

California Department of Transportation

DIVISION OF SAFETY AND MANAGEMENT SERVICES
1727 30TH STREET
SACRAMENTO, CA 95818
PHONE (916) 227-5246



September 3, 2024

Eric Berg
Deputy Chief of Health
Cal/OSHA

Dear Mr. Berg:

I am reaching out on behalf of the California Department of Transportation to request clarification on the requirements found in [California Labor Code section 6401.9](#) necessitating the subsequent draft regulation [§3343](#) Workplace Violence Prevention in General Industry.

Per section §3343 (c) (9) employers are required to conduct "periodic inspections". How frequent would periodic inspections need to occur? Can a Job Hazard Analysis satisfy this requirement?

Section §3343 (c) (11) (C) Requires employers with more than 25 employees to make trauma counseling available. Clarification and definition for trauma counseling is requested. Also, clarification is needed for when trauma counseling is required to be offered. Would an employer's Employee Assistance Program suffice to meet this section?

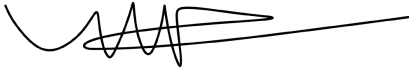
Section §3343 (d) Requires employers to keep a Violent Incident Log. Clarification is needed for the Violent Incident Log. Does it need to be available at all times, either electronically or hardcopy, or can it be made available only upon request? Does the Violent Incident Log need to include active investigations or should investigations be logged upon completion?

Section §3343 (c) (2) Requires employers to provide training to employees as well as involve employees in the development of the Workplace Violence Prevention plan. Would this be by establishing a committee or would soliciting feedback electronically suffice?

Mr. Berg, Deputy Chief
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Thank you and we look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Paulmarie', with a long horizontal line extending to the right.

Michael Paulmarie, Office Chief
Office of Employee Health and Safety

c: Andrea Vine, Division Chief, Division of Safety and Management Services
Shanna Everts, Deputy Division Chief, Division of Safety and Management Services
Justin Lehr, Senior Safety Specialist, Office of Employee Health and Safety
David Ross, Associate Safety Engineer, Office of Employee Health and Safety