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Plot Twist: Cal/OSHA Revises Its Workplace Violence Prevention Draft Again

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On July 22, 2026, Cal/OSHA released another revised draft of its Workplace Violence Prevention regulation for general industry. Public comments are due August 17, 2026. The Occupational Safety and Health Standards Board (OSHSB) must adopt a final standard by December 31, 2026.

The revised draft addresses several issues raised by stakeholders and provides Cal/OSHA's reasoning for the proposed changes. To understand the evolution of the draft regulation, please view our prior blog posts regarding the **first** and **second** drafts.

Key Proposed Changes

Employer-Provided Transportation. The draft clarifies that the transportation provisions apply only to employer-provided transportation under the employer's control, addressing concerns that the prior language was overly broad.

"Threat of Violence." The revised draft removes language previously added to the definition of "threat of violence" that would have excluded texts, electronic messages, and personal social media communications that were not brought to the employer's attention or that the employer could not reasonably have known about. Cal/OSHA noted that it removed this exception to maintain consistency with the statutory definition.

Although Cal/OSHA has indicated that additional clarification concerning this issue will be addressed in future guidance, guidance is not binding.

Staffing Levels. Under the new language, appropriate staffing levels may be based on the employer's workplace violence hazard assessment, rather than on staffing levels necessary to maintain order in the facility and respond to workplace violence incidents in a timely manner.

The revision follows stakeholder comments that the prior proposed language did not provide meaningful clarification regarding what constitutes appropriate staffing levels in general industry.

Workplace Violence Hazards. Uncontrolled public access was reinstated as a factor separate from frequent or regular contact with the public when assessment workplace violence hazards. Stalking was also removed from the list after stakeholders noted that it is an example of workplace violence, rather than a workplace violence

hazard.

Alternative Reporting. Employers must provide a designated reporting contact other than the direct supervisor when the supervisor is involved in or associated with the incident or has not adequately addressed the hazard. The second circumstance is a new addition to the prior draft. It provides employees with an alternative reporting channel when they believe that their direct supervisor has failed to adequately address a workplace violence hazard.

Engineering and Work Practice Controls. The revised draft also adds the phrase "to the extent feasible" to the requirement that appropriate engineering and work practice controls must be implemented to eliminate or minimize exposure to identified workplace violence hazards.

Trauma Counseling. The draft also clarifies that an Employee Assistance Program (EAP) may satisfy the requirement to offer trauma counseling following a workplace violence incident.

What's Next

Comments on the latest draft will be accepted through August 17, 2026. OSHSB is required to adopt the standard no later than December 31, 2026.

This public comment period is most likely the last opportunity for employers to make their thoughts and recommendations heard before the final version is prepared.

Please contact Rachel Conn or Andrea O. Chavez for more information.