



SB 530

Advisory Committee

November 9, 2020

3pm to 5pm

Agenda

I. Welcome and Call to Order (10 min)

- a. Video-conference Platform Introduction
- b. Roll Call

II. Approval of Minutes from the October 12, 2020 meeting(5 min)

III. Approval of Charter (10 min)

IV. Discussion on SB 530 work Plan (90 min)

- a. General Discussion
 - i. Potential Policy Recommendations (15 min)
 - ii. Potential Training Standards (25 min)
 - iii. Discussion of Potential Legislation (35 min)
- b. Next Steps (15 min)

V. Public Comment (Limited to 3 minutes per comment. This is the time for members of the public to address the Committee)

VI. Adjournment

Welcome & Call to Order

- Video-Conference Platform Introduction
- Roll Call

Approval of Minutes

Approval of Charter

Discussion on the SB 530 Work Plan

Discussion Overview

Recommendations:

1. Minimum standards for industry-specific harassment and discrimination **prevention policy**
2. Minimum **training standards** for training program
3. **Legislation** that would need to be enacted to implement such a standard

Potential Policy Recommendations

Guiding Principles for Prevention Policy

1. Encourage safe & respectful worksite culture for everyone
 - Focus on safety
 - Respect
 - Bystander intervention
2. Leadership buy-in for training
3. Training tailored to construction industry
4. Not plaintiff driven
5. Robust reporting & investigating mechanisms
6. Discourage zero tolerance disciplinary actions
7. Safe space for advice

Potential Training Standards

Training Standards

1. Trainers & training network
2. Mode of training
 - What mode is most receptive for constructive workers? Minimum standards allow for online training, should we require “live” training (i.e. videoconference)? Is online training even effective for construction workers? Required to have computer literacy?
3. Frequency of training
 - Is training every 2 years often enough to emphasize the importance of the topic for prevention purposes? Or should mandated training occur more frequently, like annually?

Training Standards, cont.

4. Duration of Training

- Do construction workers have 1 or 2 hours to spend in one sitting to comply, or is it better if broken into shorter segments with 20 minute segments at the end of a daily team huddle/meeting? Are there time constraints in construction that prohibits training at 1 or 2 hours at a time?

5. Language and Literacy Level

- How is this currently being addressed by contractors? How do we ensure effective training across the diverse groups, i.e. language and literacy issues? Or other unidentified issues?

Training Standards, cont.

6. Training content

7. Documentation of training

- Should we require employers to post their certification of training online? If so, where? Submit proof to which agencies? Database of trained employers? – public entities can check if contractor received the training? (concept of public shaming?); or for general contractors to check if their subcontractors received the requisite training? (leading to up-the-chain liability?)

Discussion of Potential Legislation

Legislation

What should be recommended as legislation to enforce or implement the proposed policies and standards?

Existing law [Government Code section 12950.1] requires specified employer with 5 or more employees to provide at least 2 hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees in California and, after that date, once every 2 years.

- DFEH: What's the current enforcement mechanism?
- Is existing law sufficient to ensure compliance with prevention policy and training standards requirements for the construction industry?
- Are there any gaps?
- How can existing law be changed or supplemented to ensure compliance in the construction industry?

Next Steps

Public Comment



Adjournment

Thank you for participating!