
DIGEST

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HB 313 Original

2023 Regular Session

Larvadain

Abstract: Requires signage and plans to address workplace violence in certain commercial settings.

Proposed law provides that the purpose of proposed law is to afford certain protections to employees of commercial entities by establishing policies and practices that properly and efficiently address, mitigate, and, whenever possible, prevent workplace violence in commercial settings.

Proposed law defines "aggressor", "commercial entity", "department", "employee", and "workplace violence".

Proposed law requires a commercial entity to display, at its premises, signage stating that workplace violence against an employee will not be tolerated and could result in a conviction under applicable present law.

Proposed law provides the specifications to which the signage must conform.

Proposed law requires a commercial entity to establish, implement, and maintain an efficient workplace violence prevention plan, herein referred to as the "plan". Proposed law further requires the plan to be in writing and available to all employees at all times.

Proposed law provides that the plan shall include, at a minimum, all of the following:

- (1) The method by which an employee may access the plan.
- (2) The policy in place to prevent workplace violence.
- (3) The procedure for responding to and reporting workplace violence.
- (4) Any resources or training policies in place to educate employees on workplace violence.
- (5) A list of resources available to employees, who have suffered from workplace violence, to utilize in order to recuperate from workplace violence.
- (6) A policy in place to annually assess any increases or decreases in workplace violence incidents. If there has been an increase in workplace violence incidents, the commercial entity shall assess any factors that may have contributed to the increase and implement any additional procedures to prevent or mitigate such factors.

Proposed law allows the commercial entity to work in conjunction with the La. Workforce Commission (LWC) in order to develop a plan.

Proposed law requires LWC to develop, publish, and maintain public information regarding the issue of workplace violence on its website.

Proposed law provides that the public information shall include, at a minimum, all of the following:

- (1) Any statistics regarding workplace violence incidents that occur in this state and nationwide.
- (2) Any training and educational resources on how to recognize and address workplace violence.
- (3) The best practices and procedures to prevent or mitigate workplace violence.
- (4) Any resources and information that can assist in the development and implementation of a workplace violence prevention plan.

Proposed law provides that each March 1st, and annually thereafter, LWC shall update its website to reflect any changes in resources, statistics, and information regarding workplace violence.

Proposed law requires the commercial entity to complete a workplace violence incident form, herein referred to as the form, for each workplace violence incident.

Proposed law requires LWC to promulgate all rules as are necessary to implement the use of the form, including but not limited to all of the following:

- (1) The creation of the form.
- (2) The manner and method in which LWC will provide the form to commercial entities.

Proposed law provides that the form shall, at a minimum, include all of the following:

- (1) The name and job title of the person completing the form.
- (2) The name and job title, if applicable, of the employee and aggressor.
- (3) The date, time, and location of the incident.
- (4) A description of the incident from the employee and, if applicable, witness.
- (5) Any measures taken to resolve the incident.
- (6) Any other metrics LWC deems as necessary for the completion of the form.

Proposed law requires the commercial entity to maintain a copy of each form for a minimum of five

years.

Proposed law provides that, each Dec. 1st, and annually thereafter, the commercial entity must submit to LWC a report indicating the number of workplace violence incidents that have occurred on the commercial entity's premises that year. Proposed law further provides that LWC will determine the manner and method in which the commercial entity submits the report.

Proposed law requires both the commercial entity and LWC to maintain a copy of each report for a minimum of five years.

(Adds R.S. 23:271-276)