



## **Sexual Harassment Prevention**

### **Compliance with AB 1825**

2-hours

California private employers with 50 or more employees (whether or not they are all in California) and all California employers (regardless of size) are required to provide at least two hours of interactive sexual harassment training to supervisory employees every two years. A supervisor is any person (even non-exempt) who directly supervises any other employee or contract worker person as part of his/her job. In addition, all new supervisors (whether promoted into the position or recently hired) must receive sexual harassment training within six months of becoming a supervisor.

#### **Course Outline:**

1. Introduction: Why We Care?
  - a. The Legal Requirements of AB 1825
  - b. The Federal and State Laws
  - c. The Desire to Provide a Healthy Workplace
  
2. Liability for Harassment
  - a. Who is Legally Liable
  - b. Who is Legally Protected
  - c. What is the Legal Liability
    - i. Damages
    - ii. Lack of Insurance Coverage
  
3. Defining Harassment
  - a. Harassment is a form of illegal discrimination
  - b. Quid Pro Quo Harassment
  - c. Hostile Environment Harassment
    - i. Common Hostile Environment Claims
    - ii. Defining Unwelcome Comment
    - iii. Defining "Workplace" Harassment
    - iv. Intent is Irrelevant
    - v. Impact on the Complaining Party
    - vi. The "Reasonable Person" Standard
  
4. Responding to Complaints Provides a Defense
  - a. Avoiding Liability
  - b. Elements of an Effective Complaint Process
  - c. What Should Managers Do (And Not Do) When Receiving a Complaint
  - d. Documenting Complaints
  
5. Avoiding Retaliation Claims
  
6. Managers Must Set the Tone