

Hi, this is Chris Micheli with the Sacramento government relations firm of Aprea & Micheli, and an adjunct professor at McGeorge School of Law. Thanks for joining this podcast on SB 1343 which imposes new sexual harassment training for employees.

This bill was signed in the 2018 legislative session on September 30th as Chapter 956. The bill reduces the sexual harassment training requirement threshold from employers with 50 or more employees to employers with just 5 or more employees, including non-supervisory employees in the sexual harassment training requirement.

The bill also requires the Department of Fair Employment and Housing to develop an online training course and make it available on the DFEH website. Now existing law, which is the California Fair Employment and Housing Act, or FEHA, requires employers with 50 or more employees to provide at least 2 hours of proscribed training and education regarding sexual harassment, abusive conduct, and harassment based upon gender to all their supervisory employees within six months of their assuming that supervisory position and then once every two years thereafter.

SB 1343 instead requires an employer who employs five or more employees including, by the way, temporary or seasonal employees, to provide at least two hours of sexual harassment training to all supervisory employees and then at least one hour of sexual harassment training to all non-supervisory employees by January 1, 2020 and once every two years thereafter.

The bill also requires DFEH, again the Department of Fair Employment and Housing, to develop or obtain one hour and two hour online training courses on the prevention of sexual harassment in the workplace and to post these courses on the DFEH website.

Also, DFEH is required to make existing informational posters and fact sheets, as well as these online training courses, available to employers and to members of the public in specified alternative languages on the DFEH website, including: English, Spanish, simplified Chinese, Tagalog, Vietnamese, Korean, and any other language that is spoken by a substantial number of non-English speaking individuals.

This required training can be provided with other training of employees. And the employees can complete their training individually or as part of a group presentation. They can also complete the training in shorter segments as long as the total hourly requirement is reached. This new law allows an employer to develop its own training module or direct employees to review the online training course that's required by DFEH.

Finally, SB 1343 requires DFEH to ensure that its online training courses contain an interactive feature that requires the viewer to respond to a question periodically in order for the online training courses to continue to play.

That is a summary of new Senate Bill 1343 from the 2018 Legislative session. Thanks for joining.