

SEXUAL HARASSMENT PREVENTION TRAINING DEADLINE AGAIN ON THE HORIZON

Sexual harassment prevention training is a requirement for all supervisory employees of California employers having 50 or more employees. Pursuant to Government Code section 12950.1 which was added to the Fair Employment and Housing Act (FEHA) effective January 1, 2005, via A.B. 1825, the training must be provided to each supervisory employee within California once every two years. For many California employers who had previously offered the training and, thus, were not required to repeat it by January 1, 2006, that means the training must be conducted again before January 1, 2007.

All newly hired or appointed supervisors must be trained within six months of assuming their supervisory role.

As part of its obligation to enforce the FEHA, the Department of Fair Employment and Housing (DFEH) is, in conjunction with all complaints investigated, assuring that every employer having 50 or more employees has complied with the requirements of section 12950.1. In other words, irrespective of the form of discrimination or harassment alleged in the complaint, the DFEH will ask each employer having 50 or more employees to confirm that it has fulfilled its obligation to train all supervisors and managers.

“Employers need to be mindful of the fact that there is no ‘grace’ period set forth in the statute, nor is there any procedure by which to request an extension of time in which to comply,” noted DFEH Director Suzanne M. Ambrose.

“Therefore, the only advice we can offer employers who have not met their obligation to provide the training is that they do so without further delay. If the failure is uncovered during the course of the investigation, the DFEH may require the employer to cure the deficiency as part of any settlement negotiated or ask that the employer be ordered to do so by the Fair Employment and Housing Commission or Superior Court if litigation ensues.”

Workplace sexual harassment continues to be one of the most frequently cited bases for complaints lodged with the DFEH.

To review the Fair Employment and Housing Commission’s proposed regulations interpreting section 12950.1, visit its website: www.fehc.ca.gov.

CUSTOMER SERVICE INITIATIVE: UPDATE

Providing the highest quality service to the people of the State of California has always been of paramount importance to the Department of Fair Employment and Housing (DFEH). At every point in our interactions with the public, we strive to ensure that our “customers” are treated with the utmost courtesy, respect, fairness, and consideration.

This year, the DFEH has implemented several new

programs designed to provide the most efficient service possible, including but not limited to those items discussed in Director Ambrose’s Message (page 1), as well as ongoing employee training.

We are always eager to hear your comments and suggestions about our programs and the services we provide.



Comments may be forwarded to the DFEH’s Quality Assurance Manager via U.S. mail directed to our Elk Grove Headquarters. Visit the DFEH’s website, www.dfeh.ca.gov. Click on the “Contact Us” link and then select “Comments” to print and complete the form. We look forward to hearing from you!