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OSHA Alert

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California workplace violence prevention law: Annual review guide

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Stay compliant with California's workplace violence prevention law with these review, training, and recordkeeping tips.



What's the impact?

- California employers are required to review their workplace violence prevention plans for effectiveness on an annual basis and conduct annual workplace violence training.
- This mandatory review provides an opportunity for California employers to assess existing protocols and determine what is and is not working. By analyzing current methods and implementing changes where needed, employers will better position themselves for future compliance with California workplace violence prevention laws.

On July 1, 2024, California Labor Code section 6401.9 (also known as SB 553) went into effect and required that all California employers enact a workplace violence prevention plan (WVPP) that meets enumerated [statutory requirements](#). With the one-year anniversary of the law's enactment, California employers should focus on two of those requirements: annual training and plan review.

Annual WVPP review

Section 6401.9 requires that employers review their WVPP for “effectiveness” at least annually. Additionally, plan review requirements are triggered when a deficiency is observed or when a workplace incident occurs.

From an enforcement perspective, an “effective” WVPP incorporates active involvement of employees and authorized employee representatives during the program review process. When assessing a plan’s compliance, Cal/OSHA will look to see whether an employer’s written protocols call for employee participation. Employee participation is required when “identifying, evaluating[,] and correcting workplace violence hazards, [] designing and implementing training, and [] reporting and investigating workplace violence incidents.”

If issues are identified during the review process, employers are expected to modify their procedures by incorporating necessary changes and revising their plan accordingly.

When conducting a plan review, employers should be certain to determine the following:

- / Do company protocols comply with all requirements under Section 6401.9?
- / Do all necessary documents exist, and if so, are those documents easily accessible to those responsible for maintaining them?
- / Are designated individuals conducting inspections in accordance with Section 6401.9 to identify and correct hazards?
- / Are the accompanying logs and records required under Section 6401.9 being created and maintained?
- / Has the employer routinely communicated about workplace violence to its employees, including reminding employees of their reporting rights?
- / Has the employer implemented all parts of their plan, even those not required by statute (e.g., if the plan called for a monthly meeting, was that meeting held)?
- / Has the employer provided employees with documented opportunities to participate?
- / Have any events occurred, and were they logged and adequately addressed?
- / Is the reporting system effective—i.e., is the information getting to the right people quickly?

The goal should be to identify and replicate what works. Procedures that have proven infeasible or impracticable should be amended.

Annual workplace violence prevention training

Employers are responsible for providing effective training to all employees. In addition to annual training, employees must receive training when first hired, when a new or previously unrecognized workplace violence hazard has been identified, and when changes are made to the

plan. Effective training requires employers to utilize training material “appropriate in content and vocabulary to the educational level, literacy, and language of employees.” Employees must receive training on the following:

- / The employer’s plan, how to obtain a copy of the employer’s plan at no cost, and how to participate in the development and implementation of the employer’s plan.
- / How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal.
- / 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.
- / The violent incident log and how to obtain copies of WVPP records.

Employees must also be given the opportunity for interactive questions and answers with a person knowledgeable about the employer’s plan.

Annual training is a perfect opportunity to solicit employee involvement regarding the effectiveness of the training and the plan, both of which are integral to a complete annual review.

Cal/OSHA enforcement

If an inspection occurs, Cal/OSHA routinely asks that employers evidence compliance with 6401.9. Demonstrating compliance goes beyond providing Cal/OSHA with a copy of the WVPP; it also requires that the employer provide all the statutorily required underlying documentation, records, and logs.

This means that Cal/OSHA may request, and employers should be in a position to provide at a minimum:

- / Records of workplace violence hazard identification, evaluation, and correction. These records must be maintained for a minimum of five years.
- / Employee training, including 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. The records must be maintained for at least one year.
- / Violent incident logs. These must be maintained for a minimum of five years.
- / Records of workplace violence incident investigations. These records must be maintained for a minimum of five years and should not contain “medical information,” as defined in subdivision (j) of Section 56.05 of the Civil Code.

- / Any other documents required by an employer's program, even if not specified by statute, such as meeting minutes or feedback questionnaires.

An effective review of any plan should include an assessment of whether an employer is prepared to provide evidence of implementation to Cal/OSHA during an inspection.

Cal/OSHA's current rulemaking

Cal/OSHA is currently putting together a draft regulation for workplace violence prevention applicable to general industry employers in accordance with section 6401.9. Cal/OSHA issued its current discussion draft on May 13, 2025. Although not finalized, the new regulation will increase employer obligations around recordkeeping and implementation. For example, the discussion draft would require that employers maintain all records of all reported workplace violence concerns and employer evaluations of these reports. Previously, the statutory requirement was limited to hazard assessment and investigations of workplace violence incidents. It is, therefore, crucial that employers make time to assess the effectiveness of their current reporting, investigation, and documentation procedures.

How we can help

Nixon Peabody's [occupational safety and health lawyers](#) can assist employers through this process by reviewing plans for regulatory compliance and, more importantly, stress-testing the reporting process by working with an employer to identify strengths and weaknesses with their current plan. We are also available to assist with annual training and to pre-plan how to handle a Cal/OSHA workplace violence investigation.

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