

July 16, 2022

Dear Mr. Graulich:

I am writing to provide comments on the revised discussion draft language for the proposed Cal/OSHA Workplace Violence Prevention in General Industry standard. I am Director of the UCLA Labor Occupational Safety and Health (LOSH) Program in Los Angeles, although I submit these comments as an individual and occupational health professional, not on behalf of our program or the university.

I offer the following recommendations:

- ***Evaluating and Controlling Hazards.*** As with all Cal/OSHA standards, a standard on workplace violence prevention should **promote a reliance on the hierarchy of controls for both evaluating and controlling hazards**. This includes assessing workplace violence risks in the context of the work environment, and adopting engineering and administrative controls whenever possible to prevent violent incidents. The current proposed language does not reference the hierarchy of controls, instead relying on vaguer language regarding “workplace violence hazards.”

I would also strongly recommend that the language of the standard **provide specific examples of workplace violence hazards and effective controls** as they relate to the hierarchy. Such examples can guide users in identifying specific features of the work environment that may pose risks, and effective engineering and administrative controls to reduce those environmental risk factors.

On both counts, the existing Cal/OSHA Workplace Violence Prevention in Health Care standard (Title 8, §3342) serves as a useful model. That standard requires the workplace violence prevention plan to include “procedures to identify and evaluate *environmental risk factors, including community-based risk factors*, for each facility, unit, service, or operation” (emphasis mine), and it provides a list of common environmental risk factors to consider (e.g., employees working alone or in isolation, poor illumination, blocked visibility, furnishings or objects that can be used as weapons, storage of high-value items, etc.). Similarly, the standard offers examples of effective engineering and administrative control measures (e.g., sufficient staffing, providing clear lines of sight, use of barriers and alarm systems, reconfiguration of facility spaces to improve access to escape routes, effective communication and response plans, etc.). While these specific measures may not be applicable to all worksites, they provide a roadmap for employers to begin thinking about effective control measures that could be implemented.

- ***Violent Incident Logs.*** The violent incident log serves as a valuable tool for employers and employees to assess violent incidents in the workplace and take corrective action to prevent future incidents. In order to be fully useful as an assessment tool, the log should **include details such as a description of circumstances at the time of the incident, descriptors of the nature of the incident, and an indication of whether medical treatment was needed**. The discussion draft language currently does not incorporate that level of detail.

Additionally, the exception for employers who have had no workplace violence incidents in the past five years, as currently worded in the discussion draft language, seems to create a loophole whereby infrequent (albeit potentially injurious) violent incidents are never recorded. The

language of the standard should **make clear that a violent incident log should be started and maintained if and when incidents occur, regardless of the length of time between incidents.**

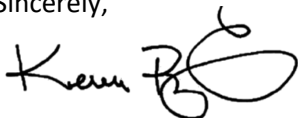
- **Reporting of Violent Incidents.** The discussion draft language makes several references to procedures to ensure that employees know how to report violent incidents to their employers. In trainings and workshops that my colleague and I have facilitated with workers across various industries, we frequently hear of situations in which workers face violent incidents from supervisors or managers. The proposed standard should **make clear what reporting options employees have in situations where managers or supervisors are perpetrators of violent incidents against workers.** This could include information in the violence prevention plan and/or general awareness training regarding how to contact Cal/OSHA, law enforcement, or authorized employee representatives when reporting to employers is not feasible.
- **Training.** Employee training is an important component of any Cal/OSHA standard, and particularly ones that are heavily reliant on policies and procedures for preventing and responding to hazards, such as the proposed standard on workplace violence prevention. In addition to the general awareness training that is currently included in the discussion draft language, I would encourage the agency to **include requirements for annual refresher training for all employees, as well as more specialized training for employees who are assigned to respond to violent incidents in the workplace.** Such response roles demand specialized skills, including de-escalation techniques, for which hands-on training with opportunities for role play is critical.

I also recommend that the standard **require that all training provide an opportunity for interactive questions and answers with a person knowledgeable about the employer's workplace violence prevention plan.** Such language is included in several other Cal/OSHA standards, and it helps to ensure that training incorporates a component that is tailored to the worksite.

- **Review of Workplace Violence Prevention Plan.** The discussion draft language indicates that employers should review the effectiveness of workplace violence plan “periodically” and after violent incidents. Such language does not offer sufficient specificity regarding the frequency with which the plan should be reviewed. The proposed standard should specify that **review and updates to the workplace violence prevention plan occur annually, after workplace violent incidents, and following any changes to the work environment that may introduce new workplace violence hazards.**

I appreciate the opportunity to share these thoughts and suggestions on the proposed language. Please feel free to reach out with any questions.

Sincerely,



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