

A Quick Guide to Mandated Harassment Prevention Training

Fast Facts and Scope of Opportunity



Current and pending anti-harassment mandates, including state requirements, upcoming deadlines, frequently asked questions, and information about how we can help your clients get and stay compliant.

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Executive Summary

One in five workers in the U.S. are now required to receive workplace anti-harassment training, a stark increase from just two years ago when that number was one in 100. These rapidly-evolving laws are complex, which creates a clear opportunity for consultative insurance brokers to deliver the guidance and resources so many businesses need.

We present this guide as a definitive resource to help you understand the requirements and educate your clients and prospects about them.

If you have questions about any of the information presented or about our turn-key compliance training solution for you and your clients, please contact wecare@myhrsupportcenter.com.

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States with Anti-Harassment Training Mandates

The states listed have anti-harassment training requirements that require employers doing business within the state to provide anti-harassment training to their employees and supervisors.

- | | | |
|---------------|------------|---------------------|
| » California | » Illinois | » New York City |
| » Connecticut | » Maine | » Washington* |
| » Delaware | » New York | » Washington D.C.** |

* Limited to certain hospitality and property services industries.

** Limited to tipped employees.

States Requiring Anti-Harassment Policies

While an anti-harassment policy is a best practice for employers in all states, these states require employers to provide an anti-harassment policy to all employees.

In addition to requiring a policy, these states require certain information to be included in the anti-harassment policies.

- | | | |
|--------------|------------------|----------------|
| » California | » Massachusetts | » Rhode Island |
| » Illinois | » New York State | » Vermont |
| » Maine | » Oregon | » Washington |

Also note that the following states recommend, but do not require, an anti-harassment policy: Iowa, New Jersey, South Dakota, Tennessee, Texas, and Wisconsin.

States with Pending Mandates

These states have anti-harassment mandates currently pending in their respective state legislatures. In some cases, the state may have more than one bill in the pipeline to address harassment in the workplace. We monitor these developments closely and will publish alerts for any new anti-harassment laws.

- | | | |
|-----------------|----------------|---------|
| » Florida | » Pennsylvania | » Texas |
| » Massachusetts | » Rhode Island | |

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Deadlines

These deadlines reflect new mandates going into effect and other related deadlines.

2019

Connecticut

Effective October 1
All CT new hires must be trained within 6 months of hire.

New York

By October 9
Employers with 5+ employees must train all NY employees.

Maine

On-going
Within one year of hire and every two years, all ME employees must be trained.

Washington, D.C.

TBD
(pending budget funding)

2021

California

By January 1
Employers with 5+ employees must train all CA employees and independent contractors.

Illinois

By January 1
All IL employees must be trained.

Washington

By January 1
All specific hospitality-related industries WA employees must be trained.

2020

Delaware

By January 1
Employers with 50+ employees must train all DE employees.

Washington

By January 1
industries meeting the size threshold must be trained.

Connecticut

By October 1
All CT employees must be trained.

New York

By October 9
All NY employees must be trained, regardless of employer size.

New York City

By April 1
Employers with 15+ employees must train all NYC employees and contractors.

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Frequently Asked Questions

Do you use the number of employees within the state or the total number of employees across all states to determine whether compliance with a particular mandate is required?

In all states, except Delaware, the employee threshold used to determine whether a business must comply with a specific state or city mandate is based on the total number of employees company-wide, irrespective of their location. The individual state thresholds are listed to the right.

How often do we need to train our employees?

As illustrated in the table to the right, frequency varies by state. For multi-state employers, a best practice is to train all employees annually, but contact us for more information on how to best meet the mandates at wecare@myhrsupportcenter.com.

STATE	THRESHOLD
California	5+ employees, company-wide.
Connecticut	No threshold.
Delaware	50+ in Delaware.
Illinois	No threshold.
Maine	15+ employees, company-wide.
New York	No threshold.
New York City	15+ employees, company-wide.
Washington	1+ employees, company-wide.
Washington D.C.	No threshold.

STATE	FREQUENCY
California	Within 6 months of hire and every 2 years.
Connecticut	Within 6 months of hire and every 2 years.
Delaware	Within 1 year of hire and every 2 years.
Illinois	Annually.
Maine	Within 1 year of hire and every 2 years.
New York	Annually.
New York City	Annually.
Washington	Within 1 year of hire and every 2 years.
Washington D.C.	Within 90 days of hire and every 2 years.

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Do we need to RETRAIN California supervisors who were trained in 2018?

No. In August 2019, California updated its Harassment training law via SB 778. This “clean-up” law delays the implementation of the training requirements established in SB 1343, by pushing the training deadline one year to January 1, 2021 and the refresher training event to calendar year 2020, for those employees trained in 2018.

All new hires must be trained within 6 months of hire and employees promoted into a supervisory position must be additionally trained within 6 months of the assumption of the supervisory position.

Does online training meet New York’s interactivity requirement?

Generally, yes. New York’s interactivity requirement allows for online training. However, New York City (NYC) has a number of restrictions and requirements for content, and as a result, not every online training option will be compliant. Employers should confirm their chosen training meets all of the requirements before implementation. Our online courses do meet New York’s interactivity and NYC’s content requirements.

(Note: The free online training provided by NY Department of Labor does not by itself meet the interactivity requirements.)

Do other categories of workers need to be trained?

Yes. The state definition of “employee” varies, however. Listed below are the various classifications of workers that are included in that state’s training mandate.

STATE	CLASSIFICATIONS INCLUDED IN TRAINING MANDATE
California	Independent contractors, temporary, and seasonal workers.
Delaware	State employees, unpaid interns, joint employees, and apprentices.
Illinois	All individuals performing work for an Illinois employer covered by the Illinois Human Rights Act.
New York	Seasonal and temporary workers.
New York City	Interns, independent contractors, and temporary workers.
Washington	Joint employees, seasonal and temporary workers, and independent contractors.
Washington D.C.	Tipped workers, managers, and owner/operators.

Looking for simple ways to provide anti-harassment compliance guidance and tools?

Our turn-key solution covers all state and regional anti-harassment mandates for your clients and prospects. To schedule a demo, email us at support@rabcopayroll.com.

