

# Moving from SB 553 to the Laws and Requirements

Senate Bill 553 was the enabling legislation for two topics related to workplace violence:

Topic 1 – Temporary Restraining orders

Topic 2 – Workplace Violence Prevention Plans

## HOW IT WORKS

Once enabling legislation (aka bill – whether it is a Senate bill or an Assembly bill) is approved by both houses of the legislature and signed by the Governor, the bill then becomes law, and is codified into the appropriate California state code.

For example:

- The Labor Code
- The Government Code
- The Code of Civil Procedure, etc.

The appropriate code and section then become the reference for any requirement, not the bill.

## WHAT THAT MEANS

### 1 TEMPORARY RESTRAINING ORDERS

The first topic of SB 553 (restraining orders) is now codified in Section 527.8 of the Code of Civil Procedure (CCP). For requirements and compliance purposes, this section of the Code of Civil Procedure is now the correct reference, not SB 553. For example, the reference would be CCP Section 527.8. The topic may need to be addressed by the employer through a policy and procedure. However, this would be an HR policy and procedure; something along the lines of a sexual harassment policy and procedure. **There is no training requirement stated as part of CCP Section 527.8. For employer assistance with this topic, a qualified attorney is your best resource.**

### 2 WORKPLACE VIOLENCE PREVENTION PLANS

This second topic is now codified in Sections 6401.7 and 6401.9 of the Labor Code (LC). LC 6401.7, relevant to injury and illness prevention plans (IIPP), was amended by a simple statement, specifically “6401.7(a)(7) A workplace violence prevention plan (WVPP) conforming to the requirements of Section 6401.9”, which means that a WVPP will be added to the employer’s IIPP. **For WVPP requirements and compliance purposes, section 6401.9 of the Labor Code is now the correct reference, not SB 553. For employer assistance with this topic, a qualified occupational safety and health professional is your best resource.**

**LC Section 6401.9 requires an employer to add a new topic in their occupational safety and health programs, including:**

- To develop and implement an effective Workplace Violence Prevention Plan, specific to their workplace and operations; reference 6401.9(c).
- To record information about a workplace violence incident in their violent incident log (reference 6401.9(d)).
- To provide effective training for their employees that is specific to the plan and the workplace (reference 6401.9(e)).

The WVPP may be added to the employer’s IIPP or developed and maintained as a separate document (or separate chapter/section of the employer’s safety manual). Cal/OSHA Consultation recommends that the WVPP be a separate document.