

AB 547 Subcommittee Meeting

February 14, 2023
9:30 a.m. to 12:30 p.m.



**State of California
Gavin Newsom
Governor**

Agenda

I. Welcome and Call to Order

II. QOAF Appendix with List of Documents – Discussion

III. Public Comment (Limited to 3 minutes per person)

IV. Adjournment

I. Welcome and Call to Order

- Video/audio conference platform introduction
- Roll call
- Subcommittee member introduction

II. QOAF Appendix with List of Documents – Discussion

QOAF Appendix with List of Documents (for Qualified Organizations)

- A qualified organization shall be a nonprofit corporation as described in subsection (c) of Section 501 of the Internal Revenue Code of the United States (26 U.S.C. 501(c)). (Labor Code § 1429.5(f))
- **Suggestion(s):**
 - *IRS determination letter(s)*

QOAF Appendix with List of Documents (for Qualified Organizations) (cont'd):

- Have and maintain at least 30 qualified peer trainers who are available to provide training to nonsupervisor covered workers. (Labor Code § 1429.5(f)(1))
- **Suggestion(s):**
 - *List with names of 30 qualified peer trainers with evidence of completion of the 40 hours of required training. [A. Gaitan]*

QOAF Appendix with List of Documents (for Qualified Organizations) (cont'd):

- Have access to local and regional sexual violence-related trauma services and resources for local referrals documented through letters of acknowledgment from service providers. (Labor Code § 1429.5(f)(2))
- **Suggestion(s):**
 - *VALOR maintains listing of all such service providers in California on their website. [A. Gaitan]*
 - *Sandra Henriquez, VALOR, submitted Operational Agreement form that VALOR currently uses as a training partner (service provider) for sexual violence related trauma services and resources.*

QOAF Appendix with List of Documents (for Qualified Organizations) (cont'd):

- Be committed to ongoing education and development as documented by a minimum of 10 hours of professional development each year for qualified organization staff and peer trainers in areas of research and strategies to prevent and respond to sexual assault and sexual harassment. (Labor Code § 1429.5(f)(3))
- **Suggestion(s):**
 - *Log with dates, each topic covered (explanation of need for this subject), names of trainers/subject matter experts (titles, resumes), sign-in/attendance sheets. [A. Gaitan]*
 - *Sandra Henriquez provided a Continuing Education Tracking Sheet (sign in/out sheet) for peer trainers attending the training.*

QOAF Appendix with List of Documents (for Qualified Organizations) (cont'd):

- Have seven years of demonstrated experience working with employers to provide training to employees both on and off the worksite in the janitorial industry, including seven years demonstrated experience working with immigrant low-wage workers. (Labor Code § 1429.5(f)(4))
- **Suggestion(s):**
 - *Sworn attestation outlining and documenting* each area of experience with:*
 - *Employers;*
 - *providing training to employees on & off the worksite in the janitorial industry; and,*
 - *7 years of experience working with immigrant, low-wage workers*

**Could include media coverage, grant funding, dated documentation of trainings and location. [A. Gaitan]*

QOAF Appendix with List of Documents (for Qualified Organizations) (cont'd):

If working with a training partner:

- A “training partner” means a nonprofit, worker center, or labor organization with at least two years of demonstrated experience in addressing workplace sexual abuse, immigrants’ rights advocacy, and worker rights advocacy. (Labor Code § 1429.5(j))
- Written partnership agreement with the training partner. (Labor Code § 1429.5(j))

QOAF Appendix with List of Documents (for Qualified Organizations) (cont'd):

If working with a training partner:

- **Suggestion(s):**

- *VALOR does not have any sample for this but suggested that the JAC could use attestation to satisfy this requirement.*
- *Sandra also sent sample docs of the following:*
 - *a copy of a sample Operational Agreement between two organizations*
 - *a spreadsheet sample of the "Ongoing Training Participant Log"*
 - *a Word document with a table containing a list of "Trainings Offered"*

QOAF Appendix with List of Documents (for Peer Trainers)

- To be qualified as a peer trainer, a person shall have the training, knowledge, and experience necessary to train nonsupervisory covered workers and shall, at the minimum, have all of the following qualifications:
(Labor Code § 1429.5(g))

QOAF Appendix with List of Documents (for Peer Trainers) (cont'd):

At least a cumulative 40 hours of sexual assault advocate training in the following areas: (Labor Code § 1429.5(g)(1)(A)-(H))

- Survivor-centered and trauma-informed principles and techniques.
- The long-term effects of sexual trauma and the intersection of discrimination, oppression, and sexual violence.

QOAF Appendix with List of Documents (for Peer Trainers) (cont'd):

- The availability of local, state, and national resources for survivors of sexual violence.
- Interactive teaching strategies that engage across multiple literacy levels.
- Conducting discrimination, retaliation, and sexual harassment prevention training.

QOAF Appendix with List of Documents (for Peer Trainers) (cont'd):

- Responding to sexual harassment complaints or other discrimination complaints.
- Employer responsibility to conduct investigations of sexual harassment complaints.
- Advising covered workers regarding discrimination, retaliation, and sexual harassment prevention.

QOAF Appendix with List of Documents (for Peer Trainers) (cont'd):

Suggestion(s):

- *Evidence of completion of sexual assault advocate training from one of the California service providers (84 agencies) listed on VALOR website, all of whose sexual assault advocate trainings are certified by the state. [A. Gaitan]*
- *Sandra Henriquez submitted sample form: Sexual Assault Counselor Training Application.*

QOAF Appendix with List of Documents (for Peer Trainers) (cont'd):

- Have two years of nonsupervisory work experience in the janitorial or property service industry. (Labor Code § 1429.5(g)(2))
- **Suggestion(s):**
 - *Paystubs & letter of reference from employer or union. [A. Gaitan]*
 - *David Hernandez suggested two years of paystubs, 2-3 W-2s and a simple employment verification letter from ERs to determine experience. [09/14/22 JAC meeting]*

QOAF Appendix with List of Documents (for Peer Trainers) (cont'd):

- Be culturally competent and fluent in the language or languages that the relevant covered workers understand. (Labor Code §1429.5(g)(3))
- **Suggestion(s):**
 - *Demonstrate native or native-like spoken fluency. [A. Gaitan]*
 - *During a JAC meeting, Andrew also brought up that DIR could obtain a recording of the trainers speaking relevant language(s) to demonstrate fluency.*

III. Public Comment

IV. Adjournment

Thank you for participating!

Please email us at
AB547@dir.ca.gov **if you have**
any questions or comments.