

Sacramento Suburban Water District

Director Sexual Harassment and Abusive Conduct Prevention Training Policy

Adopted: June 16, 2008

Approved with changes on: June 17, 2024

100.00 Purpose of the Policy

Under California law and regulations established by the Civil Rights Council under the Civil Rights Department (CRD), Directors are required to receive at least two hours of effective interactive training and education regarding sexual harassment prevention upon taking office and every two years thereafter. The sexual harassment and abusive conduct prevention training and education required by this policy is intended to establish a minimum threshold. Directors may participate in additional training as they deem appropriate. (Government (Gov't) Code sections 53237.1 and 12950.1(a).)

200.00 Harassment Prevention Training Requirement

Within six months after a Director assumes office, they must attend at least two hours of classroom or other effective interactive training and education regarding sexual harassment and abusive conduct prevention in the workplace. After meeting the initial training requirement, each Director must attend sexual harassment and abusive conduct prevention training and education at least once every two years for as long as the Director remains in office. (Gov't Code sections 53237.1(b) & 12950.1(a); 2 C.C.R, section 11024, subs. (b)(1) & (b)(4).)

The education and training must include information and guidance regarding the definition, prohibition against, prevention, and correction of sexual harassment and abusive conduct, and the remedies available to victims in employment. The training shall include practical examples aimed at instructing the Director in the response to sexual harassment, discrimination, retaliation, and prevention of abusive conduct. The training shall also be inclusive of preventing harassment based on sex, gender, gender identity, gender expression, and sexual orientation, and other definitions contained in Government Code section 12940(a); and shall include, but not be limited to, all subjects described in Gov't Code sections 53237.1(d) and 12950.1, subs. (a), (b), and (c), and 2 C.C.R. section 11024, subd. (c).)

A Director is not required to receive the training in two consecutive hours as long as the applicable total hourly requirement is met with the minimum duration of a training segment no less than half an hour, but the first required training must be completed within the six-month period and all of each subsequent training must be completed within the same calendar year. (Gov't Code sections 12950.1(a) and 53237.1(b); 2 C.C.R, section 11024, subd. (b)(7).)

Training may be received by any of the following methods: (1) classroom training that is conducted in-person (2) e-learning that is individualized, interactive, and computer-based containing content created by a qualified trainer who shall be available to answer questions and provide guidance within two business days, (3) webinar or other “interactive” training consisting of an internet-based seminar whose content is created and taught by a qualified trainer and transmitted digitally in real time and of which the District will maintain a copy of all associated materials for two years(Gov’t Code section 53237.1(e); 2 C.C.R, section 11024, subdivision (a)(2).) The required training and education must be presented by trainers or educators with knowledge and expertise in the prevention of abusive conduct, harassment, discrimination, and retaliation. (Gov’t Code sections 53237.1(d) and 12950.1(a), and 2 C.C.R, section 11024, subd. (a)(10).)

A Director who receives supervisor sexual harassment and abusive conduct prevention training as a result of their service with an employer or another agency is not required to receive separate training because of their service with the District. However, such Director must: (1) receive, read, and acknowledge receipt in writing of the District’s anti-harassment policy; and (2) submit to the Executive Assistant to the General Manager a duplicate copy of the proof of their participation in the mandated training that was obtained on behalf of the Director’s employer or other agency. (Gov’t Code sections 53237.1(f) and (h) & 53237.2; 2 C.C.R, section 11024, subd. (b)(6).)

300.00 Reporting

The Executive Assistant to the General Manager will inform Directors of available harassment and abusive conduct prevention training opportunities, including any training opportunities offered at District facilities or through District resources for supervisors subject to the training requirement. Each Director must obtain proof of participation after completion of the mandated periodic training and submit proof of completion of such training to the Executive Assistant to the General Manager within thirty days of completing any training component. Each Director’s personnel file shall include records of the dates of participation in sexual harassment and abusive conduct prevention training and the person or entity providing the training. (Gov’t Code sections 53237.1(f) and (g) & 53237.2; 2 C.C.R, section 11024, subd. (b)(2).) All sexual harassment prevention policies and attendance records are public records subject to disclosure under the California Public Records Act and must be retained by the District for a minimum of five years after a Director receives the training. (Gov’t Code section 53237.2(b).)

400.00 Penalties for Policy Violation

It is the responsibility of each Director to ensure their compliance with this policy, including choosing sexual harassment and abusive conduct prevention training courses and securing/submitting the training completion documentation to the Executive Assistant to the General Manager as required in Article 300.00. While

failure to comply with this policy does not impose strict liability on the District or a non-complying Director in any legal action involving a sexual harassment or abusive conduct claim, such non-compliance can be used as evidence against the District and any non-complying Director in the prosecution of such claims. (Gov't Code sections 53237.5 and 12950.1(c).)

A violation of this policy may be addressed by the use of such remedies as are available by law to the District, including but not limited to: (a) adoption of a resolution expressing disapproval of the conduct of a Director who has violated this policy, or (b) injunctive relief.

500.00 Policy Review

This policy shall be periodically reviewed by the Board of Directors in accordance with its established policy review schedule.