

READ ME FIRST: CALIFORNIA ADDITIONAL TRAINING REQUIREMENTS

Once you have played the main 90 minute **Stop BULLYING & HARASSMENT NOW!** video, play the state additional training video. This additional video will fulfill the additional state requirements.

Below you will read more about the additional state requirements.

Note: E-learning training must also provide instructions on how to contact a trainer who can answer questions within two business days.

Employers should also have their policy ready to review with the employees during the training.

California law mandates all California employers, including temporary employees and independent contractors, to comply with the state's sexual harassment prevention training requirements. **One hour of training** is required for all employers of 5 or more employees, while **two hours of training** are required for supervisors and managers.

Newly hired managers and those promoted to managerial roles must be trained within **six months**.

Topics	Regulations
Legislation	AB 1825 SB 1343 (Emtrain founder Janine Yancey was an expert witness and helped draft this law) 2 CCR § 11024
Who needs to be trained?	Managers and employees
Time requirements	Managers: 120 mins over 2 years (60 min per year) Employees: 60 mins over 2 years (30 mins per year) New hire managers & newly promoted managers: Within 6 months (2 hours) New hire employees: Within 6 months (1 hour)
Frequency	Every 2 years; Recommended annually

What must be covered in training?

- ✓ Interactivity/Ability to ask questions and get trainer's answers
- ✓ Definition of protected characteristics
- ✓ Types of sexual harassment (quid pro quo and hostile work environment)
- ✓ Parties to harassment
- ✓ Remedies available
- ✓ Strategies to prevent harassment
- ✓ Practical examples from case law, news, and media
- ✓ Limited confidentiality of the complaint process
- ✓ Resources for victims and complainants
- ✓ Duty to investigate
- ✓ What to do if supervisor is personally accused
- ✓ Personal liability of harasser / Criminal liability
- ✓ Supervisor's obligation to report harassment
- ✓ Elements of the employer's harassment policy
- ✓ Review of the elements of abusive conduct
- ✓ Bystander intervention
- ✓ Retaliation

Requirements for nonsupervisory employees

- The definition of sexual harassment under the Fair Employment and Housing Act and Title VII of the federal Civil Rights Act of 1964.
- The statutes and case-law prohibiting and preventing sexual harassment.
- The types of conduct that can be sexual harassment.
- The remedies available for victims of sexual harassment.
- Strategies to prevent sexual harassment.
- Practical examples of harassment.
- The limited confidentiality of the complaint process.
- Resources for victims of sexual harassment, including to whom they should report it.
- How employers must correct harassing behavior.
- The elements of an effective anti-harassment policy and how to use it.
- “Abusive conduct” under California Government Code section 12950.1, subdivision (g)(2).

For purposes of this section, “abusive conduct” means conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer’s legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person’s work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious.

- Harassment based on gender identity, gender expression, and sexual orientation, which must include practical examples.
- Any training must include questions that assess learning, skill-building activities to assess understanding and application of content, and hypothetical scenarios about harassment with discussion questions.
- E-learning training must also provide instructions on how to contact a trainer who can answer questions within two business days.

Requirements for supervisory employees

All employers with five or more employees must provide **at least two hours** of sexual harassment training to all supervisory employees. The training program must cover the points listed above, as well as:

- The specific responsibilities of supervisory employees for preventing sexual harassment and retaliation.
- The obligation of supervisory employees to report harassment to the organization.
- What supervisory employees should do if they are personally accused of harassment.
- The steps necessary to take remedial actions, including the employer's obligation to conduct an effective workplace investigation of a harassment complaint.

Where to report harassment in California?

In California, if you've experienced workplace harassment, there are several steps you can take to address the issue:

1. **Inform Your Employer:** Start by informing your employer about the harassment you're facing. This step is crucial because your employer should have an opportunity to address the situation internally.
2. **File a Harassment Complaint with the California Civil Rights Department (CRD).**

1-800-884-1684

<https://calcivilrights.ca.gov/>

3. **File a Harassment Complaint with the Equal Employment Opportunity Commission (EEOC)**

General information about the laws EEOC enforces and filing a charge: 1-800-669-4000, 1-800-669-6820 (TTY for Deaf/Hard of Hearing callers only), 1-844-234-5122 (ASL Video Phone for Deaf/Hard of Hearing callers only), or info@eeoc.gov.