

Date of Hearing: June 2, 2020

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

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

Policy Committee: Labor and Employment Vote: 7 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill modifies the sexual harassment prevention training requirements that are a condition for a minor receiving an entertainment work permit. Specifically, this bill:

- 1) Aligns sexual harassment training requirements with the current sexual harassment prevention training requirements for employers with five employees or more. The parent or legal guardian of the minor – but not the minor themselves – must complete training using either the Department of Fair Employment and Housing (DFEH) online training course or another eligible training program.
- 2) Requires the parent or guardian to convey the training course's information to the minor, which can be achieved by providing the specified form to DFEH and discussing the contents of the training with the minor. The parent or guardian must then certify to the Division of Labor Standards Enforcement (DLSE) that training has been completed.

FISCAL EFFECT:

No additional state costs.

COMMENTS:

- 1) **Background purpose.** In recent years, policymakers implemented new training requirements for the prevention of sexual harassment and violence in the workplace. SB 1343 (Mitchell) Chapter 956, Statutes of 2018, created new training requirements for employers with five or more employees. Under this program, all employees must receive training every two years, and employers can utilize an online training course developed by DFEH. AB 2338 (Levine), Chapter 967, Statutes of 2018, also requires that an age-eligible minor and their parent or guardian receive sexual harassment prevention training.

This bill aligns the two programs by allowing a parent or guardian of a minor in the entertainment industry to take DFEH's training course and then to convey that information to the minor.

- 2) **Other legislation.** AB 3369 (Committee on Arts, Entertainment, Sports, Tourism and Internet Media), of the 2019-20 Legislative Session, is also to be heard in this committee on June 2, 2020. AB 3369 exempts from sexual harassment training requirements an employer of a minor in the entertainment industry if the minor has a valid entertainment work permit and has completed the training requirements needed for the permit.

These two bills work together to change how minors receive training. Under this bill, the minor's parent or guardian completes the appropriate training, which can be done on DFEH's website. Once that happens, AB 3443 allows that minor to work for a number of different employers without those employers providing the minor equivalent training.

Analysis Prepared by: Luke Reidenbach / APPR. / (916) 319-2081