

2018 – NEW YEAR, NEW TRAINING REQUIREMENTS

This year, the New Year brings the enactment of new employee training requirements applicable to California employers. Both of the following laws went into effect on January 1, 2018.

SB 396 — SEXUAL HARASSMENT TRAINING FOR SUPERVISORS (AB 1825) MUST INCLUDE TRAINING ON GENDER IDENTITY

SB 396 was signed into law and became effective on January 1, 2018. The new law states that an employer shall also provide training on harassment based on gender identity, gender expression, and sexual orientation as a component of the training and education on sexual harassment that has been mandated by AB 1825 since 2007. The training and education required by SB 396 must include practical examples of harassment based on gender identity, gender expression, and sexual orientation and must be presented by trainers or educators with knowledge and expertise in those areas.

Keenan SafeSchools, Keenan SafeColleges and Keenan SafePersonnel (KSS/KSC/KSP) AB 1825 courses have been enhanced to cover the training required by SB 396. The updated portions of the courses are authored by Walter G. Meyer, a California based attorney, author, anti-bullying expert and partner in Civility Partners, LLC.

As a reminder, compliance with AB 1825 requires that employers must provide each employee a copy of their sexual harassment policy. Policies can be uploaded into KSS/KSC/KSP and assigned to employees along with the training, streamlining compliance and recordkeeping.

AB 1207 — MANDATED REPORTER TRAINING FOR CHILD CARE CENTERS

AB 1207 (Chapter 414, Statutes of 2015) requires all licensed child day care providers, administrators, and employees of licensed child day care facilities to be trained regarding detecting and reporting child abuse and neglect.

The provisions of AB 1207 apply only to “licensed child day care providers, administrators and employees of licensed child day care facilities.” K-12s, County Offices of Education, and Community Colleges that offer day care, preschool, transitional kindergarten, or Head Start programs are generally not considered child day care facilities under the Child Day Care Act. However, to the extent that those entities are licensed child day care facilities under the Health and Safety Code, they are subject to AB 1207’s training requirements.

Initial training for existing licensed providers must be completed by March 30, 2018. New providers must complete the training within the first 90 days after filling a position for which training is required.

If training is obtained from a training provider other than the California Department of Social Services (DSS), then AB 1207 requires them to report to, and obtain approval from, DSS regarding the training that person shall use in lieu of the online training module.

Keenan is seeking clarification from DSS regarding the approval process of our existing KSS/KSC/KSP mandated reporter courses with modifications as required by AB 1207.

In the meantime, DSS has posted its AB 1207 training on the internet at:

<http://childcare.mandatedreporter.ca.com/>

Please contact your Keenan Account Manager for questions regarding this *Briefing*.

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