

STATE HARASSMENT PREVENTION TRAINING REQUIREMENTS

Effective Date: January 1, 2019

Covered Employers	Employers with five or more employees
Covered Employees	Beginning January 1, 2021, seasonal employees, temporary employees, and any employees who are hired to work for less than six months , must be trained within 30 calendar days from when they began working or have worked 100 hours, whichever occurs first .
Notice/Policy	<ul style="list-style-type: none"> • All California employers are required to display the California Law Prohibits Workplace Discrimination and Harassment Poster or provide employees with the California Sexual Harassment Fact Sheet. • California employers with five or more employees are required to display the Transgender Rights in the Workplace Poster. • Employers must distribute to employees a clear and easy-to-understand written policy that is discussed at meetings on a regular basis (for example, every six months).
Timing/Frequency	<p>By January 1, 2021, for employers of five or more employees:</p> <ol style="list-style-type: none"> 1. Each supervisory employee must have at least two hours of sexual harassment training. 2. Each nonsupervisory employee must have at least one hour of sexual harassment training. 3. Training for each employee is required within six months of assuming his or her job. 4. Training must be provided to each employee every two years after the initial training requirement is met.
Type of Training	Training may be live in a classroom, online, or in any other effective, interactive format as long as the applicable hourly total requirement is met.
Training Content	<p>Sexual Harassment Training must include the following:</p> <ol style="list-style-type: none"> 1. The training program must “include information and practical guidance regarding the federal and state statutory provisions concerning” sexual harassment. The training should also include prevention of “abusive conduct” (commonly described as “workplace bullying”). 2. The training should specifically discuss the elements of abusive conduct, including conduct undertaken with malice that a reasonable person would find hostile or offensive and that is not related to an employer’s legitimate business interests (including performance standards). 3. A compliant training program must “include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation.” Examples should also include “harassment based on gender identity, gender expression, and sexual orientation.” 4. The training must include information and practical guidance regarding federal and state law concerning the prohibition against, and the prevention and correction of, sexual harassment and the remedies available to victims of sexual harassment. The training must also include practical examples of harassment, discrimination, and retaliation, as well as information about preventing abusive conduct and harassment based on sexual orientation, gender identity, and gender expression. 5. The instructors or trainers must have “knowledge and expertise in the prevention of harassment, discrimination, and retaliation.”
Record-Keeping	<p>Employers must keep all of the following training records for at least two years:</p> <ul style="list-style-type: none"> • Names of attendees; • Names of trainers or training providers; • Types of training (e.g., classroom, webinar, e-learning); • Sign-in sheets; • Copies of all written training materials (e.g., company policies, handouts, exercises, quizzes); • Copies of all recorded training materials (e.g., videos, webinars); • Copies of all written questions received and all written responses or guidance provided during any webinar or e-learning; and • Copies of any certificates provided (certificate of completion or certificate of attendance).
Additional Resources	For more information about the protections against workplace sexual harassment under California law, please visit California’s Department of Fair Employment and Housing (CDFEH) website . To learn more about HR Knowledge’s Turn-Key Sexual Harassment Prevention Solution, please contact us at info@hrknowledge.com.