

## SEXUAL HARASSMENT PREVENTION TRAINING COMPLIANCE MATRIX

This Sexual Harassment Prevention Training Compliance document is provided as a resource for HR and L&D professionals that are interested in offering (or are mandated by law to provide) sexual harassment prevention training. For training compliance, our recommended solution detailed in the following pages includes a new Media Partners program, [\*Once & For All: Stopping Sexual Harassment at Work\*](#). For more information on our new film and learning content, please see our product page [here](#).

**There are currently 5 states with mandated sexual harassment training requirements for private employers:**

1. Maine (1991)
2. Connecticut (1992)
3. California (2004/updated 2018)
4. New York/New York City (2018)
5. Delaware (2018)

*Maryland recently passed a law that does not require training; however, training as a prevention measure given the requirements of the law is encouraged.*

For each of these states, we have included the following:

1. Brief summary of the Sexual Harassment Training Laws for each state
2. State-specific compliance matrix (except Maryland) that:
  - Highlights employee and manager training requirement laws for each state
  - Identifies how our new release *Once & For All: Stopping Sexual Harassment at Work* and its supporting training materials (Leader's Guide and Employee Handbook) fulfill specific state compliance requirements.
  - Shows the role an organization's trainer/facilitator plays in ensuring that the sexual harassment prevention training program meets each state's training requirements.
3. Compliance Matrix that compares training requirements between General, New York, and California.

It is important to note that Media Partners helps organizations meet the sexual harassment prevention *training* regulations. However, in all cases, the organization also has training responsibilities that only they can fulfill, such as providing the company's contact information for filing a complaint. Moreover, the employer has other responsibilities to ensure compliance with the overall regulations, such as state reporting requirements. These are not areas that Media Partners addresses. In addition, Media Partners does not advocate the disciplinary repercussions for sexual misconduct or sexual harassment in the workplace, or for filing a false complaint. If you need counsel or advice on inappropriate conduct, sexual misconduct, or potential sexual harassment matters, consult your Legal department. In summary, this document is not a substitute for legal and/or professional advice. To ensure complete compliance, consult legal/professional experts.

## Sexual Harassment Training Laws for **California**

**California** (As of October 2018, training is now required for *managers and employees*)

- SB 1343 signed into law on October 1, 2018 requires training for employees. **It updates AB 1825 and goes into effect January 2019**
  - **Requires Sexual Harassment (SH) training for employers with 5 or more employees in the state** (including temporary and seasonal employees)
  - Employees must receive at least 1 hour of training every two years
  - Managers must receive at least 2 hours of training every 2 years
  - All employees must be trained by January 2020 and then every 2 years
  - Temporary and seasonal employees must be trained within 30 days
  - New supervisors must be trained within 6 months of hire as supervisor

AB 1825 is part of the Fair Employment and Housing Act and requires sexual harassment training for managers

--Amendment AB 2053, enacted in 2015, adds abusive conduct as a mandatory training requirement

--SB 396, enacted in January, 2018, adds gender identity, gender expression, LGBT, and sexual orientation as part of sexual harassment training

--SB 1343, enacted in October 2018, adds training requirement for employees

### **California** Training Requirements and *Once & For All Matrix – California Version*

		<b>Media Partners</b>	<b>Employer Responsibility</b>
	<b>CA</b>	<b>Once &amp; For All-CA</b>	<b>Trainer</b>
Content must be created by a trainer	X	X	
Training must be interactive	X	X	X
<b>TOPICS</b>			
1) Define unlawful sexual harassment (Federal-Title VII)	X	X	
2) Define unlawful sexual harassment (CA FEHA) *	X	X	X
3) Define types of SH	X	X	
4) Harassment based on gender, pregnancy, sexual orientation	X	X	
5) Harassment based on gender identity, gender expression, LGBT *	X	X	
6) Examples of conduct that constitutes sexual harassment	X	X	
7) How to prevent SH	X	X	
8) How to report SH internally	X	X	X
9) Liability	X	X	
10) Formal complaint process/contact information for CA	X	X	X

California Continued		Media Partners	Employer Responsibility
	CA	Once & For All-CA	Trainer
11) Employee recourse	X	X	X
12) Remedies available to victims	X	X	X
13) Limited confidentiality	X	X	
14) Protection against retaliation	X	X	
15) Effect of harassment	X	X	
16) Abusive conduct*	X	X	
17) Written complaint process	X		X
18) Written policies	X	X	X
19) Manager's conduct (manager module) **	X	X	
20) Taking a complaint (manager module) **	X	X	X
21) Mandatory reporting (manager module) **	X	X	

\* All the states' laws require a definition of sexual harassment. We've highlighted those content areas that have a state-specific definition or other unique state/city requirements.

\*\* Once & For All is designed for employee sexual harassment prevention training. Coming soon is our Manager Version of Once & For All. If your organization must conduct *manager* sexual harassment prevention training immediately, we have a solution through a combination of *Once & For All* and a manager-specific sexual harassment prevention film and support materials. Please see the [Once & For All](#) product package details.

## Sexual Harassment Training Laws for **Connecticut**

**Connecticut** (training is required for *managers*)

- **Requires sexual harassment training be conducted by employers with at least 50 employees in the state**
  - New supervisors must be trained within 6 months of hire as supervisor
  - Training should be a minimum of two hours
  - Training should include harassment

### **Connecticut** Training Requirements and *Once & For All – General Version*

		Media Partners	Employer Responsibility
TOPICS	CT	Once & For All- General	Trainer
1) Define unlawful sexual harassment (Federal-Title VII)	X	X	
2) Define unlawful sexual harassment (CT General Statutes)	X		X
3) Define types of SH	X	X	
4) Examples of conduct that constitutes sexual harassment	X	X	
5) Harasser or victim can be male, female, or same-sex	X	X	
6) How to report SH internally	X	X	X
7) Formal complaint process/contact information for DE	X		X
8) Employee recourse	X		X
9) Remedies available to victims	X		X
10) Advisement that illegal sexual harassment is subject to civil and criminal penalties	X		X
11) Strategies to prevent sexual harassment at work	X	X	
12) Effects of sexual harassment	X	X	
13) Taking a complaint (manager module) **	X	X	X
14) Limited confidentiality (manager module) **	X	X	
15) Prohibition against retaliation (manager module) **	X	X	

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## Sexual Harassment Training Laws for **Delaware**

**Delaware** (training is required for *managers and employees*)

- HB 360 signed August 2018; **effective January 1, 2019**, creates a new section to the Delaware Discrimination in Employment Act (DDEA) that focuses specifically on sexual harassment.
- **Requires sexual harassment training for employers with at least 50 employees in the state** (includes unpaid interns and apprentices, but does not include independent contractors or employees who work less than 6 months)
  - New employees must be trained within 1 year of hire and every 2 years (but not until they have been employed for 6 months)
  - New supervisors must be trained within 1 year of hire as supervisor
  - Existing employees and managers must be trained by January 1, 2020, and then every 2 years

### **Delaware** Training Requirements and *Once & For All – General Version*

		Media Partners	Employer Responsibility
TOPICS	DE	Once & For All-General	Trainer
1) Define unlawful sexual harassment	X	X	
2) Define types of SH	X	X	
3) Examples of conduct that constitutes sexual harassment	X	X	
4) How to report SH internally	X	X	X
5) Formal complaint process/contact information for DE	X		X
6) Protection against retaliation	X	X	
7) Manager's role in prevention and correction of sexual harassment **	X	X	
8) Prohibition against retaliation (manager module) **	X	X	

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## Sexual Harassment Training Laws for **Maine**

**Maine** (training is required for *managers and employees*)

- Sexual harassment is a violation of the Maine Human Rights Act which also protects employees from harassment and discrimination based on sexual orientation, gender identity, and gender expression
- **Requires sexual harassment training for employers with at least 15 employees in the state**
- New employees must be trained within a year of hire
- New managers must be trained within a year of hire as supervisor

### **Maine** Training Requirements and *Once & For All – General Version*

		Media Partners	Employer Responsibility
TOPICS	ME	Once & For All-General	Trainer
1) Define unlawful sexual harassment (Federal-Title VII)	X	X	
2) Define unlawful sexual harassment (Maine Human Rights Act)	X		X
3) Define types of SH	X	X	
4) Examples of conduct that constitutes sexual harassment	X	X	
5) How to report SH internally	X	X	X
6) Formal complaint process/ contact information for DE	X		X
7) Protection against retaliation	X	X	
8) Manager's role in prevention of harassment**	X	X	
9) Manager's role in addressing sexual harassment complaints**	X	X	
10) Prohibition against retaliation (manager module)**	X	X	

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## Sexual Harassment Training Laws for **New York**

**New York** (training is required for *managers and employees*)

- HRL 296 signed April 2018; **effective October 9, 2018**
- **Requires SH training for ALL employers, regardless of size**
  - **All employees and managers must be trained by October 9, 2019, and then annually**
  - New employees must be trained within 30 days of hire and then annually
  - New managers must be trained within 30 days of new position and then annually
  - All Part Time employees including employees who work just 1 day (even if they are based out of state)
  - Employees who work in New York even though their company is headquartered out of state
  - Contractors who bid on NY State contracts must certify under penalty of perjury that they have provided annual sexual harassment training to all employees, even those outside of the state

**New York City** (training is required for *managers and employees*)

- Stop Sexual Harassment in New York City Act signed April 2018; **effective April 2019**
- **Requires SH training for employers with 15 or more employees in the City (including interns)**
  - **All employees and managers must be trained by April 1, 2020** (but State mandate is Oct 2019)
  - New employees must be trained within 90 days of hire and then every year
  - New managers must be trained within 6 months of new position and then every year

### **New York/New York City Training Requirements and Once & For All – New York Version**

			<b>Media Partners</b>	<b>Employer Responsibility</b>
	<b>NY</b>	<b>NYC</b>	<b>Once &amp; For All-NY</b>	<b>Trainer</b>
Content must be created by a trainer	X		X	
Training must be interactive	X		X	X
<b>TOPICS</b>				
1) Define unlawful sexual harassment (Federal-Title VII)	X	X	X	
2) Define unlawful sexual harassment (NY state law) *	X		X	
3) Define unlawful sexual harassment (NYC law) *	X	X	X	
4) Define types of SH	X	X	X	
5) Harassment based on gender, pregnancy, sexual orientation	X	X	X	
6) Harassment based on gender identity, gender expression, LGBT *	X	X	X	
7) Examples of conduct that constitutes sexual harassment	X	X	X	

New York Continued			Media Partners	Employer Responsibility
	NY	NYC	Once & For All-NY	Trainer
8) Sex stereotyping *	X		X	
9) How to prevent SH	X	X	X	
10) How to report SH internally	X	X	X	X
11) Liability	X	X	X	
12) Formal complaint process/contact information for NY/NYC	X	X	X	X
13) Employee recourse	X	X	X	X
14) Remedies available to victims	X	X	X	X
15) Limited confidentiality	X	X	X	
16) Protection against retaliation	X	X	X	
17) Employer obligation to protect non-employees from sexual harassment by employee *		X	X	
18) Effect of harassment	X	X	X	
19) Bystander intervention *		X	X	
20) Written complaint process	X	X		X
21) Written policies	X	X	X	X
22) Manager's conduct (manager module) **	X	X	X	
23) Taking a complaint (manager module) **	X	X	X	X
24) Mandatory reporting (manager module) **	X		X	X

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## Sexual Harassment Training in **Maryland**

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### **Maryland**

- Disclosing Sexual Harassment in the Workplace Act of 2018 signed into law May 2018; **effective Oct 1, 2018**
- Requires employers with 50 employees or more to disclose sexual harassment allegations and settlements
  - Employers must submit survey responses about allegations/settlements to the Maryland Commission on Civil Rights (MCCR) by July 1, 2020 and again by July 1, 2022
  - MCCR will publish data about employers' number of settlements on website
- Prohibits employers of any size from waiving an employee's right to report sexual harassment
- **No legal training requirement; however, employers are encouraged to conduct additional sexual harassment training** and review **employment policies**



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