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PROPOSAL

Sexual Harassment Training for Supervisors and Employees

Approximately one year ago, 10 days after the Harvey Weinstein sexual harassment story broke, actress Alyssa Milano tweeted, "If you've been sexually harassed or assaulted write 'me to' as a reply to this tweet." In the nine days following Alyssa Milano's tweet, the #MeToo hashtag garnered 1.7 million tweets across every continent. Eighty-five countries had at least 1,000 #MeToo tweets. In the first 24 hours following Milano's tweet, Facebook reported 12 million posts by 4.7 million users.

We are a small company, but over the past year we have done 400% more investigations than in previous years. As a result, this topic has created more questions in the minds of business leaders about their potential personal liability and that of their company. **And now, effective January 1, 2019, SB 1343 requires employers of 5 employees or more to give anti-sexual harassment training to all their supervisors (2 hours) and all their employees (1 hour) before January 1, 2020.** New employees must be trained within 6 months of their hire date. Temps (not those who work for an agency) and seasonal employees have to be trained within 30 days or 100 hours of employment—whichever comes first.

As if always the case, in-person training has the best outcome because it is interactive and people have the benefit of hearing from their peers. We provide handouts of the slides and everyone gets a certificate with an additional certificate produced for their personnel file. Employers are given a copy of the materials handed out and the sign in sheet with attendees' signatures for their records and to prove training was given as required.

Supervisor Training:

The focus of this training is on the legal requirements of AB 1825, AB 2053 and SB 1343 as follows, *plus* several important additional elements which have been added to address what is happening in the news. We will also discuss implementation tactics and how to communicate respect for all employees from a "top down" vantage point. This training is designed for up to 25 supervisors for maximum benefit.

- AB 1825 requires that the training be "interactive" and in a "classroom" setting and include:
 - Information and guidance on federal and state law prohibiting and correcting sexual harassment;
 - Information and guidance regarding the remedies available to victims;
 - Practical examples designed to instruct supervisors in how to prevent harassment, retaliation and discrimination.
- AB 2053 adds an additional requirement to cover "abusive conduct" as part of this training. Our training meets this requirement effective January 2015.
- As of 2018, gender issues are added to the required training including transgender transitioning and sexual stereotypes.

- The additional elements we add include:
 - Examples of what harassment, discrimination and retaliation look like in the workplace;
 - Specific guidance on how to handle a complaint;
 - The relationship between “poor performance” and harassment, discrimination and retaliation lawsuits.
 - We use actual cases, “what if” scenarios and lots of lively discussion

Who should receive this training? The law broadly defines the term “supervisor” to mean anyone who has “supervisory authority,” meaning anyone who has the authority to exercise independent judgment to:

- Hire, transfer, suspend, lay off, recall, promote, terminate, discipline, respond to grievances, or reward other employees;
- Direct the work of other employees; or
- Effectively recommend any of these actions.

Therefore, any employees who make recommendations to managers on any of the above must receive training if their recommendations are likely to be acted upon. This means that a person’s title may not be important and whether or not they directly supervise staff may not be important. You may need to include a long-term trusted employee with a great deal of influence who has no subordinates.

Many of the court cases we read about involve well intentioned but illegal actions on the part of supervisors and managers. It is our intent to educate and motivate supervisory staff to do their jobs in a legal as well as practical fashion, particularly in the area of advising them on their *persona*/liability. Also, we strongly recommend that your Sexual Harassment policy be translated into all the languages spoken in your workplace.

Employee Training:

The focus of this training is on Company policy and respect for coworkers with an overview of the legal definition of sexual harassment, abusive conduct, and other harassment. The intent with this training is to differentiate between poor judgment, annoying behavior, and actual harassment of any type. We will look at a number of examples and determine if there is sexual harassment/bullying/other harassment actually going on and if it is, what should be done about it. We will pass out the Company’s sexual harassment policy and if you haven’t already had new hires sign the sign-off version of your policy (now required by law), we will have all attendees sign off on it during the training so you will have those copies for your files.

Often employees are unaware that they can be personally liable if they indulge in bad behavior. This is true even if the Company is not liable.

As with the Supervisor Training, the Employee Training will be delivered as a PowerPoint presentation and there will be a workbook for each participant. We encourage discussion, questions and lively debate throughout both seminars and our examples are designed to elicit as much dialogue as possible.

Our speakers are:

Barbara Freet, PHR, President, has been speaking before a variety of audiences for over twenty years. She was the luncheon speaker for the Family Law Chapter of the Contra Costa Bar Association, served as a guest faculty member at Cal State Hayward, and has conducted training for the management staff of educational institutions and businesses of all types and sizes. She specializes in addressing business owners and managers on practical ways to reduce potential employment-related liability. Barbara’s style is friendly and straightforward and her participants like her direct, down-to-earth approach.

Wendy Warner, Senior HR Consultant, has held upper management positions in a number of recognizable companies and she has owned her own business as well. These experiences have given her particular insight as she develops and conducts trainings particularly in the areas of leadership and effective communication. She is a dynamic and engaging speaker who makes the time pass quickly but effectively.

Michelle Abaunza, Senior HR Consultant. Michelle has over 11 years of extensive HR experience consulting with leaders of small to midsize businesses from various industries. She is a business-focused HR professional who has the proven ability to partner with owners and management in many areas, including but not limited to: employee relations, wage and hour issues, performance management, leaves management, training and development and overall State and Federal compliance. She is a trusted Consultant with a passion for driving performance and results. She is also bilingual in Spanish.

Sandra Herman, Senior HR Consultant, has over 15 years of experience at the Director and VP level working with small to mid-sized businesses nationally. Sandra also has global experience in all aspects of HR and has done an extensive amount of training all over the US, Asia and the UK. Sandra's presentations are open and friendly as well as being very substantive.

Marina Martinez is our interpreter and translator. Marina and Barbara have been conducting sexual harassment seminars together for over 15 years and clients have a clear advantage because Marina is a director-level HR professional who can also speak to issues that come up during training for our Spanish-speaking attendees.

Fees:

Supervisor Training:

We will provide a two-hour seminar that meets all legal requirements for a cost of \$1,250 payable on the day of the seminar.

The fee includes the following:

- 25 workbooks for attendees *plus* an additional two-page reference summary that can be used by supervisors after the seminar as a handy guide.
- Certificates for attendees and additional copies for their personnel files. The list of attendees is required at least 3 days prior to the event so certificates can be produced.
- A sign-in sheet with the seminar title and pertinent information on it for your files.

Employee Training:

We will provide a one-hour seminar that meets all legal requirements for a cost of \$950 payable on the day of the seminar.

The fee includes the following:

- 25 workbooks for attendees *plus* a copy of your Sexual and Other Harassment policy or sign-off (please send us a copy if we have not written your Employee Handbook. If we have written your Handbook, we will produce a copy for each employee.)
- Certificates for attendees and additional copies for their personnel files. The list of attendees is required at least 3 days prior to the event so certificates can be produced.
- A sign-in sheet with the seminar title and pertinent information on it for your files.

The fee does NOT include the following:

- Travel time is billed at \$50/hour calculated in 15-minute increments from our office to your site.

- Airfare, car rental and hotel and meal charges will be billed to the client or seminar sponsor at cost.
- Workbooks, guides and certificates for attendees beyond 25 will be charged at the rate of \$3.50 per attendee.
- Cost of an interpreter, if needed, will be added on to these prices. His/her fees may include travel.

We are interested in the **SUPERVISOR** training

We are interested in the **EMPLOYEE** training

Requested dates (please give us a minimum of 3 weeks' notice; we will make every effort to accommodate your schedule).

Supervisor: _____

Employee: _____

Human Resource Advisors obtains their materials and information from labor law firms, government sources, and other reliable organizations. Clients can be assured that every effort has been made to comply with current employment laws. References from those who have received this training previously can be provided upon request.

Approved:

Signature

Date