

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

By Susan E. Groff

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Meet the Authors



Susan E. Groff

(She/Her)

Principal

(213) 689-0404

Susan.Groff@jacksonlewis.com

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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.

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