



February 24, 2020

F2020-01

TO: All Fair CEOs

SUBJECT: New Sexual Harassment Prevention and Abusive Conduct Prevention Training Requirements – Applicability to District Agricultural Associations and Their Respective Boards of Directors. Notice to Provide General Guidance to, County, and Citrus Fruit Fairs

The purpose of this letter is to provide the Network of Fairs CEOs with information on required training for Sexual Harassment and Abusive Conduct Prevention Training Requirements. This training is mandatory for permanent and temporary employees.

As a result of recent changes to Sections [12950](#) and [12950.1](#) of the California Government Code, employers who have five or more permanent employees will need to provide interactive training and education regarding sexual harassment prevention (SHP) and abusive conduct prevention (ACP) to all their staff.

For District Agricultural Associations (DAAs) the training requirements extend to all employees as well as to board members, regardless of the number of staff the fair employs. Due to the complexity of the new requirement, County and Citrus Fruit Fairs are encouraged to consult with their respective Human Resources Department and/or legal counsel to determine to extent to which these new requirements apply to them.

The California Department of Food and Agriculture (CDFA) views these changes to the law as an opportunity for all state-designated fairs to review and update their respective SHP and ACP policies. DAAs and county and citrus fruit fairs are encouraged to update their SHP and ACP policies in consultation with their respective Human Resources Department and/or legal counsel.

CDFA is committed to providing a work environment that is free of harassment and discrimination; accordingly, it enforces a strict zero-tolerance policy for harassment and abusive behavior. A copy of CDFA's updated Discrimination and Harassment Prevention Policy (Policy) is attached. As with other policies, CDFA's SHP/ACP Policy applies to the DAAs that have not adopted a Discrimination and Harassment Prevention policy of their own and received CDFA's confirmation that the policy adopted meets at least the same parameters as CDFA's.



The highlights of CDFA's required training schedule for DAA's permanent and temporary employees, and for board members are as follows:

- Existing supervisors/managers (including the CEO) and board members: at least two hours of training, and once every two years thereafter.
- Existing non-supervisory staff: at least one hour of training, and once every two years thereafter.
- New hires/New appointments: within six months of hire or appointment, as applicable, and once every two years thereafter; the minimum duration of the training is the same as for existing employees.
- Temporary employees (i.e., 125-day employees) must receive the training within two weeks of hiring, regardless of the anticipated duration of service. All temporary employees must undergo the training.

The following online resources are available for DAAs for training and for compliance tracking:

For permanent employees, CEOs, Board of Directors and 125-day/part time employees:

- CDFA-Online University for DAAs can be accessed at <https://www.cdfaonlineuniversity.com/#/login>: This is the online resource for permanent employees, CEO, and board members. CDFA administers this site and uses it to track the compliance status of filers.
- Some-time in the next several weeks, the CDFA-Online University for Temporary Employees (i.e., 125-day employees) will become available. DAAs will be able to access this new resource using the following link: [DAA125dayEEs.myabsorb.com](http://DAA125dayEEs.myabsorb.com).
- The DAAs, can also arrange for interactive training from a qualified professional, as defined by the [California Department Fair Employment and Housing](#), and approved by CDFA.
- The California Department of Fair Employment and Housing (CDFEH) will make available online training tools in early 2020. We will share that information as soon as it becomes available.
- We encourage County Fairs and Citrus Fruit Fairs to utilize the CDFEH online training tools or to arrange for interactive training from other sources; please consult with your respective Human Resources Department and/or legal counsel.
- For board members, obtaining copies of the certificates of completion issued by the board member's employer and uploading the certificate to the CDFA-Online University for DAAs.

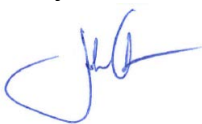
For those DAAs that utilize the CDFA Online University, the University will track completion of the required training. If a DAA chooses not to use the Online University, certificates of completion must be uploaded to the University so CDFA staff can ensure that the required training is being performed.

If your fair does not have access to the CDFA online University, you must adopt a tracking system capable of demonstrating ongoing compliance with the new SHP/ACP training requirements. Capturing this information can be very useful in the event of an Equal Employment Opportunity audit, a complaint related to sexual harassment, abusive behavior or discrimination, or an inquiry from CDFA. Please note that the law requires employers to keep documentation onsite for a minimum of two years, including but not limited to the names of the supervisory employees trained, the date of training, the sign in sheet, a copy of all certificates of attendance or completion issued, the type of training, a copy of all written or recorded materials that comprise the training, and the name of the training provider.

Additionally, employers are required to post signs regarding discrimination and harassment in a prominent and accessible location in the workplace. This discrimination and harassment information is also contained in the 2020 California and Federal Employment Notice Posters. If you need posters for discrimination and harassment they may be printed by accessing the following link: [Transgender Rights poster](#) , [Sexual Harrassment poster](#). A link to the California Department of Fair Employment and Housing FAQs is provided [here](#) for your reference.

If you have any questions, please contact the Fairs & Expositions Branch at 916 999-3000.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Quiroz', is written over a light blue circular stamp.

John Quiroz, Chief  
Fairs and Exposition

Enclosure