



SEXUAL HARASSMENT TRAINING

One of the more significant pieces of California legislation that went into effect on January 1, 2005, was AB 1825. This law requires employers with 50 or more employees to provide two hours of sexual harassment training and education to all supervisory employees by the end of 2005. It also mandates that these employees will receive sexual harassment training and education once every two years after January 1, 2006.

It is important to note that temporary employees, independent contractors and workers outside of the state of California are not excluded in the 50-employee tally. Be sure you count every employee before you decide this legislation doesn't apply to your company.

Scope of the training:

Your company's sexual harassment training should include "information and practical guidance" about all federal and state sexual harassment laws. The information provided should include:

- Prevention of harassment
- Correction of harassment
- Remedies available to victims
- Practical examples aimed at prevention of harassment, discrimination and retaliation

In addition, the law mandates that "trainers or educators with knowledge and expertise in the prevention of harassment, discrimination and retaliation" should provide the training. In other words, you'll need someone with legitimate credentials to administer the training.

Other considerations

- Because the law includes language like "interactive," most experts warn that merely turning on a training video will not bring an employer into compliance. Instead, there must be some interaction between the presenter and those who are being trained, such as a question and answer session, or some role-playing. Interactive Internet training should also be acceptable.
- Keep a record of compliance, including documentation that all supervisors (or anyone who performs supervisory functions) participated. A "roll" that includes the signatures of the participants is one option. For Internet training, require a signed receipt.
- Develop a means to monitor future compliance and ensure that new supervisors are trained within six months of hire/promotion (and every two years thereafter).
- Update all of your current policies, employee handbooks, or other procedures to be sure they refer to the training as an expectation.
- Make sure that all executives are aware of the requirement. For assistance in this area contact AmCheck at 888-AMCHECK.

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