



New CA Employment Law: Sexual Harassment Training Requirements

EMPLOYERS WITH 5 OR MORE EMPLOYEES MUST PROVIDE HARASSMENT TRAINING RESOURCES TO ALL EMPLOYEES BY THE END OF 2020

IMPORTANT UPDATES: Governor Gavin Newsom signed Senate Bill 778 into law extending the effective date of the mandatory sexual harassment training program by a full year. **Businesses with five or more employees must comply with the rules outlined in Senate Bill 1343 by January 1, 2021.**

WHAT DOES SB 778 CHANGE?

- **SB 778, which takes effect immediately, extends the time limit for providing the mandatory training and education to Jan. 1, 2021.** Employers who provided mandatory sexual harassment prevention training and education in 2019 do not have to provide it again until 2021 and every two years thereafter.
- The requirement to train seasonal, temporary, or other employees that are hired to work for less than six months, an employer shall provide the mandatory training within 30 calendar days after the hire date or within 100 hours worked, whichever occurs first has **NOT** changed, and still takes effect January 1, 2020.
- **An employer who was previously required to provide training (50+ employees) will still need to meet the two-year requirement from their last training cycle.** If they last trained supervisor staff in 2017, this means they still need to complete another supervisor training cycle in 2019.

ORIGINAL SB 1343 FACTSHEET (APRIL 2019)

A new mandatory sexual harassment training requirement for businesses with five or more employees became law on January 1, 2019. The training requirement is a result of SB 1343 (Mitchell), expanding existing sexual harassment training requirements by lowering the number of employees that triggered the requirement under past law (AB 1825, circa 2005).

Under the previous requirements California businesses with 50 or more employees were required to provide training for all employees, but the number has decreased to only five, which means your business likely falls under the



new threshold. While this is another regulatory mandate from the state, this training can shield you from litigation under certain circumstances if your team is trained.

WHAT IS SB 1343 (2018)?

SB 1343 imposes new sexual harassment training requirements on employers with five or more employees. The training areas include harassment based on gender identity, gender expression, and sexual orientation.

SB 1343 amended Section 12950.1 of the Government Code as follows:

(a) *By ~~January 1, 2020~~ January 1, 2021, an employer having five or more employees shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees in California within six months of their assumption of a position.*

WHEN DO I NEED TO COMPLY WITH SB 1343?

No later than ~~January 1, 2020~~ **January 1, 2021.**

WHO IS REQUIRED TO PAY FOR THE TRAINING?

SB 1343, implementation requirements fall under California Government Code 12950.1 which identifies business owners as the responsible party who must ensure each employee is trained:

Cal Gov. Code 12950.1(a)-(b) specifies that, "An employer.. shall provide" sexual harassment and abusive conduct prevention training. Gov. Code 12950.1(a)(b)

Note: Employees must be trained during business hours and cannot be compelled to complete the training during their personal time.

ARE ALL EMPLOYEES REQUIRED TO PARTICIPATE IN THIS TRAINING?

Under the new requirements set out by SB 1343 nearly all California employees will undergo harassment training:

Supervisory Employees: Must receive at least one hour of harassment training within six months of hire and at least every two years thereafter.

Nonsupervisory Employees: Must receive at least one hour of harassment training within six months of hire and at least every two years thereafter.

Seasonal and Temporary Employees: (Any employee that is hired to work for less than six months) are required to undergo the applicable supervisory or nonsupervisory training within 30 calendar days after the hire date or within 100 hours worked, whichever occurs first.



NEW CCBA BENEFIT: FREE HARASSMENT TRAINING FOR CCBA MEMBERS

The CCBA has teamed up with allied trade member, CoreMark Insurance Services, to provide the minimum training requirement certification at your business prior to the ~~January 1, 2020~~ **January 1, 2021** deadline.

These training modules are available to CCBA members for free, which will allow your brewery to roll out staff sexual harassment training to meet SB 1343 requirements.

Please note: you DO NOT have to be a CoreMark client to access the sexual harassment training certification service.

There are several organizations offering the training that vary in cost per employee. The CCBA recommends that our members take advantage of these training resources as soon as possible to avoid missing the deadline of ~~January 1, 2020~~ **January 1, 2021**.

To access this benefit please call Mat Naby at (916) 286-0918 or email info@coremarkins.com.