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Extension of Deadline for California-Mandated Harassment Prevention Training

Good news employers! The deadline to complete harassment prevention training for your supervisors and employees has been extended to January 1, 2021.

As a reminder, SB 1343, enacted in September 2018, expanded the requirement in California to provide harassment prevention training to employers with 5 or more employees (which, for this particular statute, includes independent contractors).

Previously, training was only required for employers with 50 or more employees. Further, the law expanded the training requirement – which had previously only applied to supervisory employees – to include one hour of training for nonsupervisory employees. The deadline to complete such training was January 1, 2020.

Under SB 1343, it was unclear whether employers who provided training in 2018 had to conduct training again in 2019. The Department of Fair Employment and Housing (DFEH) took the position that any employee (supervisory or otherwise) needed to receive training in 2019, regardless of any training in 2018.

SB 778 is "clean up" legislation that clarifies two questions raised by SB 1343:

- 1) It extends the deadline to complete training to January 1, 2021. This allows additional time for larger employers who previously only trained supervisory employees to train their nonsupervisory employees. Further, it allows smaller employers more time to train both their supervisory and nonsupervisory employees.
- 2) The new deadline removes the prior concern that supervisors trained in 2018 would need to be retrained in 2019 to meet the deadline. SB 778 explicitly states that employers who conducted training in 2018 will not be required to provide further refresher training until two years thereafter.

Notably, SB 778 did not extend the deadline to complete training or otherwise modify the training requirements for temporary or seasonal employees.

For more information regarding the article, please contact [Ashlee N. Cherry](#), or any member of Hoge Fenton's [Employment Law](#) team.



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