

From: [Gary Gannon](#)
To: [DIR OSHSB](#)
Subject: Public Comment — Proposed Title 8 CCR §3343 — Gary M. Gannon, Gannon Compliance Group
Date: Monday, June 1, 2026 3:28:20 PM
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CA Department of Industrial Relations
PUBLIC COMMENT — PROPOSED TITLE 8 CCR §3343
Workplace Violence Prevention Standard — General Industry

TO: oshsb@dir.ca.gov

SUBJECT: Public Comment — Proposed Title 8 CCR §3343

FROM: gary.m.gannon@gmail.com

Re: April 24, 2026 Revised Discussion Draft

Submitted by: Gary M. Gannon, MBA, CPP, PSP, SHRM-SCP, SHRM-CA, SHRM-PA
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Fresno, California | gary.m.gannon@gmail.com
June 1, 2026

I submit this comment in support of the Standards Board's adoption of a permanent general industry workplace violence prevention standard under Title 8 CCR §3343, as mandated by Labor Code §6401.9.

My comments address the April 24, 2026 revised discussion draft directly and are grounded in 29 consecutive years of multi-site California operations — April 1995 through March 2024 — during which I served as Operations Manager, HR Director, COO, and CEO with simultaneous CHRO responsibilities for a California-based workforce that scaled from 30 to 350+ employees across 24/7 field operations. That record was completed with zero Cal/OSHA violations.

I trained more than 7,000 personnel in workplace violence prevention and crisis response during that period. I hold active board-level credentials in physical security (CPP, PSP — ASIS International) and senior human resources (SHRM-SCP, SHRM-CA, SHRM-PA — SHRM).

I currently provide SB 553 compliance architecture to California employers and have conducted direct forensic review of Cal/OSHA enforcement outcomes following California workplace violence incidents, including the Half Moon Bay agricultural facility citations (22 violations, \$113,800 penalty — January 2023) and the VTA San Jose facility incident (9 fatalities, 2021). That enforcement and incident record directly informs my comments below.

On the Interactive Training Requirement — April 24, 2026 Draft

The April 24, 2026 draft's requirement that non-in-person training must include interactive questions answerable within one business day by a knowledgeable person is one of the most operationally significant provisions in the revised draft, and I strongly support it.

The Half Moon Bay citation record — where the cited employer had provided no training in the workers' primary language and no active shooter notification procedure — reflects exactly the failure mode that passive, one-way e-learning perpetuates. However, the standard should define "knowledgeable person" with sufficient specificity to be enforceable.

A person who can receive and answer interactive training questions within one business day should be required to have documented competency in the employer's WVPP, the site-specific hazard profile, and the reporting procedures under §6401.9(c)(8). Without this definition, employers will designate administrative staff with no substantive WVPP knowledge, defeating the purpose of the requirement.

I recommend the standard include a minimum competency standard for designated training responders, parallel to the qualifications required of WVPP plan coordinators under existing guidance.

On the Transportation and Fleet Vehicle Expansion

The April 24, 2026 draft's expansion of scope to employer-provided transportation, including shuttles and fleet vehicles, is appropriate and overdue. Workers in transit-leg operations — particularly in NAICS 492 courier and delivery environments, which carry a documented DART rate among the highest in the general industry population — face workplace violence exposure during the transit leg that existing WVPP frameworks do not adequately address.

The permanent standard should specify that the hazard identification and assessment requirements under §6401.9(c)(3) apply to the transit environment as a distinct worksite node, and that engineering control requirements — including driver safety partitions, GPS monitoring, and dispatch communication protocols — are included within the scope of site-specific hazard control planning.

Multi-employer coordination requirements should explicitly address the scenario where employer-provided transportation involves workers from multiple organizations sharing the same vehicle or route.

On the Small Employer Exemption Clarification

The revised definition requiring that all three criteria — fewer than 10 employees, no public access, and IIPP compliance — be met simultaneously is a critical and correct improvement.

Under the prior "at any given time" language, employers were routinely miscalculating their eligibility by measuring headcount at a single moment rather than across operational patterns.

The revised standard should further clarify that "accessible to the public" includes any location where the employer receives clients, customers, vendors, delivery personnel, or contractors — not only locations with general walk-in access. In my 29 years of California field operations, the most frequent misapplication of small-employer exemptions involved

employers in light manufacturing, food processing, and building services who received contractor and vendor visits daily but claimed exemption based solely on employee headcount. The standard should make the public-access prong unambiguous.

On Proactive Trauma Counseling Notification

The removal of the "upon request" qualifier for trauma counseling notification is correct and consistent with established best practices in post-incident response.

Requiring employers to proactively notify affected employees of available counseling resources — rather than waiting for a request — reflects the documented reality that employees who have experienced or witnessed workplace violence frequently do not self-identify as needing support in the immediate aftermath.

The standard should specify a maximum time period within which the proactive notification must be delivered following a qualifying incident, and should require that notification be delivered in the primary language of the affected employees, consistent with the training language requirement that Cal/OSHA has already applied in enforcement.

I recommend a 24-hour notification window from the time a violent incident is documented in the violent incident log.

On Multi-Employer Coordination and the Permanent Standard's Opportunity

The permanent §3343 standard has an opportunity to resolve a structural ambiguity that the current §6401.9 statutory framework leaves unaddressed: in multi-employer environments — leased facilities, shared retail and office space, contracted service deployments — the question of which employer bears primary WVPP responsibility for common areas and shared hazards is not answered by the statute.

My 29-year operating record included continuous multi-employer worksite management across client facilities, and I can confirm that the absence of regulatory specification for primary-responsibility allocation creates citation risk for every party and effective protection for none.

The permanent standard should require written multi-employer WVPP coordination agreements designating: (1) which employer holds primary WVPP authority for shared spaces; (2) how each employer's site-specific hazard assessment integrates with the shared-space assessment; and (3) the incident reporting and notification protocol when a violent incident involves personnel from more than one employer. This specification closes the most frequently exploited compliance gap in general industry WVPP enforcement.

I commend the Standards Board and Cal/OSHA for the April 24, 2026 revised draft's material improvements over prior versions, and I support completing the rulemaking on the statutory timeline.

California employers who have built defensible, site-specific Workplace Violence Prevention Plans under the current framework are prepared to adapt to a specification-based permanent standard. The employers who are not prepared are precisely those the permanent standard is designed to reach.

Specificity — in engineering controls, training delivery, multi-employer coordination, and post-incident response — is not a burden on compliant employers. It is the floor that protects workers and gives compliant employers an auditable, defensible record.

I am available to provide additional technical input or testimony if helpful to the Board's process.

Respectfully submitted,

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