

California AB 1825 - Questions and Answers

What is California Assembly Bill 1825?

A new California law also known as California AB 1825 mandates that employers with 50 or more employees (includes part time employees), even if only one employee is located in California, provide a minimum of two hours of sexual harassment training and re-training to all supervisors and managers.

When are you expected to have the training completed?

By January 1, 2006 for all employees who were supervisors as of July 1, 2005; within six months for employees newly appointed as supervisors after July 1, 2005; and after January 1, 2006, all supervisors must re-train once every two year.

How do you satisfy this requirement?

The Employment Practices Risk Management Association (EPRMA) offers web-based interactive training at no additional cost to CMA members. This training is approved by the EEOC and endorsed by a Federal Court. Fortune 500 companies including American Express utilize the training.

Compliant training must include the following:

- Two hour length requirement or web-based equivalent;
- Include “information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment;”
- It must be interactive in nature;
- It must include “practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation;”
- It must be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination and retaliation.

What are there any legal ramifications for NOT complying with this new bill?

The new law does not impose any monetary penalties for violating the statute. There are regulatory penalties. If the employer fails to provide the training, however, the real “penalty” will occur in the undermining of an employer’s defense in the event of a sexual harassment claim.

Summary of Key Sexual Harassment Facts:

- The average cost to defend and pay out on a Sexual Harassment claim in California exceeds \$300,000.
- The average jury verdict exceeds \$1,000,000
- Membership has benefits: EPRMA provides the tools necessary to protect you and your employees.

