

HUMAN RESOURCES MEMORANDUM 14-029		DATE ISSUED: November 7, 2014
SUBJECT: New Sexual Harassment Prevention Training Requirements		REFERENCE: PML 2014-040
TO: ALL DEPARTMENT OF GENERAL SERVICES MANAGERS AND SUPERVISORS		SUPERSEDES: None

PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES

Purpose

The purpose of this memorandum is to provide guidance on the implementation of AB 2053 (Gonzalez, 2014), which amends a provision of the Fair Employment and Housing Act, Government Code section 12950.1 to include an abusive conduct prevention component to the sexual harassment training for supervisors.

Abusive Conduct Prevention Training for Supervisors

Effective January 1, 2015, AB 2053 requires the state, to include prevention of abusive conduct as a new component to the two-hour sexual harassment training for all supervisory employees within six months of appointment and every two years thereafter. AB 2053 also requires the state to incorporate prevention of abusive conduct into the 80 hours of training required by Government Code section 19995.4(b) for all new supervisory employees.

AB 2053 defines “abusive conduct” as:

[C]onduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer’s legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person’s work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious.

DFEH Regulation Amendment

The California Department of Fair Employment and Housing (DFEH) is in the process of amending their regulations concerning AB 2053. (See CA Code of Regulations, title 2, § 11024 (as proposed.) DFEH’s proposed amendments concerning AB 2053 can be found on [its website](#).

Questions

The Basic Supervision classes offered through DGS University meet the requirements of AB 2053. For more information on training, visit the [DGS University website](#), or [email them](#).

Questions regarding AB 2053 may be directed to the [Office of Civil Rights](#) or (916) 324-0970 or California Relay Service, 7-1-1.

ANGIE BOLDRINI, Personnel Officer
Office of Human Resources
AB:tbw