

## Update on Cal/OSHA's Workplace Violence Prevention Standards

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**PRACTICES** OSHA, Labor and Employment

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You will recall from our last newsletter that the California Division of Occupational Safety and Health (Cal/OSHA) is in the process of drafting rules for workplace violence prevention that would apply to all California employers with the exception of certain healthcare providers and certain law enforcement agencies.

The workplace violence prevention rules are currently in the pre-rulemaking stage, with Cal/OSHA having held two advisory meetings in January of 2017 and 2018. The minutes and public comments from the January 2018 meeting will likely be posted in the next month. Cal/OSHA staff anticipates another advisory meeting in the coming fall or winter, where employers will have the opportunity to weigh in on the proposed regulation. After the next advisory meeting, Cal/OSHA staff expects the regulation to enter the formal rule-making stage. Implementation of the regulation is expected approximately one year later.

In the meantime, California employers should be aware that Cal/OSHA broadly addresses violence in the workplace using Section 3203, which mandates an Injury and Illness prevention Program. Health Care Workers in California are governed by Section 3342, which contains healthcare specific workplace violence prevention standards. On the federal level, OSHA relies on its General Duty Clause established by Section 5(a)(1) of the Occupational Safety and Health Act of 1970, to cite employers for hazards that involve workplace violence.