

New California Law Requires Sexual Harassment Prevention Training for Supervisors and Non-Supervisors

By Susan E. Groff

October 1, 2018

Meet the Authors



Susan E. Groff

(She/Her)

Principal

(213) 689-0404

Susan.Groff@jacksonlewis.com

Related Services

California Advice and Counsel

Construction

Energy and Utilities

Entertainment and Media

Financial Services

Government Contractors

Healthcare

Higher Education

Hospitality

Insurance

Life Sciences

Manufacturing

Real Estate

Retail

Sexual Harassment

Staffing and Independent

Workforce

Technology

Transportation and Logistics

Workplace Training

California employers with at least five employees must provide sexual harassment prevention training and education to all supervisory employees and non-supervisory employees in California by January 1, 2020.

Since 2005, employers with at least 50 employees have been required to train and educate all personnel in supervisory positions in California in the prevention of sexual harassment. Senate Bill 1343 lowers the number of employees to five and includes non-supervisors in the mandate.

SB 1343 requires covered employers to provide at least two hours of sexual harassment prevention training and education to all supervisory employees and at least one hour of such training to all non-supervisory employees in California, by January 1, 2020. Training and education must be provided once every two years thereafter, as specified under the new law.

The new law also creates requirements for the California Department of Fair Employment and Housing (DFEH).

Highlights

Under SB 1343:

- By January 1, 2020, employers with *at least five employees must* provide: (1) at least two hours of sexual harassment prevention training to all supervisory employees; and (2) at least *one hour of sexual harassment prevention training to all non-supervisory employees* in California within six months of their assumption of either a supervisory or non-supervisory position. The training must be provided once every two years.
- Employers must provide sexual harassment prevention training to *temporary or seasonal employees within 30 calendar days after the hire date or within 100 hours worked* if the employee will work for less than six months. In the case of a temporary employee employed by a temporary services employer (as defined by the California Labor Code) to perform services for clients, the training must be provided by the temporary services employer, not the client.
- The anti-sexual harassment training may be conducted with other employees, as a group, or individually, and broken up into shorter time segments, as long as the two-hour requirement for supervisory employees and one-hour requirement for non-supervisory employees is reached.
- Employers who provide the required trainings after January 1, 2019, are not required to comply with the January 1, 2020, deadline.
- The DFEH must develop, obtain, and make available on its website the one-hour and two-hour anti-sexual harassment training courses for supervisory and non-supervisory

employees. Employers may develop their own training platforms, as long as they comply with the law's requirements.

- The DFEH must make existing informational posters and fact sheets regarding sexual harassment prevention available to employers and to members of the public in English and other languages (as listed in the law) on the department's internet website.

Please contact Jackson Lewis with any questions about the new law and compliance with the expanded training requirements and to schedule training.

©2018 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material. This material may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on employment and labor law since 1958, Jackson Lewis P.C.'s 1,000+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged and stable, and share our clients' goals to emphasize belonging and respect for the contributions of every employee. For more information, visit <https://www.jacksonlewis.com>.