

Date of Hearing: May 20, 2020

ASSEMBLY COMMITTEE ON LABOR AND EMPLOYMENT

Ash Kara, Chair

AB 3175 (Levine) – As Introduced February 21, 2020

SUBJECT: Entertainment industry: age-eligible minors: training

SUMMARY: Requires that sexual harassment prevention and retaliation training be provided to the parent or guardian of an age-eligible minor in the entertainment industry, as defined, conveyed to the age-eligible minor by the parent or guardian, and is in compliance with the requirements for sexual harassment training provided by all employers of five or more employees. Specifically, **this bill:**

- 1) Requires that sexual harassment prevention and retaliation training be provided to the parent or guardian of an age-eligible minor, as defined, and meet the requirements for sexual harassment training provided by all employers of five or more employees.
- 2) Requires that the parent or guardian convey the training information to the age-eligible minor and certify to the Labor Commissioner that the training has been completed.
- 3) Limits the requirement that the training for each age-eligible minor and their parent or guardian be in the language understood by that person to whenever reasonably possible.

EXISTING LAW:

- 1) Requires employers of five or more employees to provide sexual harassment prevention training and education to new nonsupervisory employees within six months of hire and to new supervisory employees within six months of the assumption of a supervisory position.
- 2) Permits an employer to develop its own training module or direct its employees to view an online training course developed by the Department of Fair Employment and Housing.
- 3) Requires, prior to the issuance of an entertainment work permit to a minor, the parent or guardian of the minor or age-eligible minor, defined as ages 14-17, to receive and complete training in sexual harassment prevention, retaliation, and reporting resources.
- 4) Requires the training for the minor and the age-eligible minor to be in a language understood by that person.

FISCAL EFFECT: Unknown

COMMENTS: According to the author, AB 3175 “will increase the awareness of harmful work environments [and] provide the proper sexual harassment training to employees and/or their parents or guardians.”

Prior Legislation

SB 778 (Committee on Labor, Public Employment and Retirement) Chapter 215, Statutes of 2019, extends the deadline for specified employers to provide sexual harassment prevention

training and education to January 1, 2021, clarifies when such training and education must be provided to new employees, and outlines when refresher training must be provided.

SB 1300 (Jackson) Chapter 955, Statutes of 2018, amends the anti-harassment provisions of the Fair Employment and Housing Act (FEHA) to expand potential employer liability to all forms of harassment by nonemployees, adds permissive training requirements, prohibits most non-disparagement agreements and releases of claims, and limits the payment of prevailing defendant attorney's fees.

SB 1343 (Mitchell) Chapter 956, Statutes of 2018, requires, by January 1, 2020, employers who employ five or more employees to provide, within six months of hire and once every two years thereafter, harassment prevention training and education to all employees, including nonsupervisory employees.

AB 2338 (Levine) Chapter 967, Statutes of 2018, requires, prior to the issuance of a permit to employ a minor in the entertainment industry, that an age-eligible minor and the minor's parent or legal guardian receive and complete training in sexual harassment prevention, retaliation, and reporting resources.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

Analysis Prepared by: Megan Lane / L. & E. /