" means workplace violence against an employee by a present or former employee, supervisor, or manager.
4. "Type 4 violence" 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.

EXCEPTION: The term workplace violence does not include lawful acts of self-defense or defense of others.

(9) “Work practice controls” means procedures, rules, and staffing which are used to effectively reduce workplace violence hazards. Examples of work practice controls include, as applicable, but are not limited to:

(A) Appropriate staffing levels based on the employer’s workplace violence hazard assessment required by subsection (c)(9) ~~to maintain order in the facility and respond to workplace violence incidents in a timely manner~~;

(B) Provision of dedicated security personnel;
(C) An effective means to alert employees of the presence, location, and nature of a security threat;
(D) Control of visitor entry;
(E) Methods and procedures to prevent unauthorized firearms and weapons in the workplace;
(F) Employee training on workplace violence prevention methods; and
(G) Employee training on procedures to follow in the event of a workplace violence incident or emergency.

The revision to subsection (b)(9)(A) was made based on stakeholder comments that the proposed addition was not helpful in clarifying appropriate staffing levels in general industry.

(10) “Workplace violence hazards” means workplace conditions that may increase the risk of a workplace violence incident at the workplace. Factors to consider when identifying workplace violence hazards include, as applicable, but are not limited to:

(A) Employees working alone or in locations isolated from other employees;

(B) Areas with poor illumination or blocked visibility (e.g. blind spots) of surrounding areas;

(C) Entries to places of employment where unauthorized access can occur;

(D) Work locations, areas, or operations that lack effective escape routes;

(E) Exchange of money or valuable goods;

(F) Frequent or regular contact with the public ~~and uncontrolled public access~~;

(G) Uncontrolled public access;

~~(G)~~(H) Working late at night or early morning;

(I)~~(H)~~ Inadequate staffing;

(J)~~(I)~~ Lack of or inadequate security staffing;

(K)~~(J)~~ Selling, distributing, or providing alcohol, marijuana, or pharmaceutical drugs.

~~(K) Stalking that occurs at a place of employment, or in connection with a place of employment that is brought to the attention of the employer or that the employer could otherwise be reasonably be aware of.~~

Uncontrolled public access was reinstated as a separate factor based on stakeholder comments that frequent or regular contact with the public and uncontrolled public access do not always co-exist.

Stalking was removed based on stakeholder comments that stalking is an example of workplace violence and is not a workplace violence hazard. It will be listed in a future Cal/OSHA guidance document along with other examples of workplace violence.

(c) Workplace Violence Prevention Plan. An employer shall establish, implement, and maintain an effective workplace violence prevention plan (Plan). The Plan shall be in writing and shall be available and easily accessible to employees, authorized employee representatives, and to representatives of the Division at all times. The Plan shall be in effect at all times and in all work areas and be specific to the hazards and corrective measures for each work area and operation. The written Plan may be incorporated as a stand-alone section in the written Injury and Illness Prevention Program required by section 3203 or maintained as a separate document. The Plan shall include all of the following:

(1) Names or job titles of the persons responsible for implementing the Plan. If there are multiple persons responsible for the Plan, their roles shall be clearly described.

(2) Effective procedures to obtain the active involvement of employees and authorized employee representatives in developing and implementing the Plan, including, but not limited to, through their participation in identifying, evaluating, and correcting workplace violence hazards, in designing and implementing training, and in reporting and investigating workplace violence incidents.

(3) Methods the employer will use to coordinate implementation of the Plan with other employers, when applicable, to ensure that those employers and employees understand their respective roles, as provided in the Plan. These methods shall ensure that all employees are provided the training required by subsection (e) and shall ensure that workplace violence incidents involving any employee are reported, investigated, and recorded.

(4) Effective procedures for the employer to accept, evaluate, and respond to reports of workplace violence, including anonymous reports, and to prohibit retaliation against ~~an~~ employees and authorized employee representatives who make~~s~~ such reports.

The changes were made to correct typographical errors.

(5) Effective procedures to ensure that supervisory and nonsupervisory employees comply with the Plan in accordance with section 3203(a)(2).

(6) Effective procedures to communicate with employees and authorized employee representatives regarding workplace violence matters, including, but not limited to, both of the following:

(A) How an employee or authorized employee representative can report a violent incident, threat, or other workplace violence concern to the employer or law enforcement without fear of reprisal. Employers shall ensure that reports can be made:

1. In a manner that does not discourage reporting.
2. To a designated person who is not a direct supervisor for type 3 violence~~,~~ where the supervisor is involved or associated with the incident<u>, or where the direct supervisor has not adequately addressed the hazard</u>.

(B) How employee and authorized employee representative concerns will be investigated as part of the employer's responsibility in complying with subsection (c)(9), and how employees or authorized employee representatives, as applicable, will be informed of the results of the investigation and any corrective actions to be taken as part of the employer's responsibility in complying with subsection (c)(10).

> *Change was made to subsection (c)(6)(A)2 based on stakeholder comments to address supervisory inaction to reports of workplace violence.*

(7) Effective procedures to respond to actual or potential workplace violence emergencies, including, but not limited to, all of the following:

(A) Effective means to alert employees of the presence, location, and nature of workplace violence emergencies~~.~~;

(B) Evacuation or sheltering plans that are appropriate and feasible for the worksite; and

(C) How to obtain help from staff assigned to respond to workplace violence emergencies, if any, security personnel, if any, and law enforcement.

(8) Procedures to develop and provide the training required in subsection (e).

(9) Effective procedures to identify and evaluate workplace violence hazards, including, but not limited to, scheduled periodic inspections to identify unsafe conditions and work practices, and employee and authorized employee representative reports and concerns. Inspections shall be conducted: when the Plan is first established, after each workplace violence incident, when changes to the place of employment or job duties create new workplace violence hazards, and whenever the employer is made aware of a new or previously unrecognized hazard.

> *The change was made to correct a typographical error.*

(10) Effective procedures to correct workplace violence hazards identified and evaluated in subsection (c)(9) in a timely manner in accordance with section 3203(a)(6).

(A) Engineering and work practice controls appropriate for the workplace shall be implemented to eliminate or minimize employee exposure to identified workplace violence hazards <u>to the extent feasible</u>.

(B) The employer shall not retaliate against an employee involved in a lawful act of self-defense or defense of others. However, the employer may enforce policies designed to avoid physical confrontation and prevent injuries.

> *The revision was made to subsection (c)(10)(A) based on stakeholder comments to align with section 3342.*

(11) Effective procedures for post-incident response and investigation including:

(A) Ensuring provision of immediate medical care or first aid to employees who were injured in the incident;

(B) Identifying all employees and other persons (if possible) involved in the incident;

(C) Offering or making available individual trauma counseling to employees affected by the incident. Trauma counseling offered to an employee through workers' compensation, an employee assistance program, or initial counseling offered by the employer satisfies this requirement.

> *The revision was made to subsection (c)(11)(C) based on stakeholder comments to clarify that an employee assistance program will satisfy this requirement.*

(D) Conducting a post-incident debriefing as soon as possible after the incident with employees, supervisors, other persons (if possible), and security involved in the incident;

(E) Identifying and evaluating any workplace violence hazards that may have contributed to the incident;

(F) Identifying and evaluating whether appropriate corrective measures developed under the Plan were effectively implemented and if any new or additional corrective measures are recommended pursuant to subsection (c)(10); and

(G) Soliciting from employees involved in the incident their observations regarding the cause of the incident, and whether any measure would have prevented the incident.

(12) Effective procedures to review the effectiveness of the Plan and revise the Plan as needed, including, but not limited to, procedures to obtain the active involvement of employees and authorized employee representatives in reviewing the Plan. The Plan shall be reviewed at least: annually, when a deficiency is observed or becomes apparent, and after a workplace incident.

(d) Violent Incident Log. The employer shall record information in a violent incident log (Log) for every workplace violence incident.

(1) Information that is recorded in the Log for each incident shall be based on information solicited from the employees who experienced the workplace violence, on witness statements, and on investigation findings. The employer shall omit any element of personal identifying information sufficient to allow identification of any person involved in a violent incident, such as the person's name, address, electronic mail address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, reveals the person's identity. The Log shall be reviewed during the periodic reviews of the Plan required in subsection (c)(12).

(2) For purposes of this section, at a multi-employer worksite, the employer or employers whose employees experienced the workplace violence incident shall record the information in a violent incident log pursuant to subsection (d) and shall also provide a copy of that log to the controlling employer.

> *The change was made to correct a typographical error.*

(3) The information recorded in the log shall include all of the following:

(A) The date, time, and location of the incident.

(B) The workplace violence type or types, as defined in subsection (b)(6)(C), involved in the incident.

(C) A detailed description of the incident.

(D) A classification of who committed the violence, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or other perpetrator.

(E) A classification of circumstances at the time of the incident, including, but not limited to, whether the employee was completing usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, working in a community setting, working in an unfamiliar or new location, or other circumstances.

(F) A classification of where the incident occurred in the workplace, parking lot or other area outside the workplace, or other area.

(G) The type of incident, including, but not limited to, whether it involved any of the following:

1. Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
2. Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
3. Threat of physical force or threat of the use of a weapon or other object.
4. Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
5. Animal attack.
6. Other.

(H) Consequences of the incident, including, but not limited to:

1. Whether security or law enforcement was contacted and their response.
2. Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.

(I) Information about the person completing the log, including their name, job title, and the date completed.

(e) Training. The employer shall provide effective training to employees, as specified in subsections (e)(1) and (e)(2). Training material appropriate in content and vocabulary to the educational level, literacy, and language of employees shall be used.

(1) The employer shall provide employees with initial training when the Plan is first established, and annually thereafter, on all of the following:

(A) The employer's Plan, all elements of the Plan, how to obtain a copy of the employer's Plan at no cost, and how to participate in development and implementation of the employer's Plan.

(B) The definitions and requirements of this section.

(C) How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal.

(D) Workplace violence hazards specific to the employees' jobs, the corrective measures the employer has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm.

(E) The violent incident log required by subsection (d) and how to obtain copies of records required by subsections (f)(1), (f)(2), and (f)(3).

(F) An opportunity for interactive questions and answers with a person knowledgeable about the employer's workplace violence prevention plan. Training not given in person shall provide for interactive questions to be answered within one business day by a person knowledgeable about the employer's workplace violence prevention plan.

(2) Additional training shall 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.

(f) Recordkeeping.

(1) Records of workplace violence hazard identification (including but not limited to scheduled periodic inspections), evaluation, and correction shall be created and maintained for a minimum of five years.

(2) Training records shall be created and maintained for a minimum of one year and include training dates, contents or a summary of the training sessions, names and qualifications of persons conducting the training, and names and job titles of all persons attending the training sessions.

(3) Violent incident logs required by subsection (d) shall be maintained for a minimum of five years.

(4) The employer shall create and maintain records for five years of:

(A) Reports of workplace violence threats, incidents, or workplace violence concerns made by employees, authorized employee representatives, or made anonymously pursuant to subsection (c)(4) and (c)(6)(A).

(B) Employer evaluations of reports made and corrective actions taken pursuant to subsections (c)(4) and (c)(6)(B) and information provided to employees and their designated representatives as defined in section 3204.

(5) Records of workplace violence incident investigations conducted pursuant to and containing all the information required by subsection (c)(11) shall be maintained for a minimum of five years. These records shall not contain "medical information," as defined by Civil Code Section 56.05(j).

(6) All records required by subsection (f) shall be made available to the Division upon request for examination and copying. Personal identifying information shall be made available to the Division upon request by the Division.

(7) All records required by subsections (f)(1), (f)(2), (f)(3), and (f)(4) shall be made available to employees and their designated representatives, upon request and without cost, for examination and copying within 15 calendar days of a request. The employer may redact information that may reveal personal identifying information, except for training records.