

eloomi

Your guide to California

Compliance & Ethics Training



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Introduction

Here's what makes compliance training so confusing: there's no clear mandate for training at the federal level that applies to every business.

Some industries have required training – **Occupational Safety and Health Administration (OSHA)** training for hazardous jobs, Federal Aviation Administration (FAA) training for public safety– but nothing that applies to every company or even every state.

And if your business operates out of California or has employees working in California, then there are laws that may apply to your business and proper training is required to **ensure you are compliant with California employment laws**.

California employment laws are some of the most progressive in the country, providing **more rights for employees**, and more responsibilities for employers.

To help you navigate this increasingly confusing and high-risk area of running your business, this guide provides a breakdown on what training is required and what's recommended for California employers to ensure you're fostering a respectful and ethical workplace for your employees.

↶ *Compliance
made easy*





Compliance & ethics in the modern workforce

Compliance training is vital to your business. To stay in business, to keep growing, you need to have employees engaged with your company and customers. Compliance training helps to keep your employees working within the laws and regulations set out by federal and state governments and also serves to keep employee morale high by reducing the likelihood of a toxic work environment.

Compliance training seems boring and unnecessary but consider that every employee who quits **your company is a potential lawsuit**. This is a risky and extremely costly gamble that you can significantly reduce the likelihood of occurring by conducting even minimal compliance training with your team.

By ensuring an ethical workplace free of harassment, bullying, and toxicity, you can not only minimize your risk but also **create a safer work environment**, increase productivity, reduce absenteeism and turnover, and show your employees you respect them as individuals and support their needs. Ultimately, compliance training is just good business.

California Compliance Training Requirements

As a manager, compliance officer, L&D or HR professional, it's important to know what state **compliance training is mandatory**, what is relevant in your organization, and what to prioritize among the many topics.

Key training topics required for California:

Sexual Harassment

Cal/OSHA

California CCPA

Foster a **safer** and happier workplace

Sexual harassment training is intended to prevent unwanted sexual behavior in the workplace. It builds awareness of what constitutes sexual harassment and seeks to reduce the likelihood of your business suffering negative consequences from unwanted sexual harassment, keeping your workplace happier, healthier, and more cohesive.

Within the state of California, you're required to give sexual harassment training if you have 5 or more employees in the state. With today's remote workforce environment, you may have employees who live and work in a state different from where your business is located.

You'll need to comply with all of those state laws.

Example of states with mandatory Harassment training

California

AB-1825 SB-1343 AB-2053
SB-396 SB-1300 AB-1867

New York & New York City

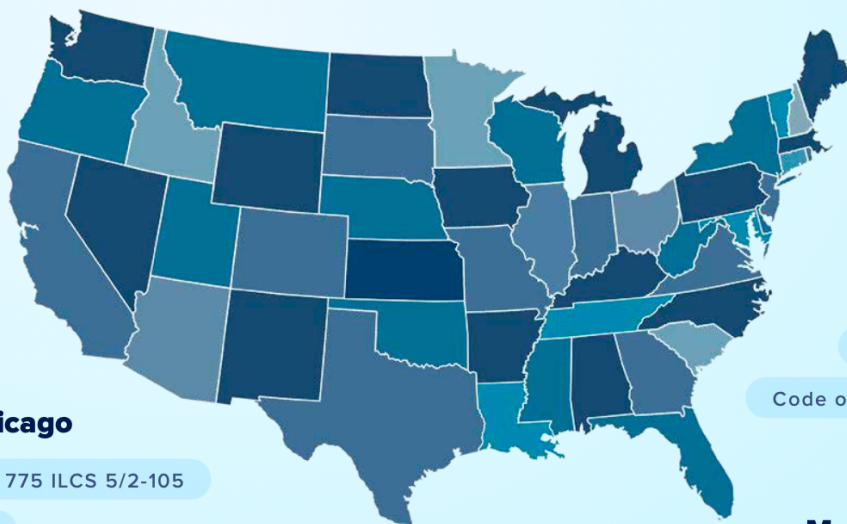
Labor Law Section 201-g

Stop Sexual Harassment in NYC Act

Connecticut

"Time's Up Act" SB3

SB-1111



Illinois / Chicago

Illinois Compiled Statutes 775 ILCS 5/2-105

SB-75

Washington D.C.

SB-5258 SB-5996

Code of Washington (RCW) 49.60.515

Louisiana

HB-524*

Delaware

Delaware Discrimination in Employment Act § 711A

HB-360

Maine

Maine Human Rights Act, federal law, and federal regulations

Title:26 Subchapter 4-B SEXUAL

HARASSMENT POLICIES §807

As of the publication date, the following states mandate sexual harassment training for employers in their state:

California (for employers with 5 or more employees in the state)

Connecticut (for employers with 3 or more employees in the state)

Delaware (for employers with 50 or more employees in the state)

Illinois (for employers with 1 or more employees in the state)

Maine (for employers with 15 or more employees in the state)

New York (for employers with 1 or more employees in the state)

Even in states where you're not required to provide sexual harassment training, your company can be held liable for any sexual harassment. If you provide training, you may have an affirmative defense that limits or entirely removes your liability.

Compliance Tip:

While the training requirement is focused on sexual harassment training for all your employees, you should also provide a separate training to your managers that teaches them how to handle sexual harassment allegations and potentially inappropriate discussions.



Cal/OSHA

California has its own Occupational and Safety Health Act, referred to as [Cal/OSHA](#). This law sets in place standards employers must meet to help keep employees safe on the job.

Some of the specific areas that Cal/OSHA covers include general industry, construction, shipyards, longshoring, and agriculture. Within these industries, there are specific standards that must be met in order to ensure employee safety. Some of these standards include requirements for personal protective equipment, first aid kits, and fire extinguishers. Other standards cover topics such as hazard communication, electrical safety, and respiratory protection.

In addition to adhering to the specific standards set forth by Cal/OSHA, businesses must also ensure that they have an effective

safety program in place. This program should include measures to identify and correct potential hazards in the workplace.

Employees should be trained on how to safely perform their job tasks and how to properly use any personal protective equipment that is required. Regular safety audits should be conducted to identify any potential hazards that may have been overlooked.

By taking these steps, you can create a safer workplace for your employees and help prevent potential accidents and injuries.

Compliance Tip:

Learn more about the specifics of [Cal/OSHA](#) training requirements on the State of California Department of Industrial Relations website.



California Consumer Protection Act

CCPA

California has its own data privacy and protection law under the CCPA.

The CCPA enhances privacy rights and consumer protection for California residents by introducing the following:

The right to know what personal data is being collected about them

The right to know whether their personal data is sold or disclosed and to whom

The right to say no to the sale of their personal data

The right to have access to their personal data

The right to request that a business delete any personal information they collected about them

The right to protection against discrimination when exercising privacy rights

Businesses who collect the personal information (PI) of California residents are required to provide CCPA training to all employees responsible for handling consumer inquiries about the company's privacy practices and all employees involved in implementing, managing, or overseeing compliance with the CCPA for the business.

Failure to provide CCPA training to your employees could result in civil penalty up to \$2,500 for each violation or \$7,500 for each intentional violation according to the SHRM's website.

It is yet to be determined whether the penalty would be on a per employee basis or a single violation for not providing adequate training to everyone who had to receive this training. Therefore, it is important to comply with your training obligation and document employees' attendance to demonstrate the business's compliance under the law.



California Compliance Training Recommendations

California Equal Pay Act

California's Equal Pay Act strengthens existing equal pay protections and prohibits employers from paying employees of different genders unequal wages for “**substantially similar work.**” The law's primary purpose is to close the wage gap between women and men by prohibiting employers from paying employees of different sexes differently for “substantially similar work.”

This same law also prohibits employers from asking candidates about their prior salary history. Employers are also barred from seeking salary history information, including total compensation and benefits, from an applicant. If an applicant asks for the pay scale or range for a position, an employer must provide it to them.

Key training topics recommended for California:

California Equal Pay Act

Anti-harassment & Anti-discrimination

Workplace Safety

Data privacy

Healthcare/HIPPA

Diversity

Fair Labor Standards Act (FLSA)

Exempt vs Nonexempt Employees

The Fair Labor Standards Act (FLSA) is a federal law that establishes minimum wage, overtime pay, record keeping, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments. The FLSA classification of exempt vs. nonexempt employee status is important because it determines **which employees are eligible for overtime pay.**

An exempt employee is an employee who is not subject to the minimum wage and overtime provisions of the FLSA. Exempt employees are typically executive, administrative, or professional employees, although there are a few other exempt categories, including computer professionals, outside sales employees, and highly paid workers who perform certain types of duties.

All employees who do not meet the FLSA's exemption requirements are nonexempt employees. **Nonexempt employees are entitled to minimum wage** and overtime protections under the FLSA.

Nonexempt employees are entitled to wages for all hours worked, including overtime pay for any hours worked over 40 in a given week. They must also receive breaks during their shifts and be allowed to take leave when they need it. In general, nonexempt employees are entitled to all the protections and benefits of the FLSA.

Understanding these federal classification rules is vital to ensuring your company pays employees accurately. **Without proper training, you could misclassify your employees, leading to costly fines and litigation.**



Compliance Tip:

The FLSA occasionally updates the salary basis test, increasing the salary required to be an exempt employee. An employee's duties may also shift over time, moving them in or out of an exempt role. Doing an annual audit of your employee classifications will ensure you stay on top of any law changes and you're correctly classifying your employees.



Anti-harassment & Anti-discrimination

Anti-harassment & anti-discrimination training gives employees an understanding of what is and **what is not acceptable workplace behavior**. – It defines workplace harassment, bullying, and discrimination.

This type of training seeks to prevent harassment and discrimination at all levels in your workplace by creating a comfortable and inclusive work environment.

It will cover strategies for preventing such workplace behavior as well as how to deal with violations. You want your employees **to have a healthy, happy, and enjoyable work experience**.

If they feel like they're in a toxic environment, one where they can't be honest, or one where they feel harassed or bullied, they're going to

leave at the first opportunity. But they're also going to be less productive and engaged.

While you cannot prevent every act of poor workplace behavior, you can take proactive steps to provide the safest, most inclusive, and non-toxic work environment. **You do that by offering your employees anti-harassment and anti-discrimination training.**

Do this within one month of hiring any new employee and give an updated training to your entire company at least once per year.

You should also have a separate training that's required for supervisors and managers.

Diversity

Diversity, equity, and inclusion (DEI) training seeks to improve equality in the workplace by **helping employees embrace and celebrate what makes everyone unique**. It builds awareness of differences between employees and how each person got to where they are today, seeking to help employees embrace the unique, and possibly differing, perspectives of their colleagues. Diversity and inclusion efforts by businesses have increased dramatically in recent years. This training will provide your employees with **insight about their own biases**—both known and unknown—and how to counter them to work effectively with colleagues from varying backgrounds.

Diversity training often goes hand in hand with anti-harassment training. It also includes details on how to operate in a more inclusive environment, welcoming people from different faiths, cultures, abilities, and beliefs.



Compliance Tip:

Cover a wide variety of DEI topics by partnering with a content provider for your training. An LXP solution like [eloomi](#) offers a learning platform with an integrated content store, so you can get your [DEI training content](#), deliver it to employees, and report on completion within a single solution.

Data Protection & Privacy

In addition to the CCPA training requirements, your HR team may want to **consider additional data protection and privacy training**. In today's work environment, you collect and store your employees' data on a regular basis. If you offer retirement benefits, you're collecting confidential information about each enrolled employee.

Your employees expect that you'll keep their data secure. You would expect the same of any business you deal with, and it goes well beyond simply protecting digital data.

Here's what to consider in your data protection and privacy training offerings:

Data Storage

E-mail scams

Password Policies

Data protection and privacy training is not just good for compliance, but also for building trust in the ethics of your business. When customers, employees or potential candidates learn that a company has not been protecting their data properly, they may lose trust in that company.

Not only is this loss of trust difficult to regain, it could lead to employee departures, candidates choosing to apply at competing organizations, and potentially losing revenue as customers don't want to associate with companies who have a poor reputation for handling personal data.



Compliance Tip:

Your employee and customer data is important and keeping it safe is a non-negotiable. In addition to providing the proper training to your employees, make sure to partner with a LMS or LXP that also meets the highest standards for data security. [Learn more about eloomi's best in class data integrity.](#)



**Staying compliant
made easy**



Compliance Tip:

Providing training to your HR teams and employees on the California Equal Pay Act helps ensure your company is practicing ethical hiring practices and paying employees fairly for their work.



Healthcare & HIPAA

Related to data protection and privacy, healthcare training is vital to any business. The Health Insurance Portability and Accountability Act (HIPAA) limits health information that can be disclosed without a patient's consent.

This training is crucial for employers who offer health insurance to their employees. Employers who offer healthcare plans to their employees act as the plan administrator, making them subject to HIPAA compliance.

Even if your company does not act as the health plan administrator, you may still be subject to some HIPAA compliance as your HR team collects other medical information from employees like sick leave notes from a doctor or workers' compensation records.

Running afoul of HIPAA can lead to serious fines but it also reduces the trust your employees have in you, making it more likely that you'll soon deal with higher employee turnover and reduced productivity.



Compliance Tip:

Keep everything confidential and keep medical records separate from employee personnel files by creating two files for every employee: personnel file (for documents related to work performance) and medical file (for healthcare information). For the vast majority of employers, that's the best way to ensure compliance with multiple record keeping laws, including HIPAA.

Workplace Safety

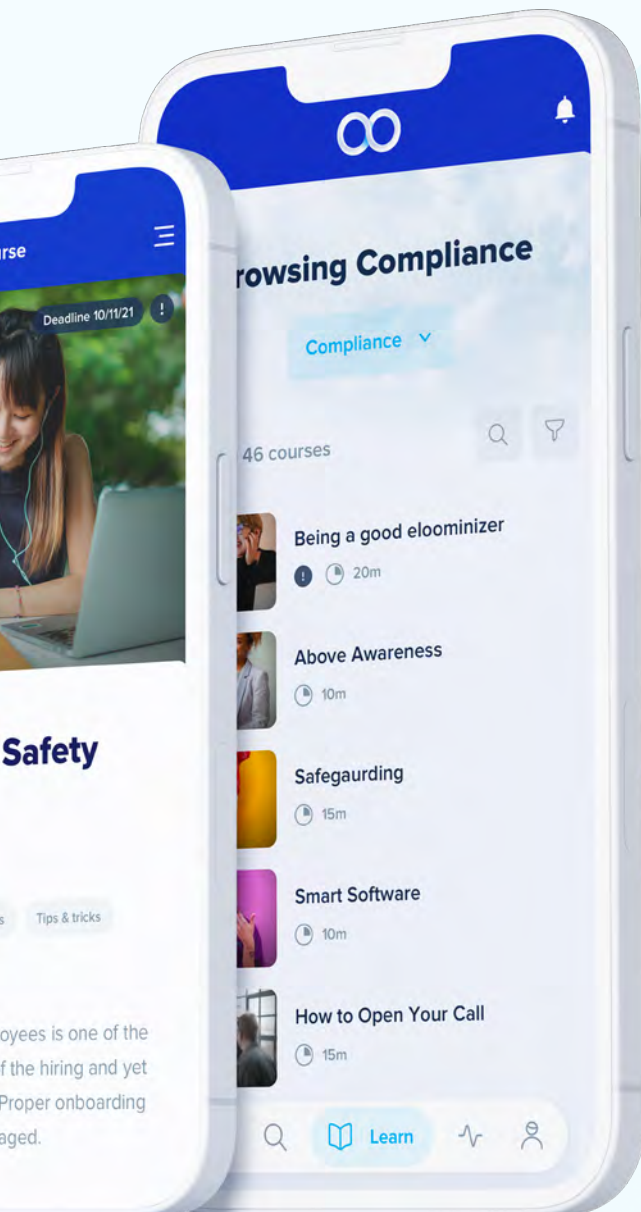
Safety training, including federal OSHA requirements, help keep employees safe on the job – any job in any industry. Training managers is vital to ensure they're providing their team with adequate safety training and equipment.

Training employees ensures necessary steps are taken to **reduce and eliminate on the job injuries.**

Safety training will vary depending on your industry. If you operate in a traditional office environment, your training will focus more on ergonomics, first aid, fire safety, and rendezvous points in case of emergency.

However, in more hazardous industries and professions, your workplace safety training may be more intense, and it may be required

For example, if you operate in the construction industry, you may be required to provide certain OSHA safety training.



Compliance Tip:

Workplace safety training can help reduce the number of workers' compensation claims filed by employees. By providing this type of training, HR teams help create a culture of safety in the workplace which can ultimately lead to fewer accidents and injuries.



Compliance & ethics training **is just the right thing to do**

Whether required by California state law or not, providing your employees with compliance and ethics training is the right thing to do for your business. **Not only will your business avoid potential penalties and fines** caused by non-compliance with state laws, but you will distinguish yourself as a respectful and ethical workplace for potential employees and customers.

Showing your employees you care about preventing harassment & discrimination, protecting their personal data, and **keeping them safe in the workplace** will help keep them engaged, productive, and emotionally secure at work.

Not sure where to start with your compliance and ethics training? Partner with a training platform that does the hard work for you, so you can focus on your core business needs. With eloomi, we make sure your compliance training is up to date and contains accurate

information to help guide and support your employees in their work.

With eloomi's platform, we provide everything you need in a single solution. **Effortlessly deliver, track, and report** on compliance training with curated content for your business.

[Our prebuilt California playlists](#) for required and recommended training are continuously updated to meet federal and state requirements.

We integrate with your HRIS system to seamlessly import employees, automate course enrollment into compliance training and make it easy to track and report on course completion. Never doubt if you're compliant, we hold the proof for you. **See what eloomi can do to make your compliance and ethics training simple.**

Value delivered

With eloomi



Eliminate

- ✓ Manual administration
- ✓ Audits and Fines
- ✓ Outdated and missing content



Reduce

- ✓ Cost of training (content & platform)
- ✓ Time needed pre-during-post
- ✓ Resources needed to deliver



Raise

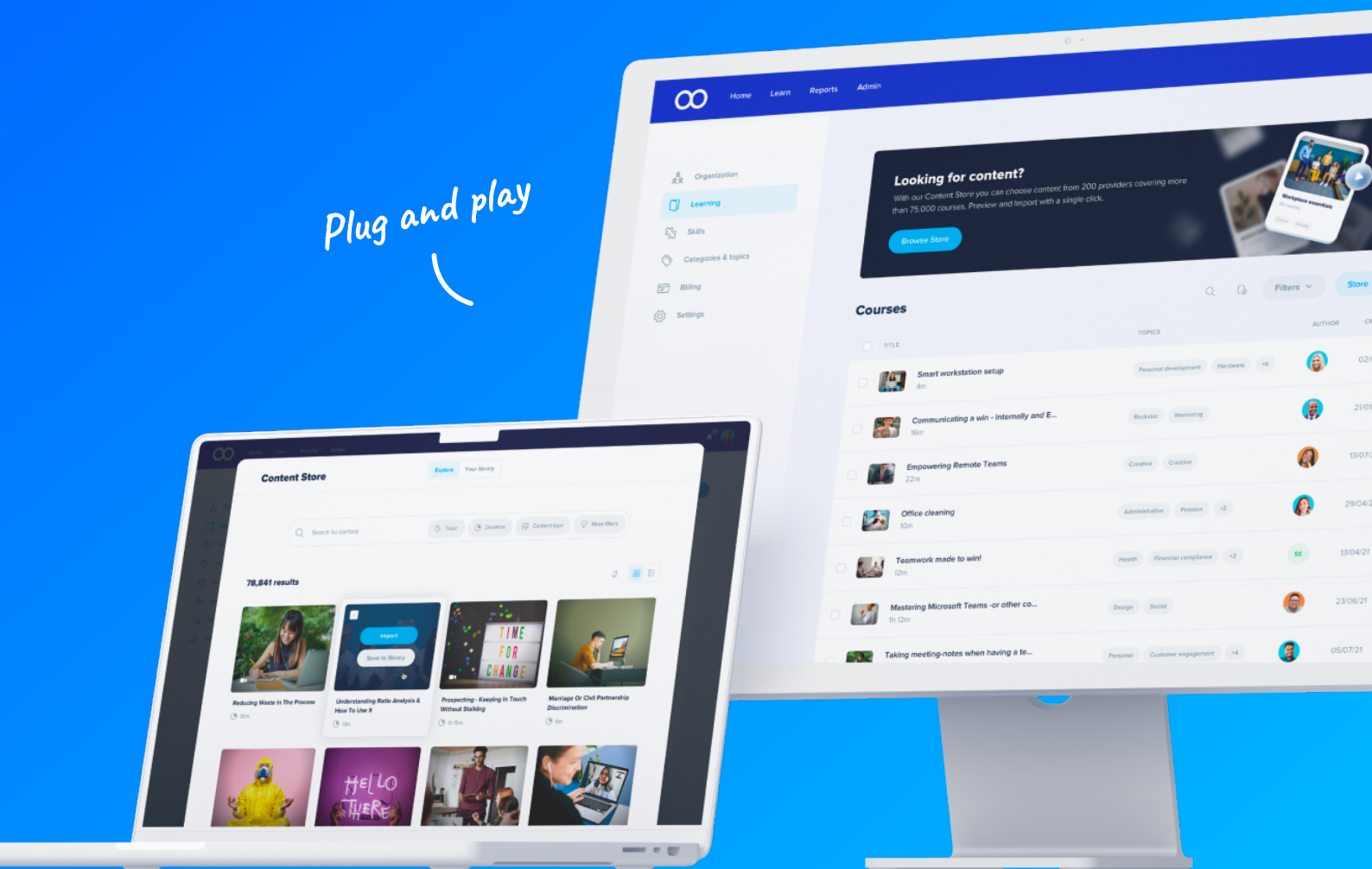
- ✓ Learning experiences
- ✓ Learner engagement
- ✓ Confidence in compliance



Create

- ✓ Clarity on law and regulations
- ✓ Consistency in compliance training
- ✓ Transparency and business continuity





Plug and play

Get Covered with Expert Compliance Content

Access all the content you need in our intuitive learning platform, ready with courses curated by top industry providers. Secure mandatory training on any topic, engage your employees and access full reporting to future-proof your compliance management.



Business & Ethics

Foster a strong business, combat fraud, and prevent unethical behavior

Anti-Money Laundering
Anti-Bribery & Corruption
Antitrust & Competition Law
Code of Conduct
Wage & Hour Laws
Fraud
Remote & Hybrid Working
Human Trafficking
Whistleblowing
Confidential Information
Trade Compliance

And more





Respectful workplace

Promote DEI workplace practices

Diversity & Inclusion
Preventing Workplace Harassment
Unconscious Bias
Workplace Safety
Ethical Leadership & Management
Abusive Conduct & Bullying
Disability Protections in the Workplace
Equal Employment Opportunity
Workplace Violence
Drug & Alcohol Awareness

And more





Health & Safety

Comply with workplace safety regulations

Active Shooter
OSHA
Accidents in the workplace
Workplace Safety
Office Safety
Slips, trips, and falls
Ergonomics
Manual Handling
Fire Prevention
Electrical Safety

And more





Data & Cybersecurity

Protect your organization's data

Data Privacy
Information Security
Data Privacy
Intellectual Property Rights
Data Security
HIPAA
CCPA
Cybersecurity
GDPR

And more





State, Role or Industry

Mandatory state-specific Harassment training for:
California, Connecticut, Delaware, Illinois, Maine, New York

Mandatory minimum wage training for:
HR and payroll teams (beyond federal requirements)

Mandatory Diversity training for HR departments in Washington

Mandatory state-specific training for remote workers

And more



Your California Compliance Checklist

*Required

✓ **Sexual Harassment**

Required if you have 5 or more employees in California

✓ **California Consumer Protection Act**

Required for individuals responsible for the business's compliance with the CCPA or individuals who handle the business's response to consumer inquiries about privacy practices

✓ **Cal/OSHA**

Required for California business in the following industries: Construction, shipyards, longshoring, and agriculture

*Recommended

✓ **California Equal Pay Act**

Ensure your company is practicing ethical hiring practices and paying employees fairly for their work

✓ **FLSA: Exempt vs Nonexempt Employees**

Ensure your company pays and classifies employees accurately

✓ **Anti-harassment & Anti-discrimination**

Set expectations for your employees on what is and what is not acceptable workplace behavior

✓ **Diversity**

Promote DEI practices to improve equality in the workplace and foster a more inclusive environment for all employees

✓ **Data Protection & Privacy**

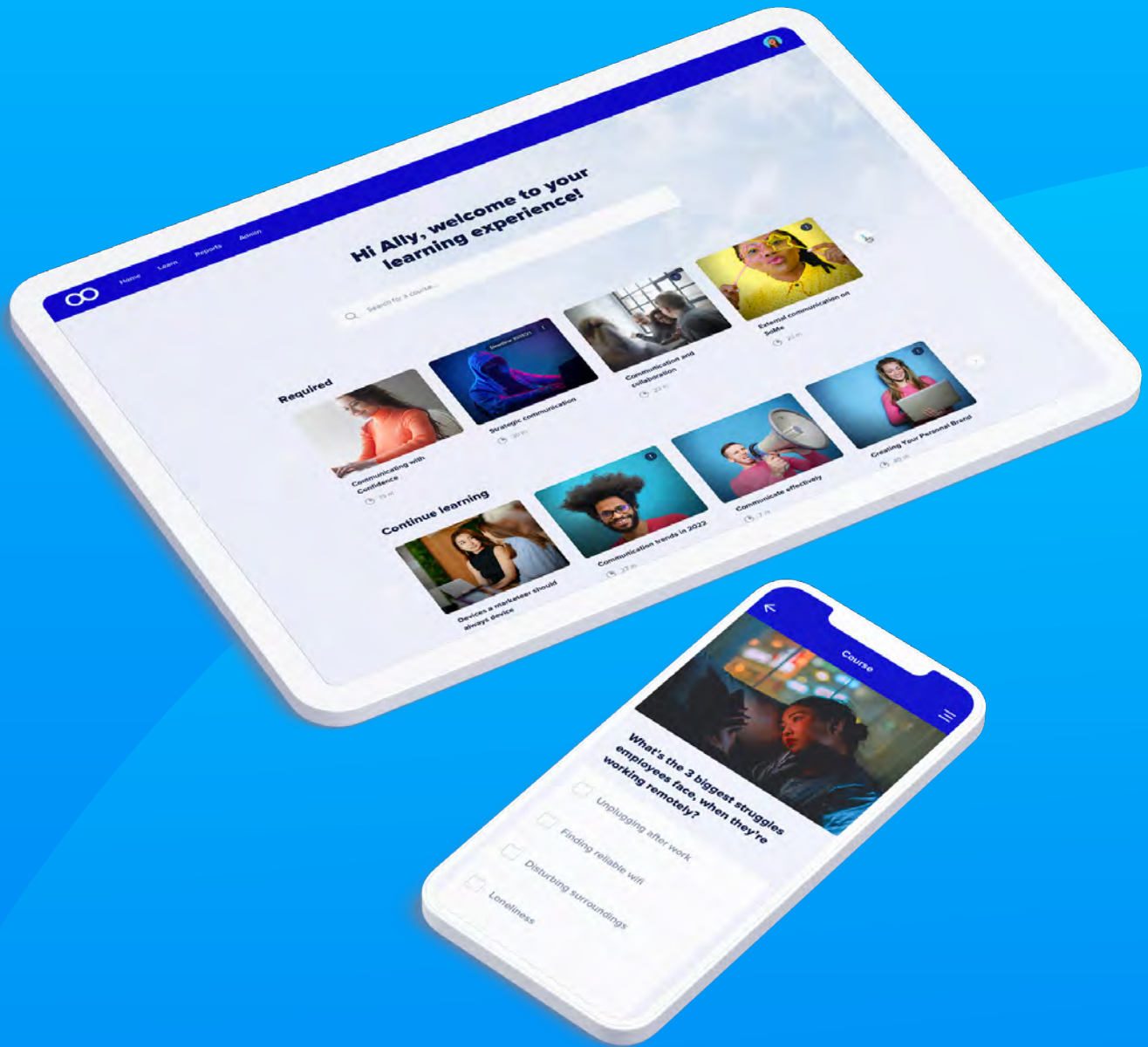
Ensure your company's reputation by covering topics such as data storage, email scams, and password policies

✓ **Healthcare & HIPAA**

Employers who offer healthcare plans to their employees are subject to HIPAA compliance

✓ **Workplace Safety**

Varies by industry depending on if you are a traditional office setting or more hazardous work environment subject to OSHA requirements



Are you California Compliant?

Ensure best-in-class California compliance & ethics standards
Get in touch to see our content offerings and secure your compliance training

[Book a demo](#)

