**State Requirements for Sexual Harassment Prevention Training**

**Purpose**: Sexual harassment prevention training should build foundational knowledge and understanding of the impact sexual harassment in the workplace has, the expectation we will not engage in this behavior, and how individuals can, and in some cases are required to intervene. It is also important to address inappropriate behavior and know our roles as bystanders. The ultimate goal is ensuring each employee is a part of and contributing to a respectful, diverse, equitable, and inclusive work environment.

In alignment with these goals and to meet the requirements of RCW and WAC, the following guidelines are established to ensure all employees have access to a consistent foundation of knowledge and understanding regarding sexual harassment prevention in state agencies. The DES Workforce Support and Development courses must meet these requirements as well as any independent training provided by state agencies.

**State Agency Training Approval:** If your agency is going to provide your own independent sexual harassment prevention course to meet your employees’ training requirements, you must complete the checklist verifying your course content meets all elements of these guidelines and submit it to shrplanning@ofm.wa.gov .

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| **For all Employees** |
| 1. Explanation of how sexual harassment impacts the workplace, including the victim, harasser, co-workers, customers, and the public.
2. Identification of the applicable laws prohibiting sexual harassment**.**
3. Definition of sexual harassment.
4. Definition and discussion of Quid Pro Quo and Hostile Work Environment harassment.
5. Explanation of the forms that sexual harassment can take (verbal, non-verbal, or physical behavior).
6. Description and discussion of the various manifestations of sexual harassment, e.g.:
	* Conduct outside the office.
	* Sexual orientation.
	* Ongoing or formerly consensual office relationships.
	* 3rd party harassment.
	* Sexually charged work environment.
7. Reference to the requirement that the employee review and follow their agency’s policy prohibiting sexual harassment. *(See WAC* [*357-25-027*](https://apps.leg.wa.gov/WAC/default.aspx?cite=357-25-027) *for required policy components).*
8. Employee’s rights and responsibilities in their workplace, including:
	* Right to be free from sexual harassment.
	* Responsibility to not engage in sexual harassment.
	* Responsibility to cooperate in any investigation or fact finding.
	* Right to be free from retaliation for making a complaint or participating in a process under the policy.
	* Responsibility to refrain from retaliating against anyone for making a complaint or participating in an investigation process or fact finding.
9. Agency investigation process, including:
	* Identifying to whom complaints may be directed.
	* Explaining that confidentiality cannot be guaranteed.
10. A requirement that participants acknowledge that they:
	* Attended the training.
	* Understood their responsibility to maintain an environment free from sexual harassment and their responsibility to not engage in behavior which constitutes sexual harassment.
	* Received a copy of their agency policy and will comply with the requirements of the policy
11. Explanation of, and emphasis on the importance of, the role bystanders can play in sexual harassment prevention and creating a respectful work environment.
12. Tools for the learner to professionally address sexual harassment and inappropriate behaviors.
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| **For Supervisors (new Guidelines section – supervisor training must cover all of the above and the following)** |
| 1. Supervisors’ and managers’ responsibilities under this policy, including:
	* Their responsibility to refrain from engaging in sexual harassment.
	* Their responsibility to take immediate action to address and/or report instances of sexual harassment and inappropriate behavior.
2. Their responsibility to prevent and not engage in Quid Pro Quo sexual harassment and retaliation related to sexual harassment.
3. Review of consequences they may face if they do not address and/or report sexual harassment and inappropriate behaviors. (This is already required in all agency policies)
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**Authorizing Sources:**

[RCW 41.06.395](https://apps.leg.wa.gov/RCW/default.aspx?cite=41.06.395)

[RCW 43.01.135](https://app.leg.wa.gov/rcw/default.aspx?cite=43.01.135)

[WAC 357-34-100](https://apps.leg.wa.gov/WAC/default.aspx?cite=357-34-100),

[WAC 357-34-105](https://apps.leg.wa.gov/WAC/default.aspx?cite=357-34-105)

[WAC 357-34-110](https://apps.leg.wa.gov/WAC/default.aspx?cite=357-34-110)

[WAC 357-34-115](https://apps.leg.wa.gov/WAC/default.aspx?cite=357-34-115)

[WAC 357-34-120](https://apps.leg.wa.gov/WAC/default.aspx?cite=357-34-120)