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California Amends Sexual Harassment Training Requirements

Background

California has passed a law to amend the sexual harassment training requirements under the Fair Employment and Housing Act (FEHA). The FEHA mandates that employers with five or more employees must provide employees in a supervisory position with at least two hours of sexual harassment training and at least one hour for nonsupervisory employees. These trainings must take place once every two years.

Summary

Are there any exemptions?

This amendment does exempt an employer from providing sexual harassment training to an employee who has received training that is in compliance with FEHA within the prior two years. This training could have been from a current, former, alternate, or joint employer, or the employee could have received a valid work permit from the Labor Commissioner that required the employee to receive the training.

The employer must, instead, provide the employee with its anti-harassment policy within six

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months of the employee starting their new position. The employee must read and acknowledge that they received the policy. The employee will then be on the two-year tracking schedule, which is based on the employee's last training. The current employer must establish that the employee's prior training was compliant with the training requirements outlined by FEHA.

Employer Next Steps

- Ensure that all employees, both current and new, are in compliance.
- Create a system to help keep track of your employee's training completion dates, both former and current.
- Update any policies if needed and make sure that all employees have received and acknowledged your sexual harassment policy.
- If you are interested in learning about our Sexual Harassment training program, [contact us](#).

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