

**S T A F F   R E P O R T**

SUBJECT: Adoption of a Resolution Approving a New Workplace Violence Prevention Plan Under Senate Bill 553

FROM: Tamara Edwards, Director of Finance

DATE: May 6, 2024

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**Action Requested**

Approval Resolution 13-2024 adopting a New Workplace Violence Prevention Plan:

**Background**

On September 20, 2023, Governor Newsom signed Senate Bill No. 553 (“SB 553”) into law, which requires certain California employers to take steps to prevent and respond to workplace violence. Notably, SB 553 added Section 6401.9 to the California Labor Code, which, effective July 1, 2024, requires covered employers to adopt a comprehensive workplace violence prevention plan that must include, among other things, the following:

- The names or job titles of the individuals responsible for implementing and maintaining the workplace violence prevention plan.
- Procedures to obtain the active involvement of employees in developing, implementing, and reviewing the workplace violence prevention plan, including their participation in identifying, evaluating, and correcting workplace violence hazards, designing, and implementing training, and reporting and investigating workplace violence incidents.
- Methods the employer will use to coordinate the implementation of the workplace violation prevention plan among employees in the same facility or department.
- Procedures for the employer to respond to workplace violence and to prohibit retaliation against employees who make reports of workplace violence.
- Procedures for ensuring compliance with the workplace violence prevention plan.
- Procedures for communicating with employees regarding workplace violence matters.
- Procedures for developing and providing training on the employer’s workplace violence prevention plan.

- Assessment procedures to identify and evaluate workplace violence hazards.
- Procedures for correcting workplace violence hazards in a timely manner.
- Procedures for post-incident response and investigation. In addition to developing and implementing a workplace violence prevention plan, covered employers must also “record information in a violent incident log about every incident, post incident, response, and workplace violation injury investigation” performed in accordance with the workplace violence prevention plan. California employers subject to the law must also review and update their workplace violence prevention plans on an annual basis and provide an evaluation of the incidents that occurred and maintain records of workplace violence hazards previously identified.

## **Discussion**

Staff has completed a Workplace Violence Protection plan in compliance with SB 553 and will conduct a training with all LAVTA staff. Additionally, LAVTA staff will coordinate with our contractor who shares our facility in regard to preventative measures. The plan identifies any act of violence or threat of violence that occurs in a place of employment. The plan also identifies four types of workplace violence:

***Type 1 violence*** - Workplace violence committed by a person who has no legitimate business at the worksite and includes violent acts by anyone who enters the workplace or approaches employees with the intent to commit a crime.

***Type 2 violence*** - Workplace violence directed at employees by customers, clients, students, or visitors.

***Type 3 violence*** - Workplace violence against an employee by a present or former employee, supervisor, or manager.

***Type 4 violence*** - Workplace violence committed in the workplace by a person who does not work there but has or is known to have had a personal relationship with an employee.

The plan is focused on the prevention of any type of violence through communication with employees, and our contractor who shares our building, regular inspections to identify hazards. Additionally, the plan includes reporting procedures for employees as well as the necessary forms for tracking and investigating incidents.

**Recommendation**

The Finance and Administration Committee recommends that the Board of Directors approve Resolution 13-2024, adopting the LAVTA Workplace Violence Prevention Plan.

**Attachments:**

1. LAVTA's Workplace Violence Protection Plan
2. Resolution 13-2024

STAFF REPORT

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# WORKPLACE VIOLENCE PREVENTION PROGRAM for LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

Our establishment's Workplace Violence Prevention Plan (WVPP) addresses the hazards known to be associated with the four types of workplace violence as defined by [Labor Code \(LC\) section 6401.9](#).

**Date of Last Review:**

**Date of Last Revision(s):** None

## DEFINITIONS

**Emergency** - Unanticipated circumstances that can be life threatening or pose a risk of significant injuries to employees or other persons.

**Engineering controls** - An aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between the employee and the hazard.

**Log** - The violent incident log required by LC section 6401.9.

**Plan** - The workplace violence prevention plan required by LC section 6401.9.

**Serious injury or illness** - Any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by an accident on a public street or highway, unless the accident occurred in a construction zone.

**Threat of violence** - Any verbal or written statement, including, but not limited to, texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct, that conveys an intent, or that is reasonably perceived to convey an intent, to cause physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.

**Workplace violence** - Any act of violence or threat of violence that occurs in a place of employment.

**Workplace violence** includes, but is not limited to, the following:

- The threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury.
- An incident involving a threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether the employee sustains an injury.
- The following four workplace violence types:

**Type 1 violence** - Workplace violence committed by a person who has no legitimate business at the worksite, and includes violent acts by anyone who enters the workplace or approaches

employees with the intent to commit a crime.

**Type 2 violence** - Workplace violence directed at employees by customers, clients, students, or visitors.

**Type 3 violence** - Workplace violence against an employee by a present or former employee, supervisor, or manager.

**Type 4 violence** - Workplace violence committed in the workplace by a person who does not work there, but has or is known to have had a personal relationship with an employee.

**Workplace violence** does not include lawful acts of self-defense or defense of others.

**Work practice controls** - Procedures and rules which are used to effectively reduce workplace violence hazards.



## RESPONSIBILITY

The WVPP administrator, LAVTA's Executive Director, has the authority and responsibility for implementing the provisions of this plan for the Livermore Amador Valley Transit Authority. If there are multiple persons responsible for the plan, their roles will be clearly described.

<b>Responsible Persons</b>	<b>Job Title/Position</b>	<b>WVPP Responsibility(ies)</b>	<b>Phone #</b>	<b>Email</b>
Christy Wegener	Executive Director	<b>Overall responsibility for the plan;</b> <i>Christy approves the final plan and any major changes.</i>	925-455-7564	cwegener@lavta.org
Tamara Edwards	Director of Finance	<b>Responsible for employee involvement and training;</b> <i>Tamara organizes safety meetings, updates training materials, and handles any reports of workplace violence.</i>	925-455-7566	tedwards@lavta.org
Michael Tobin	Director of Operations	<b>Responsible for emergency response, hazard identification, coordination with other employers/Contractors, and facility safety reviews;</b> <i>Michael conducts safety inspections, coordinates emergency response procedures, and communicates with other employers/contractors about the plan.</i>	925-455-7562	mtobin@lavta.org

All Directors, Managers and Supervisors are responsible for implementing and maintaining the WVPP in their work areas and for answering employee questions about the WVPP.

## EMPLOYEE ACTIVE INVOLVEMENT

The Livermore Amador Valley Transit Authority ensures the following policies and procedures to obtain the active involvement of employees and authorized employee representatives in developing and implementing the plan:

- Management will work with and allow employees to participate in:
  - Identifying, evaluating, and determining corrective measures to prevent workplace violence. All employees are responsible for reporting hazards and injury or illness incidents including hazards and incidents related to workplace violence. The WVPP itself must be made available for employee access and review. It can be found posted in the agency breakroom.
  - Designing and implementing training. Creating a workplace environment to both recognize and reduce workplace violence will take continuous education and recognition of diligent safety practices and behaviors that reduce hazards. Ongoing engagement with the WVPP by management and staff can assist with plan compliance.

**Reporting and investigating workplace violence incidents:** Directors, Managers, and Supervisors are

responsible for completing the Violent Incident Report (Attachment A) with the affected employee before submitting for investigation and violent incident log completion.

- Management will ensure that all workplace violence policies and procedures within this written plan are clearly communicated and understood by all employees. Members of the management team will enforce the rules fairly and uniformly.
- All employees will follow all workplace violence prevention plan directives, policies, and procedures, and assist in maintaining a safe work environment.
- The plan shall be in effect at all times and in all work areas and be specific to the hazards and corrective measures for each work area and operation.

## **EMPLOYEE COMPLIANCE**

Our system to ensure that employees comply with the rules and work practices that are designed to make the workplace more secure, and do not engage in threats or physical actions which create a security hazard for others in the workplace, include at a minimum:

- Training employees, supervisors, and managers in the provisions of the Livermore Amador Valley Transit Authority Workplace Violence Prevention Plan (WVPP). All employees will be required to complete training once a year.
- Provide retraining to employees whose safety performance is deficient with the WVPP.
- Discipline employees for failure to comply with the WVPP in compliance with LAVTA's disciplinary procedures.

## **COMMUNICATION WITH EMPLOYEES**

We recognize that open, two-way communication between our management team, staff, and other employers/contractors about workplace violence issues is essential to a safe and productive workplace. The following communication system is designed to facilitate a continuous flow of workplace violence prevention information between management and staff in a form that is readily understandable by all employees, and consists of one or more of the following:

- New employee orientation includes workplace violence prevention policies and procedures.
- Workplace violence prevention training programs.
- Regularly scheduled meetings that address security issues and potential workplace violence hazards
- Effective communication between employees and supervisors about workplace violence prevention and violence concerns.
- Posted or distributed workplace violence prevention information.
- How employees can report a violent incident, threat, or other workplace violence concern to employer or law enforcement without fear of reprisal or adverse action.
  - Employees can anonymously report a violent incident, threat, of other violence concerns by using the following webpage: <https://trackitnearmiss.com/lavta213214234325/>
  - For emergency response call law enforcement at 911.
- Employees will not be prevented from accessing their mobile or other communication devices to seek emergency assistance, assess the safety of a situation, or communicate with a person to verify their safety. Employees' concerns will be investigated in a timely manner and they will be informed of the results of the investigation and any corrective actions to be taken.
- After an employee has reported their concerns about any threats of violence or workplace violence to

their supervisor, the supervisor will report this information to the Administrator who will investigate the incident. The Administrator will then inform the employee of the results of their investigation and any corrective actions to be taken as part of LAVTA's responsibility in complying with hazard correction measures outlined in the WPVPP plan.

- Employee training on workplace violence will include:
  - The plan;
  - Workplace violence risks that employees may encounter in their jobs;
  - How to recognize the potential for violence and escalating behavior;
  - Strategies to de-escalate behaviors and avoid physical harm;
  - LAVTA's alarm system that is in place to warn of emergencies; and
  - How to report incidents to law enforcement.
- Training will occur:
  - When the plan is first established;
  - At time of hire;
  - Annually for all employees;
  - When a new or previously unrecognized workplace violence hazard has been identified.

## **COORDINATION WITH OTHER EMPLOYERS**

LAVTA will implement the following effective procedures to coordinate implementation of its plan with other employers to ensure that those employers and employees understand their respective roles, as provided in the plan.

- LAVTA shares its Rutan facility with a contractor. LAVTA will coordinate with the contractor in regard to the WPVPP and any hazardous conditions or concerns.
- All employees will be trained on workplace violence prevention.
- Workplace violence incidents involving any employee are reported, investigated, and recorded.
- At a multiemployer worksite, LAVTA will ensure that if its employees experience workplace violence incident that LAVTA will record the information in a violent incident log and shall also provide a copy of that log to the contractor who shares LAVTA's building.

## **WORKPLACE VIOLENCE INCIDENT REPORTING PROCEDURE**

LAVTA will implement the following effective procedures to ensure that:

- All threats or acts of workplace violence are reported to an employee's supervisor or manager, who will inform the WVPP administrator. This will be accomplished by either verbally or in writing. If that's not possible, employees will report incidents directly to the WVPP administrator, the Executive Director.

Employees can report incidents to their supervisor, HR, or through an anonymous online reporting tool.

Workplace Violence Reporting form:

- <https://trackitnearmiss.com/lavta213214234325/>
- A strict non-retaliation policy is in place, and any instances of retaliation are dealt with swiftly and decisively. An employee who retaliates against a coworker for reporting an incident could be disciplined or terminated.

## EMERGENCY RESPONSE PROCEDURES

LAVTA has in place the following specific measures to handle actual or potential workplace violence emergencies:

- Effective means to alert employees of the presence, location, and nature of workplace violence emergencies by the following.
  - Text message or phone call.
- When any employee becomes aware of an actual or potential workplace violence emergency, they shall notify the Executive Director and/or their immediate supervisor.
- Employees shall implement the run, hide, fight protocols where appropriate. LAVTA has displayed maps of all emergency exits. Sheltering in place at the Rutan facility will either occur in the “server room” or the back office across from the breakroom depending on where the hazard is located. For the Transit Center sheltering in place will take place in the employee restroom.
- For immediate assistance in an emergency contact emergency services by calling 911 to report the incident and request assistance from law enforcement.

In the event of an emergency, including a Workplace Violence Emergency, contact the following:

<b>Responsible Persons</b>	<b>Job Title/Position</b>	<b>WVPP Responsibility(ies)</b>	<b>Phone #</b>	<b>Email</b>
Michael Tobin	Director of Operations	<b>Responsible for emergency response, hazard identification, and coordination with other employers; Michael conducts safety inspections, coordinates emergency response procedures, and communicates with other employers about the plan.]</b>	925-455-7562	mtobin@lavta.org

- Restraining orders: Employees or other personnel affiliated with LAVTA who have an active restraining order issued against another person that includes the workplace are encouraged to provide a copy of the restraining order to their supervisor and Human Resources. Supervisors who receive notification of a restraining order that includes the workplace will meet with the Executive Director to decide what actions, if any, need to be initiated.

## WORKPLACE VIOLENCE HAZARD IDENTIFICATION AND EVALUATION

The following policies and procedures are established and required to be conducted by LAVTA to ensure that workplace violence hazards are identified and evaluated:

- Inspections shall be conducted when the plan is first established, after each workplace violence incident, and whenever the employer is made aware of a new or previously unrecognized hazard.

Review all submitted/reported concerns of potential hazards:

- Weekly review of all submitted and reported concerns.
- Online form for reporting workplace violence hazards
- Voicemail/email/text messages

## Periodic Inspections

Periodic inspections of workplace violence hazards will identify unsafe conditions and work practices. This may require assessment for more than one type of workplace violence. Periodic Inspections shall be conducted: monthly.

Periodic inspections to identify and evaluate workplace violence and hazards will be performed by the following designated personnel in the following areas of the workplace:

<b>Specific Person Name/Job Title</b>	<b>Area/Department/Specific location</b>
Michael Tobin, Director of Operations	Rutan and Transit Center Facilities

Inspections for workplace violence hazards include assessing:

- The exterior and interior of the workplace for its attractiveness to robbers.
- The need for violence surveillance measures, such as mirrors and cameras.
- Procedures for employee response during a robbery or other criminal act, including prohibiting employees, who are not security guards, from confronting violent persons or persons committing a criminal act.
- Procedures for reporting suspicious persons or activities.
- Effective location and functioning of emergency buttons and alarms.
- Posting of emergency telephone numbers for law enforcement, fire, and medical services.
- Whether employees have access to a telephone with an outside line.
- Whether employees have effective escape routes from the workplace.
- Whether employees have a designated safe area where they can go to in an emergency.
- Adequacy of workplace security systems, such as door locks, entry codes or badge readers, security windows, physical barriers, and restraint systems.
- Frequency and severity of threatening or hostile situations that may lead to violent acts by persons who are service recipients of our establishment.
- Employees' skill in safely handling threatening or hostile service recipients
- Effectiveness of systems and procedures that warn others of actual or potential workplace violence danger or that summon assistance, e.g., alarms or panic buttons.
- The use of work practices such as the "buddy" system for specified emergency events.
- The availability of employee escape routes.
- How well our establishment's management and employees communicate with each other.
- Access to and freedom of movement within the workplace by non-employees, including recently discharged employees or persons with whom one of our employees is having a dispute.

- Frequency and severity of employees' reports of threats of physical or verbal abuse by managers, supervisors, or other employees.
- Any prior violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace.

## **WORKPLACE VIOLENCE HAZARD CORRECTION**

Workplace violence hazards will be evaluated and corrected in a timely manner. LAVTA will implement the following effective procedures to correct workplace violence hazards that are identified:

- If an imminent workplace violence hazard exists that cannot be immediately abated without endangering employee(s), all exposed employee(s) will be removed from the situation except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition will be provided with the necessary protection, such as gloves and face masks.
- All corrective actions taken will be documented and dated on the Violent Incident Investigation forms.
- Corrective measures for workplace violence hazards will be taken specific to a given work area.

## **PROCEDURES FOR POST INCIDENT RESPONSE AND INVESTIGATION**

After a workplace incident, the WVPP administrator or their designee will implement the following post-incident procedures:

- Visit the scene of an incident as soon as safe and practicable.
- Interview involved parties, such as employees, witnesses, law enforcement, and/or security personnel.
- Review security footage of existing security cameras if applicable.
- Examine the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
- Determine the cause of the incident.
- Take corrective action to prevent similar incidents from occurring.
- Record the findings and ensuring corrective actions are taken.
- Obtain any reports completed by law enforcement.
- The violent incident log will be used for every workplace violence incident and will include information, such as:
  - The date, time, and location of the incident.
  - The workplace violence type or types involved in the incident.
  - A detailed description of the incident.
  - A classification of who committed the violence, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or other perpetrator.
  - A classification of circumstances at the time of the incident, including, but not limited to, whether the employee was completing usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, working in a community setting, or working in an unfamiliar or new location.

- A classification of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area.
- The type of incident, including, but not limited to, whether it involved any of the following:
  - Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
  - Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
  - Threat of physical force or threat of the use of a weapon or other object.
  - Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
  - Animal attack.
  - Other.
- Consequences of the incident, including, but not limited to:
  - Whether security or law enforcement was contacted and their response.
  - Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.
  - Information about the person completing the log, including their name, job title, and the date completed.
- Reviewing all previous incidents.

Ensure that no personal identifying information is recorded or documented in the written investigation report. This includes information which would reveal identification of any person involved in a violent incident, such as the person's name, address, electronic mail address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, reveals the person's identity.

## **TRAINING AND INSTRUCTION**

All employees, including managers and supervisors, will have training and instruction on general and job-specific workplace violence practices. These sessions could involve presentations, discussions, and practical exercises. Training and instruction will be provided as follows:

- When the WVPP is first established.
- Annually to ensure all employees understand and comply with the plan.
- Whenever a new or previously unrecognized workplace violence hazard has been identified and when changes are made to the plan. The additional training may be limited to addressing the new workplace violence hazard or changes to the plan.

LAVTA will provide its employees with training and instruction on the definitions found on page 1 of this plan and the requirements listed below:

- The employer's WVPP, how to obtain a copy of the employer's plan at no cost, and how to participate in 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 LAVTA 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 records pertaining to hazard identification, evaluation and correction, training records, and violent incident logs.
- Opportunities LAVTA has for interactive questions and answers with a person knowledgeable about the LAVTA plan.

**Note:** *Employers must use training material appropriate in content and vocabulary to the educational level, literacy, and language of employees.*

## **EMPLOYEE ACCESS TO THE WRITTEN WVPP**

LAVTA ensures that the WVPP plan shall be in writing and shall be available and easily accessible to employees, and representatives of Cal/OSHA at all times. This will be accomplished by posting it in the employee breakroom.

Additionally:

- Whenever an employee requests a copy of the written WVPP, LAVTA will provide the requester with a printed copy of the WVPP, unless the employee or designated representative agrees to receive an electronic copy.
- LAVTA will provide unobstructed access through a company server, which allows employees to review, print, and email the current version of the written WVPP.

## **RECORDKEEPING**

LAVTA will:

- Create and maintain records of workplace violence hazard identification, evaluation, and correction, for a minimum of five (5) years.
- Create and maintain training records for a minimum of one (1) year and include the following:
  - Training dates.
  - Contents or a summary of the training sessions.
  - Names and qualifications of persons conducting the training.
  - Names and job titles of all persons attending the training sessions.
- Maintain violent incident logs for minimum of five (5) years.
- Maintain records of workplace violence incident investigations for a minimum of five (5) years.
  - The records shall not contain medical information per subdivision (j) of section 56.05 of the Civil Code.
- All records of workplace violence hazard identification, evaluation, and correction; training, incident logs and workplace violence incident investigations required by [LC section 6401.9\(f\)](#), shall be made available to Cal/OSHA upon request for examination and copying.

## **EMPLOYEE ACCESS TO RECORDS**

The following records shall be made available to employees, upon request and without cost, for examination and copying within **15 calendar days of a request**:



- Records of workplace violence hazard identification, evaluation, and correction.
- Training records.
- Violent incident logs.

## REVIEW AND REVISION OF THE WVPP

The LAVTA WVPP will be reviewed for effectiveness:

- At least annually.
- When a deficiency is observed or becomes apparent.
- After a workplace violence incident.
- As needed.

Review and revision of the WVPP will include the procedures listed in the EMPLOYEE ACTIVE INVOLVEMENT section of this WVPP, as well as the following procedures to obtain the active involvement of employees and authorized employee representatives in reviewing the plan's effectiveness:

- Review of LAVTA's WVPP should include, but is not limited to:
  - Review of incident investigations and the violent incident log.
  - Assessment of the effectiveness of security systems, including alarms, emergency response, and security personnel availability (if applicable).
- Review that violence risks are being properly identified, evaluated, and corrected. Any necessary revisions are made promptly and communicated to all employees. [These revisions could involve changes to procedures, updates to contact information, and additions to training materials.]

## EMPLOYER REPORTING RESPONSIBILITIES

As required by [California Code of Regulations \(CCR\), Title 8, Section 342\(a\). Reporting Work-Connected Fatalities and Serious Injuries](#), LAVTA will immediately report to Cal/OSHA any serious injury or illness (as defined by [CCR, Title 8, Section 330\(h\)](#)), or death (including any due to Workplace Violence) of an employee occurring in a place of employment or in connection with any employment.

"I, Christy Wegener, Executive Director of the Livermore Amador Valley Transit Authority, hereby authorize and ensure, the establishment, implementation, and maintenance of this written workplace violence prevention plan and the documents/forms within this written plan. I believe that these policies and procedures will bring positive changes to the workflow, business operations, and overall health and safety as it relates to workplace violence prevention."

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Christy Wegener, Executive Director

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Signature

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Date

## Attachment A-Violent Incident Log

This log must be used for every workplace violence incident that occurs in our workplace. At a minimum, it will include the information required by LC section 6401.9(d).

The information that is recorded will be based on:

- Information provided by the employees who experienced the incident of violence.
- Witness statements.
- All other investigation findings.

All information that personally identifies the individual(s) involved will be omitted from this log, such as:

- Names
- Addresses – physical and electronic
- Telephone numbers
- Social security number

Date of occurrence: \_\_\_\_\_

Approximate time that the incident occurred \_\_\_\_\_ a.m./p.m.

Location(s) of Incident	Workplace Violence Type (Indicate which type(s) (Type 1, 2,3,4))

Check which of the following describes the type(s) of incident, and explain in detail:

**Note:** *It's important to understand that "Workplace Violence Type" and "Type of Incident" have separate requirements. For this part of the log, "Type of Incident" specifically refers to the nature or characteristics of the incident being logged. It does not refer to the type of workplace violence.*

- Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
- Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
- Threat of physical force or threat of the use of a weapon or other object.
- Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
- Animal attack.
- Other.

Explain: [Provide a detailed description of the incident and any additional information on the violence incident type and what it included. Continue on separate sheet of paper if necessary.]

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Workplace violence committed by: \_\_\_\_\_

[For confidentiality, only include the classification of who committed the violence, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or other perpetrator.]

Circumstances at the time of the incident: \_\_\_\_\_  
\_\_\_\_\_

(Including, but not limited to, whether the employee was completing usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, working in a community setting, or working in an unfamiliar or new location.)

Where the incident occurred: \_\_\_\_\_

[Where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area.]

Consequences of the incident, including, but not limited to:

- Whether law enforcement was contacted and their response.
- Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.

[Include information on what the consequences of the incident were.]

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- Were there any injuries? Yes or No. Please explain:

[Indicate here if there were any injuries, if so, provide description of the injuries]

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- Were emergency medical responders other than law enforcement contacted, such as a Fire Department, Paramedics, On-site First-aid certified personnel? Yes or No. If yes, explain below:

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Did the severity of the injuries require reporting to Cal/OSHA? If yes, document the date and time this was done, along with the name of the Cal/OSHA representative contacted.

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A copy of this violent incident log needs to be provided to the employer. Indicate when it was provided and to whom.

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This violent incident log was completed by:

\_\_\_\_\_  
Name, and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## Attachment B – Violent Incident Investigation

The Executive Director or Designee will complete the investigation into the violent incident. Further investigation and resolution of the incident is expected within seven (7) days in addition to submitting a copy of the completed investigation to HR.

### Incident Analysis To be completed by Executive Director or Designee:

Has this type of incident occurred before at the workplace?  Yes  No

What were the main factors that contributed to the incident?

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What could have prevented or at least minimized the damage caused by this incident?

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### Post-Incident Response

- Yes  No Did the employee(s) require medical attention as a result of the incident?
- Yes  No Did the employee(s) miss work as a result of the incident?
- Yes  No Did the employee(s) apply for workers' compensation?
- Yes  No Was critical incident debriefing provided to all affected staff who desired it?
- Yes  No Was post-trauma counseling offered to affected staff who desired it?
- Yes  No Was all counseling provided by a professional counselor?

Has there been follow-up with the Employee(s)?  Yes  No

Is this a recurring event?  Yes  No

Are there modifications to be made to WVPP to reflect updated practices?  Yes  No

Describe updates to WVPP \_\_\_\_\_

Investigation completed by: \_\_\_\_\_

Department/Job Title: \_\_\_\_\_

Date: \_\_\_\_\_ Phone number: \_\_\_\_\_

Email: \_\_\_\_\_

**RESOLUTION 13-2024**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY APPROVING A NEW WORKPLACE VIOLENCE PREVENTION PLAN UNDER SENATE BILL NO. 553**

WHEREAS, the Livermore Amador Valley Transit Authority is a local government agency formed and operating pursuant to Title 1, Division 7, Chapter 5, Article I (§6500, et seq.) of the California Government code, for the purpose of providing coordinated public transportation services; and

WHEREAS, on September 20, 2023, Governor Newsom signed Senate Bill No. 553 (“SB 553”) into law, which requires certain California employers to take steps to prevent and respond to workplace violence; and

WHEREAS, notably, SB 553 added Section 6401.9 to the California Labor Code, which, effective July 1, 2024, requires covered employers to adopt a comprehensive workplace violence prevention plan;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Livermore Amador Valley Transit Authority does hereby adopt Resolution xx-2024 approving a New Workplace Violence Prevention Plan Under Senate Bill No. 553 as follows:

- The names or job titles of the individuals responsible for implementing and maintaining the workplace violence prevention plan.
- Procedures to obtain the active involvement of employees in developing, implementing, and reviewing the workplace violence prevention plan, including their participation in identifying, evaluating, and correcting workplace violence hazards, designing and implementing training, and reporting and investigating workplace violence incidents.
- Methods the employer will use to coordinate the implementation of the workplace violation prevention plan among employees in the same facility or department.
- Procedures for the employer to respond to workplace violence and to prohibit retaliation against employees who make reports of workplace violence.
- Procedures for ensuring compliance with the workplace violence prevention plan.
- Procedures for communicating with employees regarding workplace violence matters.
- Procedures for developing and providing training on the employer’s workplace violence prevention plan.
- Assessment procedures to identify and evaluate workplace violence hazards.
- Procedures for correcting workplace violence hazards in a timely manner.

- Procedures for post-incident response and investigation.

**APPROVED AND PASSED**, this 6<sup>th</sup> day of May 2024

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Melissa Hernandez, Chair

**ATTEST:**

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Christy Wegener, Executive Director

**Approves as to form:**

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Michael Conneran, Legal Counsel