



## Memorandum

TO: Our Clients

FROM: Levinson Arshonsky & Kurtz, LLP

DATE: September 10, 2019

RE: New Deadline for Sexual Harassment Training Requirements

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On January 1, 2019, a new law (SB 1343/Government Code §12950) went into effect expanding the requirements for sexual harassment avoidance training to all employers with five or more employees. Prior to SB 1343, only employers with 50 or more employees were required to provide two hours of sexual harassment training for managers and supervisors every two years. The newly enacted legislation imposed an additional training requirement for all employees, including temporary or seasonal workers and the training was mandated to be provided by January 1, 2020.

The passage of SB 1343 raised many questions for employers, such as the schedule for employers that already provided training in 2018. On August 30, 2019, Governor Gavin Newsom signed SB 778, an emergency “clean-up” legislation extending the sexual harassment prevention training deadline under SB 1343 from January 1, 2020, until January 1, 2021. This legislation also clarified that employers who trained their employees in 2018 can now maintain their two-year cycle and provide subsequent training in 2020 while still complying with the deadline. SB 778 also clarifies that employers who train their employees in 2019 are not required to provide refresher training until two years from the time the employee was trained.

However, SB 778 does not impact the portion of the law addressing seasonal and temporary workers. Beginning January 1, 2020, seasonal and temporary employees, who are hired to work for less than six months, must be trained within 30 calendar days after their hire date or within 100 hours worked, whichever occurs first.

The requirements under the law and the new legislation oblige that employers with at least five employees must provide:

- at least 1 hour of interactive sexual harassment training to all non-supervisory employees;
- at least 2 hours of interactive sexual harassment training to all supervisory employees.

This training must now be provided by January 1, 2021 and repeated every two years. Our experience has been that these types of trainings serve to improve workplace morale and can troubleshoot or alleviate areas of potential exposure for employers.

Our employment law partner, Jennifer Raphael Komsky, regularly conducts these trainings for companies of all sizes and industries. Please contact Jennifer directly for an estimate and more information about the training.

This material is for informational purposes only and does not constitute legal advice. If you have any questions regarding these new laws and applicability to your business, please contact:

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