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SENATE BILL NO. 796

Offered January 10, 2018

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 13.1, consisting of sections numbered 30-129.4, 30-129.5, and 30-129.6, relating to required sexual harassment training; legislative branch.

Patrons—Sturtevant, Wexton, Chase, Dunnavant, McClellan, McPike and Vogel; Delegate: Robinson

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 13.1, consisting of sections numbered 30-129.4, 30-129.5, and 30-129.6, as follows:

CHAPTER 13.1.

SEXUAL HARASSMENT TRAINING ACT.

§ 30-129.4. Sexual harassment training required; legislative branch.

A. As used in this chapter, unless the context requires a different meaning:

"DHRM" means the Department of Human Resource Management.

"Learning Center" means the Commonwealth of Virginia Learning Center.

"Legislative branch employee" means (i) a General Assembly member; (ii) a General Assembly member's legislative assistant or other legislative staff compensated in whole, or in part, with state appropriations, working full-time for the member; and (iii) all other full-time employees of each legislative branch agency of the Commonwealth.

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when such conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

B. Every legislative branch employee shall once every calendar year complete a sexual harassment training course offered through the Learning Center administered by DHRM. DHRM shall ensure that a sexual harassment training course is continuously offered through the Learning Center. Managers and supervisors shall complete any sexual harassment prevention course offered through the Learning Center that is specifically designed for managers and supervisors.

C. 1. DHRM shall maintain electronic records for each person completing a sexual harassment training course through the Learning Center. Each record at a minimum shall include the name of the person completing the training, the name of the state agency that employs the person, the date on which the training was completed, and the name of the training course. DHRM shall keep such records for at least five years for public inspection.

2. DHRM shall ensure that upon a person's successfully completing a sexual harassment training course, the Learning Center shall provide a means for the person to print a certificate of course completion that includes the name of the person completing the training, the name of the state agency that employs the person, the date on which the training was completed, the name of the training course, and a unique serial number for each certificate or other unique identifying information for each certificate.

§ 30-129.5. Sexual harassment training for new employees and new General Assembly members.

A (i) legislative branch employee commencing or recommencing employment or (ii) new member of the General Assembly elected after the effective date of this section shall complete sexual harassment training through the Learning Center within 90 days of commencing or recommencing employment or such election, unless the person previously completed such training in the calendar year in which the person commenced or recommenced employment as a legislative branch employee or was elected to the General Assembly. Thereafter, the legislative branch employee or new member of the General Assembly shall complete sexual harassment training once every calendar year.

§ 30-129.6. Responsibility of agency heads for sexual harassment training.

The head of each agency in the legislative branch shall be responsible for ensuring that the agency's legislative branch employees comply with the training requirements established under this chapter.

2. That the provisions of this act shall become effective on January 1, 2019.

INTRODUCED

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