

STATE HARASSMENT PREVENTION TRAINING REQUIREMENTS

Effective Date: January 1, 2019

Covered Employers	Employers with 50 or more employees
Covered Employees	All employees
Notice/Policy	Employers with four or more employees must provide an information sheet about sexual harassment to each employee upon hire (and to each existing employee by July 1, 2019). The required information sheet may be given to employees in hard copy form or electronically.
Timing/Frequency	<ul style="list-style-type: none"> • Existing employees (including supervisors) — By January 1, 2020. However, those who had already received training that meets the new law's requirements before January 1, 2019, do not need to be retrained again until January 1, 2020, or later. • New supervisors — Within one year after starting the supervisory position. This requirement applies once an individual has been employed as a supervisor for six months continuously. • New nonsupervisory employees — Within one year after starting the employment. This requirement applies once an individual has been employed for six months continuously. • After any employee has received the initial sexual harassment prevention training, he or she must be retrained once every two years.
Type of Training	Delaware law requires all sexual harassment training to be interactive. While the law is silent on what would satisfy the "interactive" requirement, a commonsense approach would mean the employee must have the ability to participate in the training. Training that involves an employee watching a training video or reading a document only, with no feedback mechanism or interaction, would NOT be considered interactive.
Training Content	<p>The law's minimum requirements for an employer's sexual harassment prevention training program are that it must be interactive and include:</p> <ol style="list-style-type: none"> 1. Information about the illegality of sexual harassment; 2. The definition of sexual harassment, using examples; 3. The legal remedies and complaint processes available to employees; 4. Directions on how to contact the Delaware Department of Law (DDOL); and 5. Information about the legal prohibition against retaliation. <p>The training for supervisors must also include information about the specific responsibilities of a supervisor regarding the prevention and correction of sexual harassment and the legal prohibition against retaliation.</p>
Record-Keeping	The law does not specify the record-keeping requirements, but as a best practice, maintain records for three years.
Additional Resources	For more information about the protections against workplace sexual harassment under Delaware law, please visit the Delaware Department of Labor's (DDOL's) website . To learn more about HR Knowledge's Turn-Key Sexual Harassment Prevention Solution, please contact us at info@hrknowledge.com.