

Sexual Harassment Prevention Training For Employees



FAQ

California law now requires that all employers of 5 or more employees provide 1 hour of sexual harassment and abusive conduct prevention training to nonsupervisory employees, and 2 hours of sexual harassment and abusive conduct prevention training to supervisory employees, once every two years. The first training deadline is January 1, 2021. The bill also requires the Department to produce and post both training courses to its website, which employers may utilize instead of hiring a trainer.

DFEH is now offering a free online training that satisfies this requirement for supervisors and nonsupervisors in English, Spanish, Korean, Chinese, Vietnamese, and Tagalog ([CLICK HERE TO VIEW TRAINING](#)).

An employer is required to train its California-based employees so long as it employs 5 or more employees anywhere, even if they do not work at the same location and even if not all of them work or reside in California.

■ Why is this training required?

California takes sexual harassment very seriously, and it is against the law. Despite greater awareness of sexual harassment and its harms, many workers are still subjected to harassment because of their sex or other protected characteristic. These trainings are legally required and designed to educate or remind everyone about what is – and is not – acceptable behavior in the workplace.

■ Must I be trained?

For employers of 5 or more employees, all supervisory and nonsupervisory employees must be trained. Nonsupervisory employees must receive 1 hour of sexual harassment and abusive conduct prevention training and supervisory employees must receive 2 hours of sexual harassment and abusive conduct prevention training.

■ How often must I be trained?

Once every two years.

■ By what date must I be trained?

All employees must receive training by January 1, 2021. Employers of 50 or more employees have an existing and ongoing obligation to train new supervisory employees within six months of assuming their supervisory position. Beginning January 1, 2021, new supervisory employees in workplaces of 5 or more employees must be trained within six months of assuming their supervisory position, and new nonsupervisory employees must be trained within six months of hire. Employees must be retrained once every two years.

■ If I am a temporary or seasonal employee, must I be trained?

Yes. Beginning January 1, 2021, if you were hired to work for less than six months, you must be trained within 30 calendar days from when you began working or 100 hours of work, whichever occurs first.

■ If I am an independent contractor, volunteer, or unpaid intern, must I be trained?

No.

■ Must the training be online, done individually, or completed all at once?

No. Your employer may provide training live in a classroom, online, or in any other effective, interactive format. The training may be completed by employees individually or as part of a group presentation, and may be completed in segments as long as the applicable hourly total requirement is met.

■ What does the training have to cover?

The training must include information and practical guidance regarding federal and state law concerning the prohibition against, and the prevention and correction of, sexual harassment and the remedies available to victims of sexual harassment. The training must also include practical examples of harassment, discrimination, and retaliation, as well as information about preventing abusive conduct and harassment based on sexual orientation, gender identity, and gender expression.

■ Do I have to take DFEH's training?

No. DFEH is offering these trainings as a resource to help employers meet their obligation, but you do not have to use one of DFEH's trainings to satisfy the training requirements.

■ May I get more training than is legally required?

Yes. There is no maximum number of hours you may do. If you feel you would like to do more training, speak with your employer to see if more programs are available and if you can get time off or extra pay for doing more.

■ What if I received the training in compliance with Gov. Code 12950.1 within the prior two years either from a current, prior, alternate, or joint employer? Do I have to retake the training again?

No. See [2 CCR 11024\(b\)\(5\)](#) regarding "Duplicate Training" for more information.

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■ If I am a trainer who is also an employee, do I need to receive sexual harassment prevention training in order for my employer to be compliant?

No. An individual who is a qualified training provider according to the regulations (and who does provide the training) does not need to participate in a separate sexual harassment prevention training for their employer to be in compliance with the training requirements.

■ If I am an employee located outside of California, am I required to be trained?

No. Employees located outside of California are not required to be trained.

■ After completing the training, do I need to submit any documentation of the training to my employer?

Your employer may require you to submit a certificate of training completion. Please consult your employer for direction.

■ What if I misplace or fail to save (or print) the certificate of completion, can I request a replacement copy?

No. DFEH does not store or track your certificate or completion of this training. If you still have your training session open on your browser, you may try using the 'PREVIOUS' button to backstep and regenerate your certificate. Otherwise, you should retake the training to retrieve a certificate of completion.

■ Do I have to pay for sexual harassment and abusive conduct prevention training?

No. California law specifies that, "An employer... shall provide" sexual harassment and abusive conduct prevention training. Gov. Code 12950.1(a)-(b). It is the employer's – not the employee's – responsibility to provide the required training, including any costs that may be incurred. This language also makes clear that employees may not be required to take such training during their personal time; the training must be "provided" by the employer as part of an individual's employment.

TO TAKE THE TRAINING

www.dfeh.ca.gov/shpt/