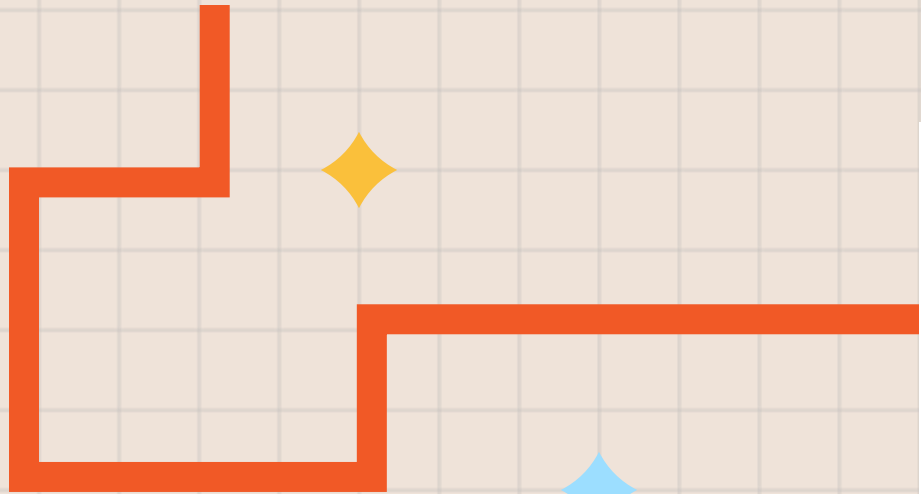


Mineral™

How to Meet Harassment Prevention Mandates for the Upcoming Year

Eric T. Cook, SPHR, SHRM-SCP
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Welcome to the Webinar



- A. We'll send the recording and slides after the webinar
- B. Keep an eye out for polls
- C. Please complete our survey at the end of the webinar

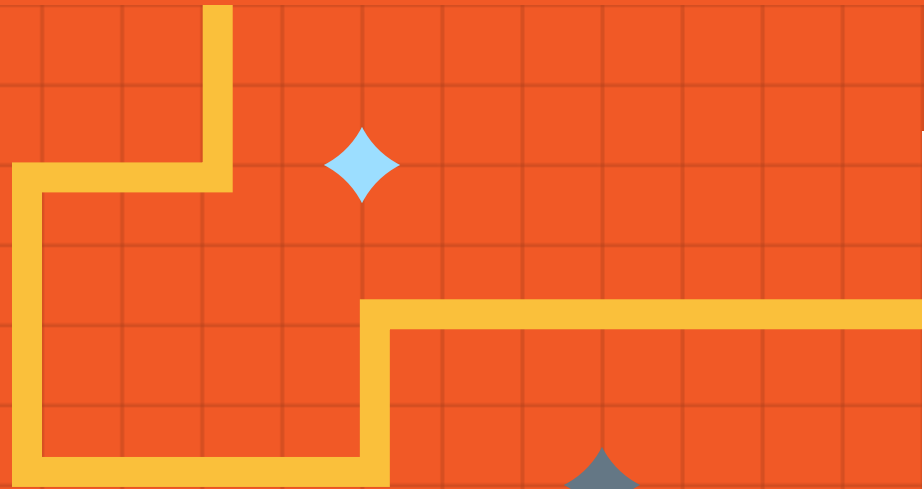
Eric Cook, SPHR, SHRM-SCP

HR Expert

Mineral



Agenda

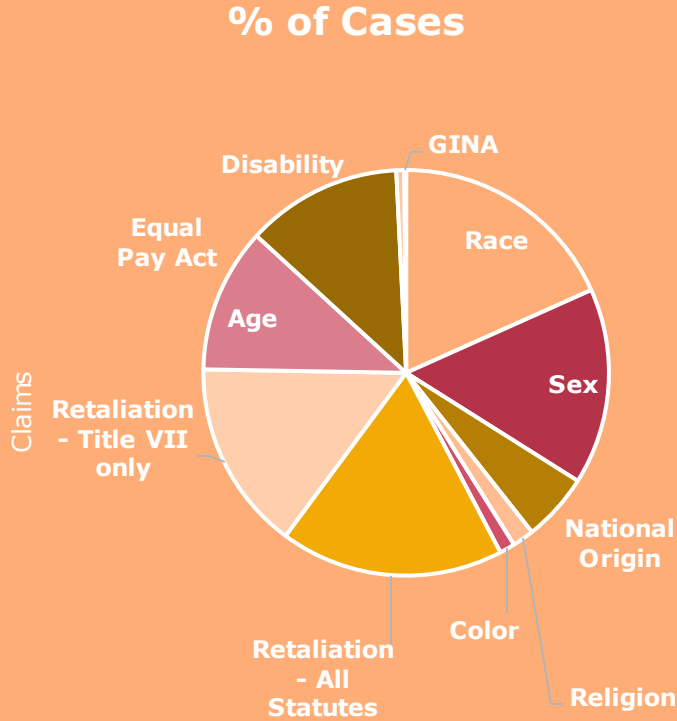
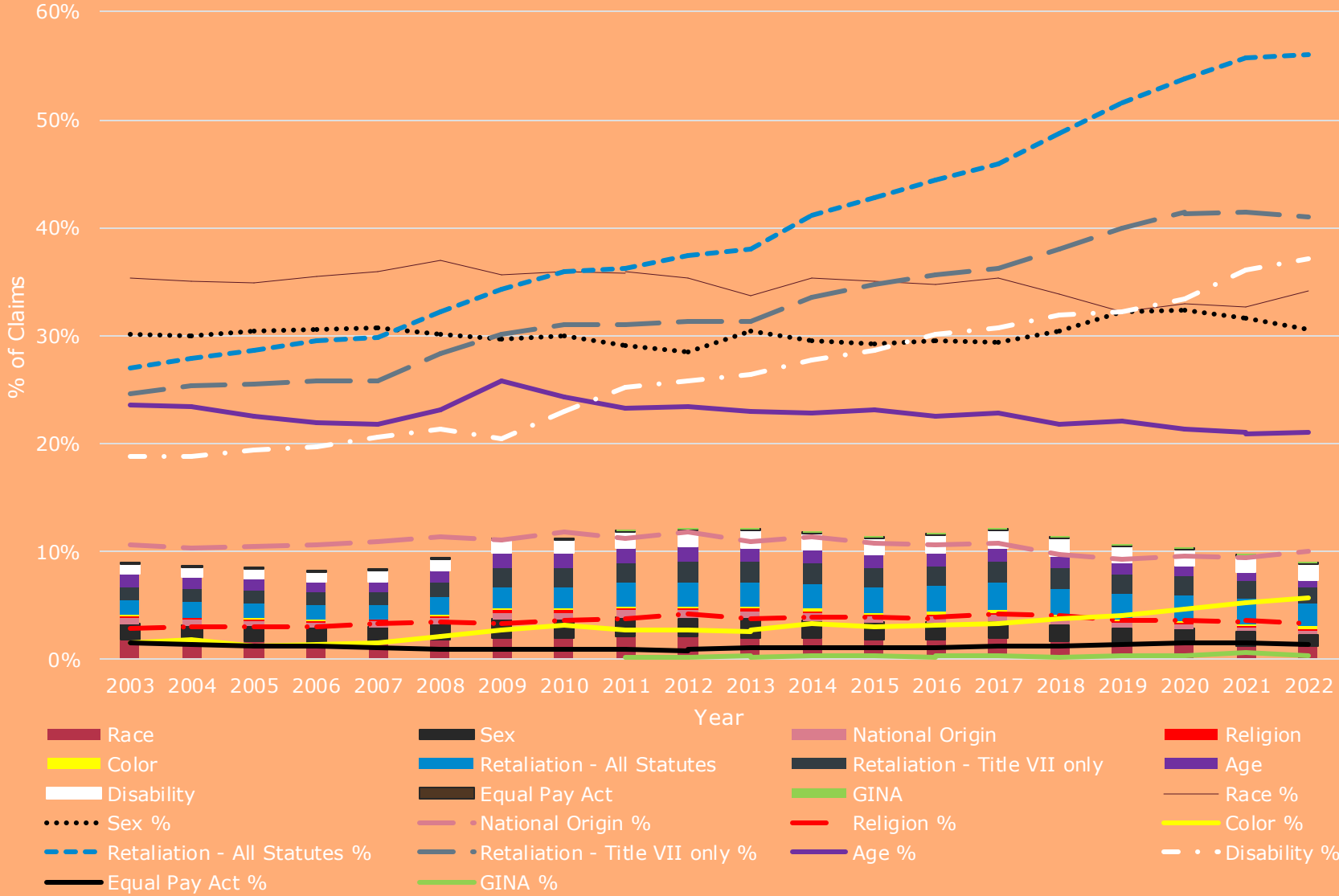


- A. State Training Mandates and Recommendations
- B. Policy Mandates and Recommendations
- C. Beyond Basic Compliance: A Recipe for Harassment Prevention

Poll Question

Are you offering harassment prevention training in your workplace right now?

EEOC Charges Data



- Percentages do not add up to 100% as individuals often file charges claiming multiple types of discrimination
- Does not include charges filed with state or local agencies

State Training Mandates and Recommendations



California

Senate Bill No. 1343, enacted September 30, 2018

- Deadline: January 1, 2021
- Employers with **5+ employees**, including temporary and seasonal workers, independent contractors, unpaid interns, and volunteers
- **All employees** need to be trained, including part-time, seasonal, and migrant workers
- **One hour** for regular employees, **two hours** for supervisors
- Employees must be trained **every two years**
- New employees and the new supervisors must be trained **within 6 months** of hire or promotion
- Seasonal and temporary employees must be trained **within 30 days or 100 hours worked**, whichever comes first

Connecticut

Time's Up Act, enacted on June 18, 2019

- Deadline: May 20, 2021
- Employers with **3+ employees** must provide training to **all employees**; if fewer than 3, managers only
- **Two-hour** training
- New employees must be trained **within 6 months**
- Employees must receive supplemental training not less than every **10 years**
- Commission on Human Rights and Opportunities recommends employers with 50+ employees re-train **every three years**



Delaware

Senate Bill 360, enacted August 29, 2018

- Deadline: January 1, 2020
- Employers with **50 or more** employees **within the state**
- **All employees** must be trained
- Employees employed less than six months continuously do not need to be trained
- Employees must be trained **every two years**
- New employees must be trained within **1 year** of hire or assumption of supervisory position
- **Additional training for supervisors** is required



Illinois

Workplace Transparency Act, enacted on August 9, 2019

- Deadline: December 31, 2020
- **Annual** training
- **All employers** (*additional* training requirements for restaurants and bars)
- **All employees**, including those who **regularly interact** with employees in Illinois (!)
- Independent contractors **not required**, but strongly advised if they work on-site or interact with employees
- New hires must be trained “**as soon as possible**”
- Additional requirements in **Chicago**

Maine

Originally enacted October 1991, updated April 2018



- Employers with **15 or more** employees in the workplace
- **All employees** must be trained
- Supervisors must receive **additional training**
- **Only required once**
- Employees must be trained within **one year** of hire or assumption of supervisory position

New York State

Section 201-G(2) of the New York Labor Law, effective October 9, 2018

- All employers
- All employees (even those who only visit NY occasionally)
- Annual training required
- New employees should be trained **as soon as possible**
- Training must be provided in the language **spoken at work**
- Additional requirements in **NYC**

Washington State

Senate Bill 5258, enacted in May 2019

- Deadline for hotels and motels with 60+ rooms: Jan 1, 2020
- Deadline for all others: Jan 1, 2021
- Applies to employers in **retail, hotel, motel, security, and property services industries**
- **Managers, supervisors, and "employees" must be trained**
- **Employees are defined as:** individuals employed as janitors, security guards, hotel or motel housekeepers, or room service attendants who also either:
 - Spend a majority of their working hours alone, or
 - Have a primary work responsibility that involves working without another coworker present.
- **Only required once**

Washington D.C.

Tipped Wage Worker Fairness Amendment Act, enacted October 2018

- Deadline: December 31, 2022
- Employers with tipped employees must provide training
- All employees, including operators and owners must be trained
- Training must be completed every two years for managers, owners, and operators
- Managers must be trained in-person
- New employees must be trained within 90 days

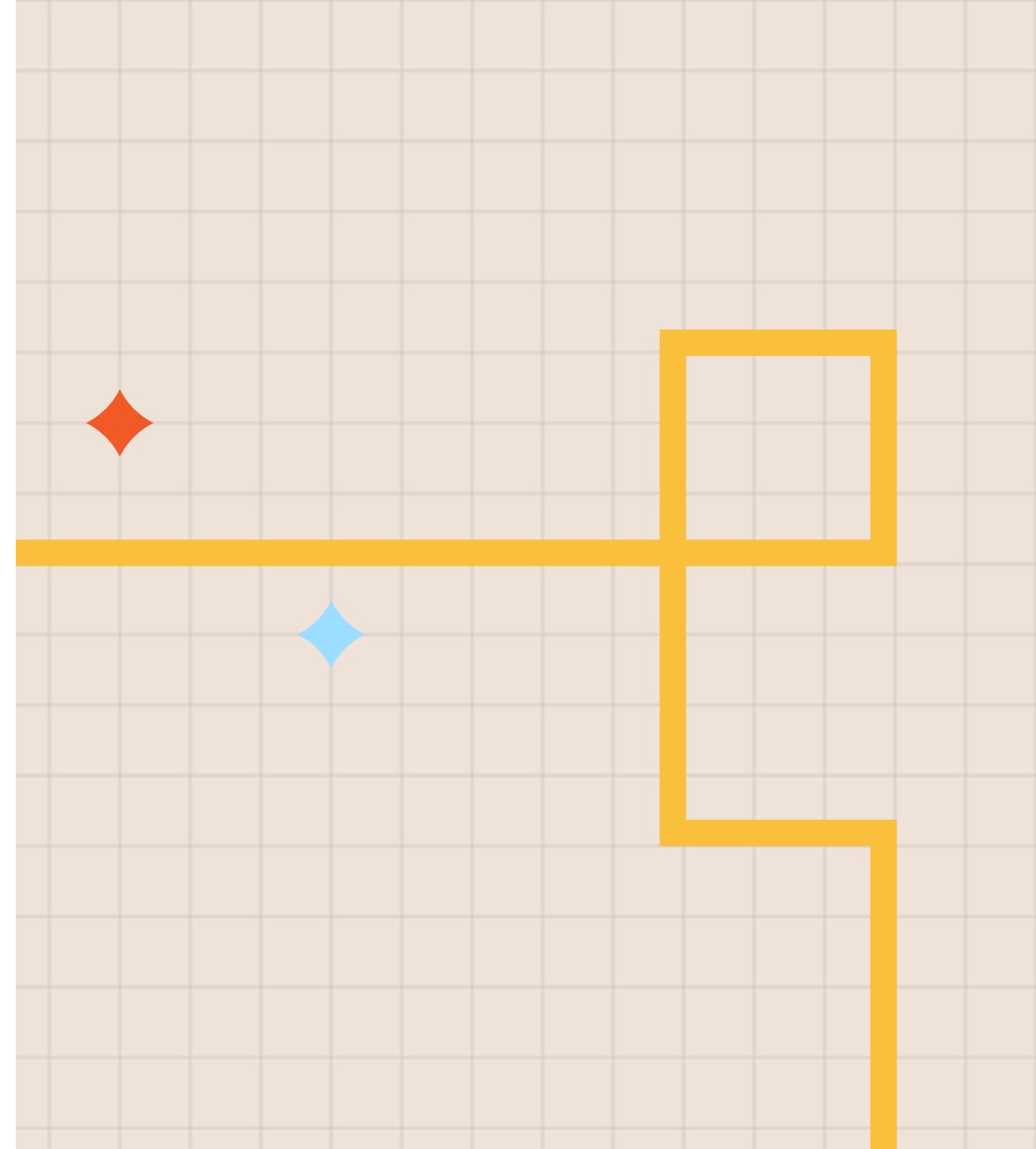


13 States Have Training Recommendations

- **Colorado, Massachusetts, Rhode Island (50+), Vermont:** encourage employers to conduct sexual harassment training for new employees and supervisors (generally within a year) of hiring or promotion and suggest minimum requirements
- **Iowa, Oregon, Texas, and Wisconsin:** recommend employers provide some form of harassment training
- **Hawaii, Ohio, Oklahoma, Pennsylvania and West Virginia:** similar to EEOC guidelines, they recommend that employers develop appropriate sanctions, inform employees of the *right* to raise complaints and *how* to raise them, and develop methods to sensitize all concerned



Policy Mandates and Recommendations



Harassment Prevention Policy Requirements

Policy Required

- California
- Connecticut
- District of Columbia (tipped employees)
- Illinois (bar and restaurant industry)
- Maine
- Massachusetts (6+ employees)
- New York State
- Oregon
- Rhode Island (50+ employees)
- Vermont
- Washington

Policy Recommended

- Everywhere (All US Employers)
- States where a policy is recommended:
 - Colorado
 - Iowa
 - New Jersey
 - South Dakota
 - Tennessee
 - Texas
 - Wisconsin

Beyond Simple Compliance: A Recipe for Prevention



Promising Practices for Preventing Harassment: an EEOC Technical Assistance Document

The EEOC created a Select Task Force on the Study of Harassment in the Workplace. In 2016, they provided a report that identified five core principles that have generally proven effective in preventing and addressing harassment:

- Committed and engaged **leadership**
- Consistent and demonstrated **accountability**
- Strong and comprehensive harassment **policies**
- Trusted and accessible **complaint procedures**
- Regular, interactive **training** tailored to the audience and the organization

Leadership and Accountability

Leaders can demonstrate this commitment by:

- Allocating sufficient **resources** and staff time for effective harassment prevention strategies
- Providing **authority** to individuals responsible for creating, implementing, and managing harassment prevention
- Assessing harassment risk factors and taking steps to **minimize or eliminate risks**
- **Engaging leadership** in harassment prevention and correction efforts
- **Training supervisors** and managers about how to prevent, recognize, and respond to objectionable conduct that, if left unchecked, *may rise to the level of prohibited harassment*
- **Acknowledging** employees and managers who create and maintaining a culture where harassment is not tolerated

Don't set it and forget it!

Comprehensive and Effective Harassment Policy: What it Says

A comprehensive harassment policy includes, for example:

- A statement that the policy applies to all employees, as well as applicants, clients, customers, vendors, etc.
- Examples of prohibited conduct (harassment is not just quid pro quo or physical assault)
- A description of the organization's harassment complaint system and where and how to access it
- A statement that the employer will provide a prompt, impartial, and thorough investigation
- A statement that people and information will be kept confidential to the extent possible
- An assurance that the organization will take immediate and proportionate corrective action
- An unequivocal statement that retaliation is prohibited

Comprehensive and Effective Harassment Policy: Best Practices

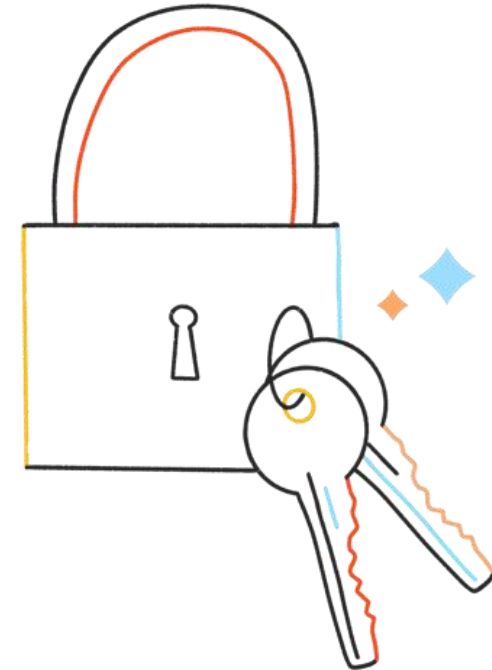


- Written and communicated in a clear, easy to understand style and format
- Translated into all languages commonly used by employees
- Provided to employees upon hire and during harassment trainings
- Posted centrally, e.g., on the company's internal website, in the company handbook, and in communal spaces
- Periodically reviewed and updated, re-disseminated to staff, and re-posted in central locations

Effective and Accessible Harassment Complaint System: What it Does and Says

An effective harassment complaint system should:

- Be fully **resourced**
- Protect the **privacy** of those involved to the greatest extent possible
- Include processes to identify and **sanction retaliation**
- Provide **due process** to the alleged harasser (hear them out)
- Convey the **resolution** of the complaint to the complainant and the alleged harasser (level of detail will vary)



Effective and Accessible Harassment Complaint System: The People Accepting Complaints

The employees responsible should, among other things:

- Be well-trained, objective, and neutral
- Have the authority, independence, and resources to receive, investigate, and resolve complaints appropriately
- Take all questions, concerns, and complaints seriously, and respond promptly and appropriately
- Create and maintain an environment in which employees feel comfortable reporting harassment to management
- Understand and maintain confidentiality associated with the complaint process
- Document every step of the complaint, investigation, and resolution



Training: Best Practices

Harassment training is better when it's:

- Championed by senior leaders
- Repeated and reinforced regularly
- Provided to employees at every level and location of the organization
- Provided in a clear, easy to understand style and format
- Tailored to your workplace and workforce

How Mineral Can Help





Workplace Harassment Prevention Package

Upgrade Your Learn Course Catalog

- Comprehensive, Interactive Harassment Prevention Courses
- Diversity, Equity, and Inclusion Courses
- Custom Course Uploader



Workplace Harassment Prevention Catalog

Workplace Harassment Prevention for Employees, State of California (SB 1343)

Duration: 75 minutes
Languages: English / Spanish
Target Audience: Employees

Workplace Harassment Prevention for Managers (Restaurant/Bar), State of Illinois

Duration: 60 minutes
Languages: English / Spanish
Target Audience: Employees

Preventing Harassment in the Global Workplace – Employee Edition

Duration: 30 minutes
Languages: English / Spanish
Target Audience: Employees

Workplace Harassment Prevention for Employees, State of Delaware

Duration: 40 minutes
Languages: English
Target Audience: Employees

Workplace Harassment Prevention for Employees (Restaurant/Bar), State of Illinois

Duration: 60 minutes
Languages: English / Spanish
Target Audience: Employees

Workplace Harassment Prevention for Managers, State of New York and NYC

Duration: 80 minutes
Languages: English / Spanish
Target Audience: Employees

Workplace Harassment Prevention for Managers, State of Connecticut

Duration: 140 minutes
Languages: English / Spanish
Target Audience: Managers

Workplace Harassment Prevention for Employees, State of Maine

Duration: 48 minutes
Languages: English / Spanish
Target Audience: Employees

Workplace Harassment Prevention for Employees, State of New York and NYC

Duration: 55 minutes
Languages: English / Spanish
Target Audience: Employees

Workplace Harassment Prevention for Employees, State of Connecticut

Duration: 140 minutes
Languages: English / Spanish
Target Audience: Employees

Workplace Harassment Prevention for Managers, State of Illinois

Duration: 90 minutes
Languages: English
Target Audience: Employees

Workplace Harassment Prevention for Managers, State of Delaware

Duration: 80 minutes
Languages: English / Spanish
Target Audience: Managers

Workplace Harassment Prevention for Managers, State California (AB1825/2053/SB1343)

Duration: 120 minutes
Languages: English / Spanish
Target Audience: Managers

Workplace Harassment Prevention for Employees, State of Illinois

Duration: 55 minutes
Languages: English / Spanish
Target Audience: Employees

Preventing Harassment in the Global Workplace – Manager Edition

Duration: 30 minutes
Languages: English
Target Audience: Managers

Workplace Harassment Prevention for Managers, State of Maine

Duration: 80 minutes
Languages: English / Spanish
Target Audience: Managers

Diversity, Equity & Inclusion Courses

Overcoming Your Own Unconscious Bias

Duration: 24 minutes
Languages: English
Target Audience: All Employees

Understanding Unconscious Bias

Duration: 24 minutes
Languages: English / Spanish
Target Audience: All Employees

Unconscious Bias

Duration: 5 minutes
Languages: English
Target Audience: All Employees

Your Role in Workplace Diversity

Duration: 30 minutes
Languages: English
Target Audience: All Employees

Guided HR Compliance

Manage complex challenges and get ahead of HR and compliance with confidence.



Dedicated HR Expert

Work with a dedicated Mineral Expert who understands your business, needs and goals for successful HR and compliance.



Smart Employee Handbook Plus

Create and maintain federal and multi-state employee handbook including e-signatures and Spanish translation.



Workplace Harassment Prevention

Assign and track interactive courses aligned to state mandates and best practices - including DE&I training.

Poll Question

Interested in **Workplace Harassment Prevention** or **Guided HR Compliance**?

Sign in to your Account

Username

Password



Sign in

[Forgot Username or Password?](#)

By signing in, you agree to the Mineral [Terms of Service](#) and [Privacy Policy](#)



Login at: apps.trustmineral.com/login

Having trouble logging in?

Fill out the form on [Forgot Username or Password](#) and a member of our support staff will reach out to help answer any questions.