

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

5 [S 796]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

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

10 **CHAPTER 13.1.**11 **SEXUAL HARASSMENT TRAINING ACT.**12 **§ 30-129.4. Sexual harassment training required; legislative branch.**13 *A. As used in this chapter, unless the context requires a different meaning:*

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

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

22 *B. 1. Every legislative branch employee shall once every two calendar years complete a sexual*  
23 *harassment training course provided by the Office of the Clerk of the House of Delegates or the Office*  
24 *of the Clerk of the Senate. The sexual harassment training course shall be (i) provided online; (ii)*  
25 *available 24 hours per day, seven days per week; and (iii) substantially similar to any sexual*  
26 *harassment training course offered through the Commonwealth of Virginia Learning Center*  
27 *administered by the Department of Human Resource Management.*

28 *2. Legislative branch employees who are (i) members elected to the House of Delegates or legislative*  
29 *assistants or staff for such members or (ii) officers or employees of the Office of the Clerk of the House*  
30 *of Delegates shall complete the sexual harassment training course provided by the Clerk of the House of*  
31 *Delegates. Legislative branch employees who are (a) members elected to the Senate or legislative*  
32 *assistants or staff for such members or (b) officers or employees of the Office of the Clerk of the Senate*  
33 *shall complete the sexual harassment training course provided by the Clerk of the Senate. All other*  
34 *legislative branch employees shall complete the sexual harassment training course provided by either the*  
35 *Clerk of the House of Delegates or the Clerk of the Senate. The content of the sexual harassment*  
36 *training course provided by the Clerk of the House of Delegates and the Clerk of the Senate shall be*  
37 *substantially similar.*

38 *C. 1. The Clerk of the House of Delegates and the Clerk of the Senate shall maintain records for*  
39 *members elected to the House of Delegates and the Senate, respectively, completing the sexual*  
40 *harassment training course. Each record at a minimum shall include the name of the General Assembly*  
41 *member completing the training, the date on which the training was successfully completed, and the*  
42 *name of the training course. The Clerk of the House of Delegates and the Clerk of the Senate shall keep*  
43 *such records for at least five years for public inspection.*

44 *2. By no later than July 1, 2019, the Clerk of the House of Delegates and the Clerk of the Senate*  
45 *shall ensure that the sexual harassment training course is developed and provided in a manner such*  
46 *that a person successfully completing the training course will have a means to print a certificate of*  
47 *course completion that includes the person's name, the name of the state agency employing the person,*  
48 *the date on which the training was successfully completed, the name of the training course, and a*  
49 *unique serial number or other unique identifying information for each certificate.*

50 **§ 30-129.5. Sexual harassment training for new employees and new General Assembly members.**

51 *A (i) legislative branch employee commencing or recommencing employment or (ii) new member of*  
52 *the General Assembly elected after January 1, 2019, shall complete sexual harassment training required*  
53 *under this chapter within 90 days of commencing or recommencing employment or such election, unless*  
54 *the person previously completed such training in the calendar year in which the person commenced or*  
55 *recommenced employment as a legislative branch employee or was elected to the General Assembly.*  
56 *Thereafter, the legislative branch employee or new member of the General Assembly shall complete*

57 *sexual harassment training once every two calendar years.*

58 **§ 30-129.6. Responsibility of agency heads for sexual harassment training.**

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

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