



Senator Holly J. Mitchell

SB 1343 - Sexual Harassment Prevention Education

THIS BILL

SB 1343 will provide training and valuable information to more California workers on sexual harassment prevention, as well as how to recognize harassment, and who to contact if they believe they are a sexual harassment victim.

PROBLEM

As the nation faces the uproar against sexual harassment and assault in the workplace, both experts who study the issue and the agency that enforces laws against it say that it is women at the bottom of the labor market who suffer sexual harassment most often and are least likely to see any justice.

In 2016, the Equal Employment Opportunity Commission (EEOC) conducted a study which revealed that sexual harassment, much like racial and religious harassment, seems most prevalent in workplaces where employees are mostly homogeneous and those where employees are very diverse but segregated across job types.

According to the EEOC, 45% of alleged harassment charges received in 2015 were on the basis of sex, and 34% on the basis of race¹. Women who work in low-wage positions also often face intersectional difficulties — that is race, national origin, gender identity, and other characteristics beyond gender alone — may trigger biased treatment. Many low-wage jobs are disproportionately held by women of color or immigrants. Immigrant workers may face language barriers that impede their ability to get help, be unfamiliar with laws against sexual harassment, and — if they're undocumented — fear deportation.

Since 2007, public and private sector employers with 50 or more employees have been required to provide two hours of sexual harassment prevention training to all supervisors. But there is no requirement to provide training to regular

employees. This means that janitors, waitresses/waiters, farmworkers, retail workers, home health aides are not being adequately informed or trained on sexual harassment prevention.

The only information provided to employees is a poster that all employers are required to post which outlines employee rights, how to file a complaint, and includes a toll-free phone number for people to call to register complaints or ask for more information.

Committed leadership, accountability, and strong harassment policies and complaint systems are essential components of successful harassment prevention strategies — but only if employees are actively being informed about them.

SOLUTION

Specifically, this bill will:

- Require employers with 5 or more employees to provide sexual harassment prevention training to all employees and who to contact if they believe they are a sexual harassment victim.
- Requires DFEH to develop a training video for training purposes, so employers can provide employees training via video if they wish.
- Allows employers to develop and provide their own training video.

SUPPORT

State Controller Betty T. Yee (sponsor)
CA Conference Board of the Amalgamated Transit Union
CA Conference of Machinists
California Teamsters Public Affairs Council
Consumer Attorneys of California
Engineers and Scientist of CA, IFPTE Local 20, AFL-CIO
International Longshore & Warehouse Union

¹ U.S. EEOC Select Task Force on the Study of Harassment in the Workplace, 2016.

Professional and Technical Engineers, IFPTE Local
21, AFL-CIO
San Francisco Unified School District
SAG-AFTRA
The Women’s Foundation of California
UNITE-HERE Local 11
UNITE-HERE, AFL-CIO
Utility Workers of America
Association of California Healthcare Districts (if
amended)
California Special Districts Association (if
amended)
California State Association of Counties (if
amended)

OPPOSITION

California Manufactures & Technology Association
(unless amended)

FOR MORE INFORMATION

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