

# Training Toolkit: Harassment Training Survey

This document contains the sexual harassment training requirements and protected categories by state. The information provided in this survey about state and federal Fair Employment Practices (FEP) laws is for informational purposes only. It is not for the purpose of providing legal advice, and it should not be relied on as legal advice.

	Training Requirements not specifically mentioned
	Training Requirements mentioned

## Federal

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Title VII, 42 U.S.C. §2000e, et seq.</b> Race, color, national origin, religion, sex (including pregnancy and childbirth) and genetic information.</p> <p><b>29 U.S.C. §621, et seq.</b> Age (40+) under the Age Discrimination in Employment Act.</p> <p><b>Title VII, 42 U.S.C. §2000e, et seq.</b> Physical and Mental Disabilities under the Americans with Disabilities Act.</p>	Employers with more than 15 employees are covered by Title VII, ADA, and GINA, and employers with more than 20 employees are covered by the ADEA.	While not expressly mandated by federal statute or regulation, training on Equal Employment Opportunity (EEO) topics has become de facto mandatory for all covered employers.

## Alabama

<p><b>Ala. Code § 25-1-20, et seq.</b> Age (40+)</p> <p><b>Ala. Code § 21-7-8</b> Handicap (blind, visually handicapped, or otherwise physically disabled) for state employers and employment supported in whole or part by public funds.</p> <p><b>Machen v. Childersburg Bancorporation, Inc., 761 So. 2d 981, 983 (Ala. 1999)</b> Sexual harassment claims are maintained under common-law tort theories, such as assault and battery, invasion of privacy, negligent training and supervision, and outrage. Alabama does not recognize an independent cause of action for sexual harassment.</p> <p><b>Ala. Code § 9-9-105</b> Prohibits discrimination against individuals exercising adoptive parents' leave rights.</p>	<p><b>Ala. Code § 25-1-20, et seq.</b> Alabama does not have a general anti-discrimination statute. Alabama has an age discrimination statute covering employers, employment agencies, and labor organizations with twenty (20) or more employees.</p>	None
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## Alaska

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Alaska Stat. § 18.80.220; §18.80.300(10), §47.30.865</b> Race, religion, color, national origin, ancestry, age, physical or mental disability, sex, marital status (and changes thereto), pregnancy, and parenthood.</p> <p><b>Exec. Order 2003-22</b> Sexual orientation prohibitions applicable to state employers who are covered.</p>	<p>The Alaska anti-discrimination statute covers all public and private employers, employment agencies, labor organizations, and communications media, other than social clubs and nonprofit religious, fraternal, charitable, or education organizations with two (2) or more employees.</p>	<p>None</p>

## Arizona

<p><b>Ariz. Rev. Stat. Ann. §§ 23-341; 41-1461, 41-1463; 41-1464, 41-1465</b> Race, color, religion, sex, age (40+), disability (including record of, or regarded as, having a disability), national origin, and genetic test results.</p> <p><b>Ariz. Rev. Stat. Ann. § 36-2813</b> Discrimination against medical marijuana permit holders is also prohibited.</p> <p><b>Exec. Order 2003-22</b> Sexual orientation prohibitions applicable to state employers who are covered.</p>	<p>The state and its agencies, private employers with fifteen (15) or more employees, employment agencies and labor organizations.</p>	<p>None</p>
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## Arkansas

<p><b>Ark. Code Ann. § 11-4-601; § 16-123-102(6); § 16-123-107</b> Race, religion, national origin (including ancestry), gender (including pregnancy, childbirth or related medical conditions), or the presence of any sensory and mental or physical disability.</p>	<p><b>Ark. Code Ann. § 16-123-102(5)</b> All public and private employers that employ nine (9) plus employees in the state, but not employment by religious entities.</p>	<p>None</p>
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## California

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Cal. Gov't Code § 12940(a), (j) § 12926; Cal. Labor Code §§ 1025; 1101, et seq.</b> Race, religious creed (including religious dress and grooming practices effective 1/1/13), color, national origin, ancestry, physical disability (including HIV/AIDS), mental disability, medical condition (cancer and genetic characteristics), genetic information, marital status (including domestic partnership), sex (including gender, gender identity and expression , pregnancy, childbirth, breastfeeding or related medical conditions), age (40+), sexual orientation, and gender identity or a perception that the person has any of these characteristics.</p> <p><b>Executive Order B-54-79</b> Sexual orientation prohibitions applicable to state employers who are also covered.</p> <p><b>AB 592</b> Employers with 50 or more employees may not discriminate against any individual because of the individual's exercise of the right to family care and medical leave, or because of an individual's giving information or testimony as to his or her own family care and medical leave, or another person's family care and medical leave, in any inquiry or proceeding.</p> <p><b>Cal. Labor Code §§ 1502, 1506</b> Prohibits discrimination against Civil Air Patrol (CAP) membership / use of CAP leave to respond to emergency.</p> <p><b>AB 1740</b> Prohibits discrimination on the basis of domestic violence, sexual assault or stalking.</p> <p><b>AB 1999</b> Prohibits discrimination because of family care giver status.</p>	<p>The anti-discrimination provisions of the California Fair Employment and Housing Act (FEHA) apply to employers with five (5) or more employees within the state.</p> <p>The anti-harassment provisions of the FEHA apply to employers with one (1) or more employees within the state. The harassment provisions of the FEHA apply to all public and private employers, employment agencies, and labor organizations, but not nonprofit religious organizations.</p>	<p>California law mandates that private and public employers with at least fifty (50) employees provide all supervisory employees a minimum of two hours of classroom or other effective interactive sexual harassment training every two years. New supervisors must be trained within six months of assuming their supervisory position and once every two years thereafter.</p> <p><b>Cal Gov't Code, Sec. 12950.1(a), as amended by Ch. 46 (S. 1038), L. 2012</b> The training and education required by this law must include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education must also include practical examples aimed at instructing supervisors in the prevention of harassment and must be presented by trainers or educators with knowledge and expertise in the prevention of harassment.</p> <p><b>Cal. Gov. Code § 12940(k)</b> In addition, FEHA requires all employers to take "reasonable steps to prevent discrimination and harassment from occurring." The DFEH's (charged with enforcing the statute) position is that reasonable steps include providing sexual harassment training to <i>all employees</i>.</p> <p>In California, employers are strictly liable for harassment at the hands of their supervisors and managers. The Faragher/Ellerth defense is not available to employers under FEHA. Rather, training provides employers with an opportunity to mitigate and reduce the level of damages that they ultimately pay.</p>

## Colorado

<p><b>Colo. Rev. Stat. Ann. §§ 24-34-301, 24-34-402</b> Race, color, creed, sex (including marital status, pregnancy, childbirth and related medical conditions), age (40-70), national origin, ancestry, physical disability (including HIV/AIDS), mental disability, religion and sexual orientation (including orientation toward heterosexuality, homosexuality, bisexuality, or transgender status) or perception thereof, and lawful activity off employer premises during nonworking hours, and marriage to or plans to marry a coworker (does not apply to employers with 25 or fewer employees; exceptions apply).</p> <p><b>Colo. Rev. Stat. Ann. 24-34-402.7</b> Employers may not discriminate against employees who are the victims of domestic abuse, stalking, sexual assault or any other crime.</p>	<p>All public and private employers, employment agencies and labor organizations, other than religious organizations not supported in whole or part by taxation or public borrowing.</p>	<p><b>3 Colo. Code Regs. § 708-1, Rule 80.11(C)</b> The Colorado Sex Discrimination Rules, as adopted by the Colorado Civil Rights Commission, "encourage" employers to take all necessary steps to prevent sexual harassment from occurring; this includes informing employees of their rights, affirmatively raising the subject with employees, and sensitizing employees regarding issues relating to sexual harassment.</p>
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## Connecticut

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Conn. Gen. Stat. Ann. §§ 31-40s; 31-40w;; 46a-51; 46a-60; 46a-81c</b> Race, color, religious creed, age, marital status (including civil unions), national origin, sex (including pregnancy, child-bearing capacity, sterilization, fertility and related medical conditions), breastfeeding, gender identity or expression, sexual orientation (actual or perceived, and having a history of or being identified with a preference for homosexuality, bisexuality or heterosexuality), ancestry, present or past history of mental disability, intellectual disability, mental retardation, pregnancy, genetic information, learning or physical disability, and use of tobacco outside the course of employment.</p> <p><b>Conn. Gen. Stat. Ann. § 54-85b</b> Employers cannot refuse to hire, discharge, penalize or threaten an employee solely on the basis of his or her status as a qualifying medical marijuana patient or primary caregiver (Eff. 10/1/2012; not yet codified)</p> <p>Prohibits discrimination against domestic violence victims and individual under protective order.</p> <p><b>(Not yet codified)</b> Prohibits discrimination against individuals exercising paid sick leave rights.</p>	<p><b>Conn. Gen. Stat. Ann. § 46a-51(10), (11) and (12)</b> Public employers, private employers with three (3) or more employees, employment agencies, and labor organizations.</p>	<p><b>Conn. Gen. Stat. Ann. § 46a-54(15)(B)</b> The Connecticut Fair Employment Practices Act (CFEPA) requires that all employers with 50 or more employees provide sexual harassment training to supervisors. This training must be provided within six months of assuming the position. Conn. Agency Regs. 46a-54-204 Regulations provide greater insight into the training requirements.</p> <p><b>Opinion Letter dated May 19, 2003</b> In general the training must cover the laws, the definitions, remedies, and provide information about examples and strategies for avoiding harassment. Connecticut has expressly recognized that online training can satisfy the training requirement so long as learners are given an opportunity “to ask questions and obtain answers in a reasonably prompt manner.”</p>

## Delaware

<p><b>Del. Code, Ann. tit. 19 § 710-724</b> Race, color, religion, creed, sex (including pregnancy, childbirth, and related medical conditions), national origin, ancestry, genetic information, age (40+), disability and handicap, sexual orientation, (including heterosexuality, homosexuality and bisexuality) marital status (includes civil unions), and genetic information.</p> <p><b>Del. Code Ann., tit. 16, § 4905A</b> Discrimination against medical marijuana permit holders is prohibited.</p>	<p>Public employers, private employers with four (4) or more employees, employment agencies, and labor organizations, but not certain religious organizations.</p> <p>The handicap discrimination statute only applies to employers with fifteen (15) or more employees.</p>	None
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## District of Columbia

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>D.C. Code Ann. §§ 2.1401.01; 2-1401.05; 2-1402.11; 7-1703.03; DCMR Title 4, Chapter 5, Section 517 et seq.; DCMR Title 4, Chapter 5, Section 509 et seq</b></p> <p>For every classification, the status may be actual or perceived: Race (includes relationships with members of a different race, such as the race of a spouse or associate, where such relationship is the basis for discrimination), color, religion (includes moral or ethical beliefs as to what is right and wrong, which beliefs are sincerely held with the strength of traditional religious views), sex (including pregnancy, childbirth and related medical conditions, breastfeeding), national origin, age (18+), disability and handicap, marital status (including domestic partnership), personal appearance, sexual orientation, gender identity or expression, family status, family responsibilities (actual or perceived), matriculation, political affiliation, genetic information and testing, including use of family medical history in employment decisions, and an individual's status or history of unemployment.</p>	<p>All public and private employers, professional associations, employment agencies, labor organizations, and governmental contractors.</p>	<p>None</p>

## Florida

<p><b>Fla. Stat. Ann. §§ 760.02, 760.10; 448.075760.50; 760.40; O'Loughlin v. Pinchback, 579 So. 2d 788 (Fla. Dist. Ct. App. 1991)</b></p> <p>Race, color, religion, sex (pregnancy and related medical conditions by case law), national origin (including ancestry), age, handicap, marital status, AIDS/HIV status (actual or perceived), and sickle-cell traits.</p> <p>Genetic testing requires informed consent and requires procedural compliance if employment is denied on the basis of genetics.</p>	<p>All public employers and private employers with fifteen (15) or more employees, employment agencies, labor organizations, joint labor-management committees, and government contractors. All employers, regardless of size, regarding sickle cell trait or testing.</p>	<p><b>Fla. Adm. Code, Tit. 60L §21.004</b></p> <p>Executive branch agencies, as part of the process of developing and maintaining an affirmative action plan, are required to provide employees with training on affirmative action and equal opportunity. This training should include training on sexual harassment.</p>
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## Georgia

<p><b>Ga. Code §34-5-3</b> Sex, with respect to wages.</p> <p><b>Ga. Code Ann. §§ 34-1-2</b> Age (40–70)</p> <p><b>Ga. Code Ann. §§ 45-19-20 et seq.</b> Race, color, religion, national origin, sex, disability, and age (40–70) for public employers.</p>	<p>The state and its agencies that employ at least fifteen (15) employees.</p> <p>For age discrimination in employment only: public and private employers with at least one (1) employee.</p> <p>For sex discrimination in wages only: public and private employers with ten (10) or more employees.</p> <p>For disability discrimination: employers in the state that employ fifteen (15) or more individuals.</p>	<p>None</p>
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## Hawaii

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Haw. Rev. Stat. Ann. §§ 378-1, 378-2, 378-3, Ross v. Stouffer Hotel Co., 879 P.2d 1037 (1994) (marriage to a coworker)</b></p> <p>Race, color, religion, sex, or pregnancy (including childbirth and related conditions), gender identity and expression, national origin, ancestry, age, disability (including genetics), sexual orientation (having a preference, history or history of preference for, or being identified with one or more of the following: heterosexuality, homosexuality, or bisexuality), marital status (including marriage to coworkers, civil unions), arrest and court records, domestic or sexual violence victim status <u>if the domestic or sexual violence victim provides notice to the victim's employer of such status or the employer has actual knowledge of such status</u>, opposing a discriminatory practice, absence by a member of the National Guard, association with a person with a known disability, and child support obligations.</p>	<p>All public and private employers, employment agencies, and labor organizations other than the United States.</p>	<p><b>Haw. Admin. Rules § 12-46-109(g)</b></p> <p>Prevention is the best tool for the elimination of sexual harassment. Employers should affirmatively raise the subject, express strong disapproval, develop appropriate sanctions, inform employees of their right to raise and how to raise the issue of sexual harassment, and take any other steps necessary to prevent sexual harassment from occurring.</p>

## Idaho

<p><b>Idaho Code § 67-5909, § 67-5911; Idaho Admin. Code § 45.01.010-18</b></p> <p>Race, color, religion, creed, sex (includes pregnancy, childbirth or related medical condition), national origin, ancestry, age (40+), and disability (including record of, or regarded as, having a disability, and association with a person who has a disability.)</p> <p><b>Idaho Code §§ 39-8301, 39-8303</b></p> <p>Genetic information and testing are also protected.</p>	<p>All public and private employers who hire five (5) employees for each working day in twenty (20) or more calendar weeks in the current or preceding year, employment agencies, labor organizations, joint labor-management committees, and government contractors. (Does not include household servants).</p>	<p>None</p>
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## Illinois

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>775 Ill. Comp. Stat. Ann. 5/1-101 et seq. § 5/2-102; § 55/5; 56 Ill Adm. Code § 5210.110</b> Race, color, religion, creed, sex (including pregnancy, childbirth and related conditions), sexual orientation (including gender-related identity and actual or perceived hetero-, homo- or bisexuality), citizenship status, national origin, ancestry, age (40+), order of protection status, restriction on use of native language, marital status (includes civil unions), physical or mental handicap, military status or unfavorable discharge from military service as defined, and arrest records.</p> <p><b>410 ILCS 513</b> Employment discrimination based on genetic testing is also prohibited, and applies to all Illinois employers.</p> <p><b>820 ILCS 180/5, 820 ILCS 180/10, 820 ILCS 180/15, 820 ILCS 180/20, 820 ILCS 180/25, 820 ILCS 180/30, and 820 ILCS 180/40</b> Employers may not discriminate against an employee who is, or has a family member who is, a victim of domestic violence and who takes scheduled or unscheduled leave (if employee provides certification on request).</p>	<p><b>410 ILCS 513</b> Any person (individuals, partnerships, associations or organizations, labor organizations, corporations) employing fifteen (15) or more employees within Illinois during twenty (20) or more calendar weeks within the calendar year of or preceding the alleged violation.</p> <p>Any person employing one (1) or more employees when a complainant alleges a civil rights violation due to unlawful discrimination based upon his or her handicap unrelated to ability or sexual harassment.</p> <p>All Illinois employers, without regard to size, for employment discrimination based on genetic testing.</p> <p>Without regard to number of employees: 1) the state and any political subdivision, municipal corporation, or other governmental unit or agency; 2) all public contractors; and 3) a joint apprenticeship or training committee. Certain religious organizations are excluded.</p>	<p><b>775 Ill. Comp. Stat. § 5/2-105(B)(5)</b> The Illinois Human Rights Act provides that every <i>state executive department, state agency, board, commission, and instrumentality</i> must maintain and carry out a sexual harassment program that includes the following:</p> <p>Developing a written sexual harassment policy that includes at a minimum the following information:</p> <ul style="list-style-type: none"> <li>-the illegality of sexual harassment;</li> <li>-the definition of sexual harassment under state law;</li> <li>-a description of sexual harassment, utilizing examples;</li> <li>the agency's internal complaint process including penalties;</li> <li>-the legal recourse, investigative, and complaint process available through the Illinois Department of Human Rights and the Illinois Human Rights Commission;</li> <li>-directions on how to contact the Department and Commission; and protection against retaliation as provided by Section 6-101 of this Act.</li> </ul> <p><i>The policy must be reviewed annually.</i></p> <p>Posting in a prominent and accessible location and distribution in a manner to assure notice to all agency employees without exception, the agency's sexual harassment policy. Such documents may meet, but must not exceed, the 6th grade literacy level. Distribution must occur annually, thereafter.</p> <p>Providing training on sexual harassment prevention and the agency's sexual harassment policy, as a component of all ongoing or new employee training programs.</p>

## Indiana

<p><b>Ind. Code Ann. §§ 22-9-1-1 et seq., 22-9-2-1, et seq., and 10-17-15-3 to 10-17-15-10</b> Race, religion, color, sex, disability, national origin, ancestry, veteran status, and age (40–74).</p> <p><b>Ind. Code Ann. § 22-9-5-20</b> In addition, employers are prohibited from interfering, directly or indirectly, with the use of an animal that has been or is being specially trained as a service animal. Additionally, employers may not refuse to permit an employee with a disability to keep a service animal with the employee at all times in the place of employment.</p> <p><b>Ind. Code Ann. §§ 36-8-12-10.7 and 36-8-12-10.9</b> Employers are prohibited from discriminating against employees who volunteer as firefighters and emergency medical responders. Such protection is extended to emergency response personnel who are injured in the course of emergency response activities.</p>	<p>Public and private employers that employ six (6) or more persons, employment agencies, and labor organizations, but not nonprofit religious or fraternal organizations or social clubs.</p> <p>For age discrimination, any person employing one (1) or more employees.</p>	None
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## Iowa

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Iowa Code §§ 216.6; 729.4, 729.6</b> Age (18+ or otherwise deemed an adult), race, color, creed, national origin, religion, sex, pregnancy (childbirth and related medical conditions) physical or mental disability (including AIDS and positive HIV test), genetic testing, sexual orientation (actual or perceived) and gender identity.</p> <p><b>Iowa Code §915.23</b> Employment discrimination against a witness in a criminal proceeding, or a witness, plaintiff or defendant in a civil proceeding is prohibited.</p> <p><b>Iowa Code §100B.14</b> Employers are prohibited from discriminating against volunteer emergency responders. Employers may not discharge such volunteer responders for joining an emergency response service or for being late or absent because of responding to an emergency.</p>	<p>Public and private employers employing four (4) or more employees within the state, employment agencies, and labor organizations</p>	<p><b>Executive Order No. 44 (1982)</b> By Executive Order, all management and supervisory employees of, and all employees working in, a human resources management capacity for the Executive Branch are required to attend affirmative action, cultural diversity, and discriminatory harassment prevention training as a condition of employment.</p>

## Kansas

<p><b>Kan. Stat. Ann. §§ 44-1001, 44-1002, 44-1009; Kan. Stat. Ann. § 44-1009; 44-1111 et seq.; Kan. Adm. Regs. § 21-32-6</b> Race, religion, color, sex (including pregnancy, childbirth and related medical conditions), disability, either recorded impairment or regarded as having such impairment( including association with person with known disability ), national origin or ancestry, and age (18+) military status, genetic testing or screening, opposition to discriminatory practice, and victims of domestic violence.</p> <p><b>Kan. Stat. Ann. §44-131</b> Employment discrimination (discharge) against volunteer firefighters, volunteer certified emergency medical services attendants, volunteer reserve law enforcement officers, or volunteer part-time law enforcement officers is prohibited.</p>	<p>Public and private employers with at least four (4) employees, employment agencies, labor organizations, organizations engaged in social service work, and government contractors who employ at least four (4) employees and whose contracts cumulatively total more than \$5,000 in the fiscal year, but not nonprofit fraternal or social organizations.</p>	<p>None</p>
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## Kentucky

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Ky. Rev. Stat. §§ 207.130, 207.135, 344.010, 344.030, 344.040; 344.060, 344.090, 436.165</b>            Age (40+), race, color, national origin, religion, sex (including pregnancy, childbirth, or related medical conditions), mental and physical disability (including HIV/AIDS), familial status, and smoker/nonsmoker status (as long as the person complies with any workplace policy concerning smoking).</p>	<p>Employers with at least eight (8) employees within the state.            For purposes of disability discrimination, employer must be engaged in an industry affecting commerce and have fifteen (15) or more employees.            The disability discrimination provisions do not apply to the United States, a corporation wholly owned by the government of the United States, an Indian tribe or a bona fide private membership club (other than a labor organization) that is exempt from taxation under Section 501(c) of the IRS Code of 1986.</p>	<p>None</p>

## Louisiana

<p><b>La. Rev. Stat. Title 23:301 et seq., 23:302 et seq., 23:311; 23:341; 23:351 et seq.: 23:368: 51:2231 et seq.: 29:401 et seq</b>            Race, color, religion, sex, disability, age (40+), sickle-cell trait, pregnancy, national origin, genetic information, childbirth and related medical conditions, smoking (as long as the person complies with applicable law and any adopted workplace policy regulating smoking), and military status.</p> <p><b>Executive Order 2004-54</b>            Sexual orientation and other protected class prohibitions applicable to state employers who are covered.</p> <p><b>La. Rev. Stat. 40:1299.35.9</b>            Prohibits discrimination against healthcare workers that refuse to perform certain procedures on religious or moral grounds.</p>	<p>Employers of twenty (20) or more employees (in cases of pregnancy, childbirth and related medical condition discrimination, more than 25 employees), labor organizations, joint labor-management committees, apprenticeship and training programs, and agencies of state and local governments and government contractors.</p>	<p>None</p>
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## Maine

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Me. Rev. Stat. Ann. Tit. 5 §§ 4551 et seq., 4572; tit. 26 § 597; Me. Rev. Stat. Ann. Tit. 5 §§ 19201, 19204-B, 19301, 19302</b> Race, color, religion, national origin, ancestry, physical or mental disability, age (no minimum), sex (including pregnancy and related medical conditions), sexual orientation (actual or perceived, including gender identity and expression, and transgender or androgynous), reporting a violation of law, filing a claim for workers' compensation, smoking, AIDS/HIV testing and genetic information and testing.</p> <p><b>Me. Rev. Stat. tit. 26 §628-A</b> Employers are prohibited from discriminating in any manner against employees who inquire about, disclose, compare or otherwise discuss their wages.</p> <p><b>Me. Rev. Stat. tit. 26 §604</b> An employer may not discriminate in any way against an employee who chooses to express breast milk in the workplace.</p> <p><b>22 Me. Rev. Stat. Ann. 2423-E</b> Employers may not refuse to employ a person solely because of his or her status as a registered medical marijuana patient unless failing to do so would put the employer in violation of federal law or cause it to lose a federal contract or funding.</p>	<p>All public and private employers and their agents, employment agencies, labor organizations, and government contractors. Except for purposes of disability discrimination, does not include nonprofit religious or fraternal corporations or associations, with respect to its members of the same religion, sect or fraternity. No employee minimum to file a claim under state law.</p>	<p>The Maine statute mandating training applies to all employers with fifteen (15) or more employees. The training must be conducted within one (1) year of the commencement of employment and must cover topics such as the definition of sexual harassment, use of examples to illustrate forms of sexual harassment, information about the complaint process, legal recourse and how to file a complaint, and the protection against retaliation.</p> <p>Employers must also conduct specialized training for supervisors and managers that addresses their specific roles and responsibilities. This training must be delivered within one (1) year of the commencement of employment. See 22 ME Rev. Stat. Ann. § 807(3).</p>

## Maryland

<p><b>Md. Code Ann., Md. State Government Code tit. 20 -601 through 20-609; Md. Code Ann</b> Race, color, religion, sex (including pregnancy, childbirth and related medical conditions), age, ancestry, national origin, marital status (includes same-sex marriage), sexual orientation, genetic information, disability (mental and physical impairment), and because of the individual's refusal to submit to a genetic test or make available the results of a genetic test.</p> <p><b>Civil Air Patrol. Md. Code. Ann. §3-1002</b> Employers may not discriminate against employees because of membership in the</p>	<p>Public and private employers with at least fifteen (15) employees, employment agencies, labor organizations, joint labor-management committees, and government contractors, but not bona fide private membership club that is tax-exempt.</p>	<p>The Maryland Commission on Human Relations encourages employers to take steps to prevent sexual harassment. On its website, the agency states that "in deciding the outcome of a sexual harassment case, the Maryland Commission on Human Relations will favorably consider the preventative steps the employer has taken. To reduce exposure to charges of sexual harassment, all employers should...make staff aware of personnel policies and train staff to recognize and avoid sexual harassment."</p>
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## Massachusetts

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>M.G.L., c. 93 § 102, et seq.; c. 149 § 24, § 105A; M.G.L.cc. 149, § 105D; M.G.L. c. 151B, § 1(18); M.G.L. c. 151B, §4; M.G.L. c. 214. § 1C</b> Age (40+), race, color, creed, national origin, ancestry, sex (including pregnancy, childbirth and related medical conditions), gender identity, sexual orientation, military status, genetic information, handicap (disability), and criminal records (applicants). AIDS/HIV testing is prohibited.</p> <p><b>Lie. Sky Publishing Corp., 15 Mass. L. Repr. 412 (Mass Super. 2002)</b> Several courts and the state agency have ruled that transgender individuals can pursue an anti-discrimination claim under the category of sex or disability.</p>	<p><b>M.G.L. c. 151B</b> All public and private employers with at least six (6) employees, employment agencies, labor organizations, and government contractors, but not nonprofit social, fraternal, or religious organizations.</p> <p><b>M.G.L. c. 214, § 1C</b> All other employers, regarding claims of sexual harassment.</p>	<p><b>M.G.L. c. 151B § 3A(e)</b> Massachusetts' Fair Employment Practices Act encourages employers to conduct an education and training program on harassment and discrimination to all new employees and new supervisors and other managers within one (1) year of hiring or promotion.</p> <p><b>M.G.L. c. 151B, § 3A</b> Employers are required to prepare and provide all employees with an individual, written copy of the employer's policy against sexual harassment on an annual basis, with new employees being provided copies of the policy when they start employment.</p>

## Michigan

<p><b>Mich. Comp. Laws §§ 37.1103, 37.1201 through 37.1204; 37.2201 through 37.2205a</b> Religion, race, color, national origin (including ancestry), sex (including pregnancy, childbirth, and related medical conditions), age, marital status, height or weight, disability, genetic information, and arrest records.</p>	<p>All public and private employers employing one or more employees, employment agencies, labor organizations, training committees, and government contractors.</p>	<p><b>Mich. Comp. Las. Ann., § 37.1212</b> Michigan's Disability Bias Law requires the department of civil rights to offer training programs to employers, labor organizations, and employment agencies to assist in understanding the requirements of the Act.</p>
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## Minnesota

<p><b>Minn. Stat. Ann. § 363A.08</b> Race, color, creed, religion, national origin (including ancestry), sex (including pregnancy, childbirth, and related conditions), marital status (including identity of spouse, actions/beliefs of spouse/former spouse), status with regard to public assistance, membership or activity in a local commission, disability (physical, sensory, or mental impairment), sexual orientation (actual or perceived, including gender identity), and age (over age of majority—18).</p> <p><b>Minn. Stat. § 181.81</b> A separate dismissal for age statute provides protection against age discrimination relating to adverse action toward individuals on the grounds that the individual has reached an age of less than 70.</p> <p><b>Minn. Stat. Ann. §§ 181.81; 181.974</b> Use of genetic information and testing are also prohibited.</p>	<p>Public and private employers with one (1) or more employees, employment agencies, labor organizations, and certain government contractors.</p> <p>For purposes of reasonable accommodation, employers with fifteen (15) or more employees.</p>	<p>None</p>
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## Mississippi

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Miss. Code Ann. § 25-9-149</b> Race, color, religion, sex, national origin, age, or handicap.</p>	<p>Public employers. Mississippi does not have an anti-discrimination law that applies to private employers. However, private employers are covered by applicable federal anti-discrimination laws.</p>	<p>None</p>

## Missouri

<p><b>Rev. Statutes of Missouri §§ 213.010, 213.055, 213.070; 8 C.S.R. 60-3.040(16)</b> Race, color, religion, national origin, sex (including pregnancy, childbirth, and related medical conditions), ancestry, age (40–69), and disability.</p> <p><b>Rev. Statutes of Missouri §§ 191.665; 375.1306</b> HIV/AIDS testing and genetic information discrimination are also prohibited.</p> <p><b>SB 749</b> No employee, self-employed person, or any other person shall be compelled to obtain coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employee or person.</p>	<p><b>V.A.M.S. § 213.010(6)</b> Employers with at least six (6) employees within the state, employment agencies, labor organizations, and government contractors, but not corporations and associations owned and operated by religious or sectarian groups.</p>	<p>None</p>
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## Montana

<p><b>Mont. Code Ann. §§ 49-2-101, 49-2-303(1)(a), 49-2-310, 49-4-101</b> Race, creed, religion, color, sex (including pregnancy, childbirth, and related medical conditions, and denying a reasonable leave of absence for pregnancy), physical or mental disability, age, national origin (including ancestry), marital status.</p> <p><b>Mont. Admin. Rules Title 2, Ch. 21, Sub. Ch. 40, Sections 2.21.4001 through 2.21.4014</b> State employers are also prohibited from discriminating on the basis of sexual orientation.</p> <p><b>Mont. Code Ann. § 39-2-313</b> Discrimination against employees' use of awful products (food, beverages, tobacco) is also prohibited.</p>	<p>All public and private employers, employment agencies, labor organizations, and training committees, but not nonprofit private membership clubs.</p>	<p>None</p>
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## Nebraska

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Neb. Rev. Stat. §§ 20-168(1), 48-001, et seq., 48-1104, et seq</b> Race, color, national origin, religion, sex (including pregnancy, childbirth, and related medical conditions), disability, marital status, age (40+), HIV/AIDS and use of genetic information.</p>	<p>Private and nonprofit employers with at least fifteen (15) employees, and any party whose business is financed in whole or in part under the Nebraska Investment Finance Authority Act regardless of the number of employees, including the State of Nebraska, governmental agencies, and political subdivisions, regardless of the number of employees; employment agencies; labor organizations; government contractors; and joint labor-management committees, but not the United States, Indian tribes, or bona fide tax-exempt private membership clubs.</p>	<p>None</p>

## Nevada

<p><b>Nev. Rev. Stat. §§ 613.310, 613.320, 613.330, 613.3333, 613.335, 613.345</b> Race, color, religion, national origin, sex, pregnancy, age (40+), disability (physical or mental impairment and HIV), sexual orientation (actual or perceived), gender identity or expression, genetic information or testing, and lawful use of a product during nonworking hours.</p>	<p><b>NRS 613,320</b> Employers with fifteen (15) or more employees, employment agencies, labor organizations, joint labor-management committees, and government contractors, but not the United States, Indian tribes, tax-exempt private membership clubs, or religious entities employing individuals of a particular religion to perform work connected with the carrying on of its religious activities.</p>	<p>The agency website advises employers that “prevention is the best tool to eliminate sexual harassment in the workplace. Employers are encouraged to take steps necessary to prevent sexual harassment from occurring. They should clearly communicate to employees that sexual harassment will not be tolerated.”</p>
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## New Hampshire

<p><b>N.H. Rev. Stat. §§ 354:A-2, 354:A-7</b> Age, sex (including pregnancy and pregnancy-related medical conditions), race, religion, creed, color, marital status, familial status, physical or mental disability, national origin (including ancestry), and sexual orientation (actual or perceived).</p> <p><b>N.H. Rev. Stat. §§ 141-H:1, 141-H:3</b> Use of genetic information is also prohibited.</p>	<p>Employers with six (6) or more employees, employment agencies, and labor organizations, but not nonprofit religious organizations or nonprofit social, fraternal, or charitable clubs and associations.</p>	<p>None</p>
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## New Jersey

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>N.J. Stat. §§ 10:5-1 et seq., 34:6B-1, et seq;</b>  <b>N.J. Stat. §34:8-B1 et seq.; N.J.A.C 12.67</b>            Race, creed, color, national origin, nationality, ancestry, age (18–70), sex (including pregnancy, childbirth, and related medical conditions), civil union status, marital status, domestic partnership status, affectional or sexual orientation, gender identity or expression, atypical hereditary, cellular or blood trait, genetic information or the refusal to submit to a genetic test or make available the genetic test of an employer, liability for service in the Armed Forces of the United States, and mental and physical disability or handicap (including AIDS and HIV-related illnesses), smoking, and individuals who are unemployed.</p> <p><b>N.J. Stat. § 40A:14-214</b>            Prohibits discrimination against volunteer emergency responders who don't report to work because of emergency service.</p>	<p>All public and private employers, state and municipal contractors, employment agencies, and labor organizations.</p>	<p><b>Gaines v. Bellino, 801 A.2d 322 (N.J. 2002)</b>            The New Jersey Supreme Court held, in 2002, that absent managerial and supervisory training on harassment, there were questions of fact as to whether the policy was effective and whether the policy could shield the organization from vicarious liability for supervisor misconduct. In its decision the court also noted the importance of making such training available to all employees. This ruling in essence made supervisory and managerial training mandatory for employers covered by the New Jersey Law Against Discrimination. It also made all-employee training essential.</p>

## New Mexico

<p><b>N.M. Stat. §§ 24-21-1 et seq., 28-1-2, 28-1-7, 28-1-9, 28-10A-1, 28-20-1, 50-11-3; N. M. Admin Code 9.1.1.7(HH)</b>            Race, color, national origin, ancestry, religion, sex (including pregnancy, childbirth, or related medical condition), age, physical or mental handicap, serious medical condition, genetic information, HIV testing and nursing mothers. If the employer has 50 or more employees, spousal affiliation is protected. If the employer has 15 or more employees, sexual orientation or gender identity (actual or perceived) is protected.</p>	<p>Employers with four (4) or more employees, the state and all its political subdivisions, employment agencies, government contractors, and labor organizations.</p> <p>Employers with fifty (50) or more employees are prohibited from discriminating on the basis of spousal affiliation.</p> <p>Employers with fifteen (15) or more employees are prohibited from discriminating on the basis of sexual orientation or gender identity.</p>	<p>None</p>
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## New York

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>NY CLS Exec § 296</b> Age (18+), race, creed, color, national origin, ancestry, military status, sex, pregnancy, disability, sexual orientation (actual or perceived, including homosexuality, heterosexuality, bi-sexuality and asexuality), genetic predisposition or carrier status, arrest or conviction, and marital status (includes same-sex marriages) or familial status, genetic information and testing.</p> <p><b>N.Y. CLS Exec. §§292, 296</b> Discrimination against an employee who is an actual or perceived victim of domestic violence is prohibited.</p> <p>Prohibitions against sexual orientation discrimination for state employers are also covered by Executive Order 28.</p> <p>State courts have also ruled that transsexual individuals can pursue discrimination claims under the category of sex.</p> <p><b>N.Y. S-7848A</b> Requires two New York State agencies (Labor and Human Rights) to collaborate to develop a model sexual harassment prevention policy and requires all New York employers to either adopt the model or develop or acquire a policy compliant to the model's standards.</p> <p>Requires these two state agencies to collaborate on a model sexual harassment prevention training program, and requires all employers in the state to either present the state-approved model or their own or an acquired model compliant with state standards on an annual basis. The training program must be interactive.</p> <p>Extends liability under the New York State Human Rights Law to employers who "permit" sexual harassment of "non-employees," including independent contractors.</p>	<p><b>NY CLS Exec § 296 and N.Y. CLS Exec. §§292, 296</b> Employers with four (4) or more employees, licensing agencies, employment agencies, labor organizations and government contractors.</p> <p><b>N.Y. S-7848A</b> All New York employers, all employees.</p>	<p><b>N.Y. S-7848A</b> The 2019 New York State budget, provision S-7848A obligates all New York employers to distribute a written sexual harassment policy and perform annual sexual harassment training. Duration of training sessions has not been defined yet. Note: New York City has its own laws that are similar, but not directly aligned to New York State laws and requirements.</p>

## North Carolina

<p><b>N.C. Gen. Stat. §§ 95-28.1, 95-28.1A, 95-241, et seq., 130A-148, 143-422.2, 168A-1 et seq.</b> Age, sex, race, color, national origin, religion, creed, disability/handicap (includes record of, regarded as), sickle-cell or hemoglobin C trait, genetic testing/genetic information and AIDS virus/HIV infection or results of AIDS test.</p>	<p><b>N.C. Gen. Stat. § 143-422.1, et seq</b> “Employers which regularly employ fifteen (15) or more employees.”</p> <p><b>N.C. Gen. Stat. §§ 95-28.1 and 95-28.1A</b> “Any person, firm, corporation, unincorporated association, State agency, unit of local government, or any public or private entity.”</p> <p><b>N.C. Gen. Stat. § 168A-1, et seq.</b> “‘Employer’ means any person employing 15 or more employees within the State, but excluding a person whose only employees are domestic or farm workers at that person’s home or farm.” This Act applies to discrimination by “person,” “employment agency,” and “labor organization.”</p>	<p><b>25 N.C.A.C. 1J.1101.</b> The North Carolina Administrative Code requires all state agencies to develop a “plan on unlawful workplace harassment.” This plan should include “utilization of training and other methods” to educate state employees. All state employees are required to participate in “Unlawful Workplace Harassment” training programs.</p>
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## North Dakota

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>N.D. Cent. Code § 14-02.4 et seq.</b> Race, color, religion, sex, pregnancy, childbirth, pregnancy related disabilities, national origin, age (40+), mental or physical disability, status with regard to public assistance, marital status and participation in lawful activities during nonwork hours off the employer’s premises, which is not in direct conflict with the essential business-related interests of the employer.</p> <p><b>N.D. Cent. Code § 62.1-02.13.</b> Prohibits discrimination against individuals exercising their right to keep and bear arms, right of self-defense if firearm not exhibited on company property for reason other than lawful defensive purposes.</p>	<p>Private employers, the state and its agencies, employment agencies, and labor organizations.</p>	<p>None</p>



## Ohio

<p><b>Ohio Rev. Code §§ 4112.02; 4112.14 &amp; Ohio Adm. Code 4112-5-05(G), (J)</b> Race, color, religion, sex (including pregnancy and related conditions), national origin, ancestry, disability (physical or mental impairment including HIV), age (40+), and military status (eff. 03/08).</p> <p>Prohibitions against sexual orientation and gender identity discrimination for state employers are covered by Executive Order 2007-10S.</p>	<p>The state and its agencies, employers with four (4) or more employees, employment agencies, joint labor-management committees, labor organizations, and government contractors.</p>	<p><b>Ohio Adm. Code 4112-5-05(J)(7)</b> The Ohio Administrative Code and the regulations of the Civil Rights Commission provide that “prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Chapter 4112 of the Revised Code, and developing methods to sensitize all concerned.”</p>
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## Oklahoma

<p><b>25 Okla. Stat. §§ 1201, 1301 through 1308, Okl. Admin. Code § 335:15-3-9</b> Race, color, religion, sex (including pregnancy, childbirth and related conditions), national origin, age (40+), disability (physical and mental impairment) or genetic information. Note that these protections also extend to applicants for employment.</p> <p><b>36 Okl. St. § 3614.2</b> Use of genetic information or testing is also prohibited.</p> <p><b>63 Okla. Stat. § 1-728c</b> Prohibits discrimination against healthcare workers that refuse to perform certain procedures on religious or moral grounds.</p>	<p>Public and private employers with at least one (1) employee, employment agencies, labor organizations and government contractors, but not Indian tribes or bona fide nonprofit membership clubs.</p>	<p><b>Okla. Stat. Tit. 74, § 840.21(F.1); tit. 530, § 10-3-20</b> Oklahoma’s Fair Employment Practices Act, through its Rules of Personnel Management and Administration, requires that all state personnel who investigate complaints of discrimination be trained in the areas of equal employment opportunity, discrimination, and the burdens of proof.</p>
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## Oregon

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Or. Rev. Stat. §§ 174.100, 659A.001, 659A.006, 659A.029, 659A.030, 659A.033, 659A.100, 659A.106, 659A.112, 659A.142, 659A.303, 659A.309</b></p> <p>Race, color, national origin, ancestry, sex, pregnancy, childbirth, pregnancy related conditions, religion (includes religious clothing, and use of vacation time for religious observance purposes), age (18+), physical or mental disability (employers with 6 or more employees), genetic screening, expunged juvenile records, personal associations, marital status and familial relationship (family members employed by employer), sexual orientation (actual or perceived) including gender identity, appearance or expression, opposing an unlawful practice, or assisting in a proceeding, applying for workers' compensation benefits, (only employers with 6 or more employees), performance of duty, voluntary or involuntary, in the uniformed services, and expunged juvenile records.</p> <p>Prohibition on Genetic Screening and Brain-Wave Testing, Right to Testify at Employment Department Hearings, Access to Employer-Owned Housing, Right to Report Health Care Violations, Volunteer Firefighter Leave (ORS 476.574), Prohibition on Polygraph Exams, Limits on Breathalyzer and Blood Alcohol testing, Leave to Donate Bone Marrow, Victims of Domestic Violence, Leave for Victims of Domestic Violence, Sexual Assault and Stalking and Harassment (employers with 6 or more employees; ORS 659A.270 et seq.) Oregon Family Leave, (ORS. 659A.183), Crime Victim Leave, Injured Workers (in companies with 6+ employees), Leave for spouses of military service members called to active duty (in companies with 25+ employees), Military services member status, Veterans status, Veterans' preference in public employment, Child support garnishment (ORS 25.424), employees serving as jurors, credit history (ORS 659A.320), jury service leave (includes ceasing to provide health, disability, life or other insurance during leave) (Or. Admin. R. 839-005-0130), and status as an unemployed individual (SB 1548).</p>	<p>All public and private employers, employment agencies, and labor organizations.</p> <p>For disability (physical or mental) with 6+ employees.</p>	<p>None</p>

## Pennsylvania

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>43 Pa. Stat. § 951 et seq., 16 P.A. Stat. § 41.102</b> Race, color, religious creed, ancestry, age (40+), sex (including pregnancy, childbirth, and related medical conditions), national origin, non-job related handicap or disability (physical or mental impairment), use of a guide or support animal, and persons who hold general education development certificates rather than high school diplomas.</p> <p>Prohibition against sexual orientation discrimination for public employers is covered by Executive Order 2003-10.</p>	<p>Employers with at least four (4) employees in Pennsylvania, the Commonwealth and any political subdivisions, employment agencies, labor organizations, and government contractors. Does not include religious, fraternal, charitable, or sectarian corporations or associations (unless supported by government appropriations), except with respect to claims related to race, color, age, sex, or handicap discrimination.</p>	<p><b>4 Pa. Code § 7.595</b> Pennsylvania’s Human Relations Act requires that all “Commonwealth employees will be educated in sexual harassment.” Training and education on this topic can include written materials, formal training, videos, orientations sessions, discussion, and individual counseling.</p> <p><b>Pa. B. Dec. No. 81-201</b> Prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title VII and the Pennsylvania Human Relations Act, and developing methods to sensitize all concerned.</p>

## Rhode Island

<p><b>R.I. Gen. Laws, §§ 23-6-.3-11; 23-20.10-14(a); 28-5-5, 28-5-6, 28-5-7, 28-6.7-1, 42-87-1, 34-37.1-3(3)</b> Race, color, sex (including pregnancy, childbirth and related conditions), ancestral origin, disability (including regarded as disabled) (physical or mental impairment), age (40+), sexual orientation (actual or perceived) or gender identity or expression (actual or perceived), religion, smoking, AIDS testing, use of genetic information, homeless status.</p>	<p>The state and its political subdivisions, employers with at least four (4) employees, employment agencies, labor organizations, licensing agencies, and government contractors.</p>	<p><b>Exec. Order No. 05-01</b> Agency officers of the executive branch are required to attend sexual harassment prevention and EEO training annually.</p> <p>Rhode Island’s Sexual Harassment, Education, and Training Law “encourages” employers to conduct an education and training program for all employees. The act encourages that such training be provided for new employees within one (1) year of commencement of employment, and that employers provide additional training for supervisors. See R.I. Gen. Laws ch. §§ 28-51-2(c), 28-51-3. Supervisory training should, at a minimum, address the following topics:</p> <ul style="list-style-type: none"> <li>-A statement that sexual harassment in the workplace is unlawful;</li> <li>-A statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment;</li> <li>-A description and examples of sexual harassment;</li> <li>-A statement of the range of consequences for employees who are found to have committed sexual harassment;</li> <li>-A description of the process for filing internal complaints about sexual harassment and the work addresses and telephone numbers of the person or persons to whom complaints should be made; and</li> <li>-The identity of the appropriate state and federal employment discrimination enforcement agencies, and directions as to how to contact these agencies.</li> </ul> <p>The training should also address the specific responsibilities of supervisory and managerial employees and the methods that these employees should take to ensure immediate and appropriate corrective action in addressing sexual harassment complaints.</p>
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## South Carolina

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>S.C. Code, §§ 1-13-10 et seq., 1-13-80; 1-13-85</b> Race, religion, color, sex (including pregnancy, child birth and pregnancy related medical conditions), age (40+), and national origin (including ancestry), and disability (physical or mental impairment), and medical examination and inquiries.</p>	<p>Employers with at least fifteen (15) employees, employment agencies, labor organizations and joint labor-management committees, but not an Indian tribe or bona fide private membership clubs other than labor organizations.</p> <p>Also, employers who do business on or near an American Indian reservation and who have a publicly announced employment practice of giving preferential treatment to Native Americans living on or near the reservation are not covered as to American Indians.</p> <p>Religious corporations, associations, educational institutions, and societies who employ individuals of a particular religion are not covered if the individuals perform work connected with the "carrying on" of the employer's activities.</p>	None

## South Dakota

<p><b>S.D. Cod. Laws, §§ 20-13-1, 20-13-10 through 20-13-18</b> Race, color, creed, religion, sex (including pregnancy, childbirth, and related medical conditions), ancestry, disability (physical or mental impairment), and national origin.</p> <p><b>S.D. Code Laws § 60-2-20.</b> Use of genetic information and testing is also prohibited.</p>	Public and private employers, employment agencies, and labor organizations.	None
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## Tennessee

<p><b>Tenn. Code, §§ 4-21-102; 4-21-301(1); 4-21-401; 4-21-404, 8-50-103</b> Race, creed, color, religion, sex, national origin (ancestry) and age (40+), disability (for public employers).</p> <p><b>Tenn. Code Ann. § 8-50-103</b> Discrimination against the handicapped is prohibited by public and private employers.</p>	<p>The state and its political subdivisions, employers with at least eight (8) employees within the state, employment agencies, labor organizations and joint labor-management training committees.</p> <p>Under the Tennessee Handicap Act, employers with one (1) or more employees are covered.</p>	<p><b>Tenn. Code § 4-3-1703(4)</b> By statute, the Department of Personnel is required to assist each department and entity of the state government with planning and conducting sexual harassment prevention training workshops for all public employees.</p>
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## Texas

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Tex. Labor Code, Ch. 21; Tex. Lab. Code §§ 81.101, 81.102, 21.002</b> Race, color, disability, (including regarded as disabled or impaired), religion, sex (including pregnancy, childbirth or related medical conditions), national origin (including ancestry), age (40+), and HIV/AIDS status and testing is prohibited, and genetic information and testing.</p> <p><b>Tex. Gov't Code § 431.006</b> Prohibits discrimination against exercising state military forces leave rights.</p>	<p>State and local government entities, employers with at least fifteen (15) employees, employment agencies, labor organizations, and joint labor-management committees.</p>	<p><b>Tex. Lab. Code. § 21.010</b> Texas' Employment Discrimination Law mandates that training relating to employment discrimination and sexual harassment is required for all state agency employees. Refresher training is required every two years and new employees must be trained within 30 days of starting employment with the agency.</p> <p>On its website, and in its business guidance for employers in the state, the agency encourages all employers to take the steps necessary to prevent sexual harassment from occurring. This includes clearly communicating to employees that sexual harassment will not be tolerated. Training is specifically identified as an important step for minimizing liability.</p>

## Utah

<p><b>Utah Code, tit. 34A, Ch. 5</b> Race, color, sex, pregnancy (including childbirth and pregnancy-related conditions), gender identity, sexual orientation, age (40+), religion, national origin (includes ancestry) and disability.</p> <p><b>Utah Code Ann. §§26-45-102, 26-45-103</b> Use of genetic information and testing is also prohibited.</p>	<p>The state and its political subdivisions, employers with at least fifteen (15) employees, employment agencies, labor organizations, joint labor-management committees, and government contractors, but not religious organizations, corporations or associations.</p>	<p><b>Utah Admin. Code § 477-15-7</b> The Utah Department of Human Resource Management Rules obligate all public employers to conduct unlawful harassment prevention training consistent with standards established by the Department.</p> <p>The Unlawful Harassment Prevention Training Standards established by the DHRM require training within ninety (90) days of hire (both employee and supervisor) and refresher training at least every three (3) years. Temporary employees and volunteers must also be provided with information. The training must cover all forms of protected class harassment, address retaliation, cover how to report, provide information about supervisory responsibilities, and identify the state complaint procedure. Special, more in-depth training for supervisors is also required.</p>
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## Vermont

<p><b>21 Vt. St. Ann. §§ 495, 495d</b> Race, color, religion, sex (including pregnancy), sexual orientation, gender identity (actual or perceived), national origin, ancestry or place of birth, mental or physical disability, age (18+), and HIV status or testing.</p> <p>Sexual orientation discrimination prohibitions for state employers can also be found at 3 Vt. Stat. Ann. Part 1, Ch. 27, Sub. 4, § 961 Sub. Ch. 6 § 1001.</p> <p><b>18 V.S.A. §§ 9331, 9333</b> Use of genetic information and testing is also prohibited.</p> <p>Discrimination based on an individual's credit report or history is prohibited. 21 VSA § 495i.</p>	<p>Public and private employers with one or more employees, employment agencies, labor organizations that represent at least five (5) employees, and government contractors and subcontractors.</p>	<p><b>21 Vt. Stat. Ann. §495h(f)</b> The Vermont Fair Employment Practices Act "encourages" employers to conduct an education and training program for new employees on sexual harassment within one (1) year of commencement of employment and to provide additional training for supervisors.</p>
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## Virginia

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Va. Code, §§ 2.2-3900; 2.2-3901; 44-93 et seq.; 24.2-118.1</b> Race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions (including lactation), age, marital status, and disability (mental or physical impairments).</p> <p><b>Va. Code Ann. § 40.1-28.7:1</b> Use of genetic information and testing is also prohibited.</p> <p>Sexual orientation discrimination prohibitions for state employers can be found in Executive Order 1-06.</p>	<p>Public and private employers, employment agencies, labor organizations, joint labor-management committees, and government contractors and subcontractors with contracts of more than \$10,000.</p>	<p>None</p>

## Washington

<p><b>R.C.W. §§ 49.12.175, 49.12.265, 49.44.090, 49.60.010, 49.60.030, 49.60.040, 49.60.172, 49.60.180, 49.60.190, 49.60.200</b> Age (40+), sex (including pregnancy), marital status (including state registered domestic partnerships, same-sex marriages), race, creed, color, national origin, ancestry, the presence of any sensory, mental or physical disability, use of a trained guide dog or service animal by a disabled person, the results of a HIV or hepatitis-C test, honorably discharged veteran or military status, and sexual orientation (actual or perceived which includes gender identity).</p> <p><b>Rev. Code. Wash. § 49.44.180</b> Genetic information and testing is also prohibited.</p> <p><b>Rev. Code. Wash. §§49.76.030; 49.76.120</b> Discrimination against employees who take leave related to domestic violence, sexual assault, or stalking against themselves or a family member is prohibited.</p> <p><b>R. C. W. § 49.12.460</b> An employer may not discharge or discipline an employee who is a member of the civil air patrol because of leave taken related to an emergency service operation.</p>	<p>Employers with at least eight (8) employees, employment agencies, labor organizations and government contractors, but not nonprofit religious or sectarian organizations.</p> <p>With respect to age discrimination, employers with one or more employees, and licensing agencies.</p> <p>Common law public policy claim for sex and disability discrimination, and potentially other protected classifications, applies to employers with one or more employees.</p>	<p><b>Executive Order EO 89-1</b> By Executive Order, state agencies are required to provide all employees with training designed to prevent sexual harassment.</p>
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## West Virginia

<p><b>W.V. Code §§ 5-11-1 et seq., 21-3-19, 21-5B-3</b> Race, religion, color, national origin, ancestry, sex, age (40+), blindness, disability, and familial status (applies to public and private employers).</p>	<p>The state and its political subdivisions, employers with at least twelve (12) persons within the state, employment agencies, training committees, and labor organizations, but not private clubs.</p>	<p>None</p>
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## Wisconsin

Categories Protected FEP Status	Covered Employers	Training & Education Required
<p><b>Wis. Stat. §§ 103.15, 111.31-111.395</b> Age (40+), race, creed, color, disability, marital status (domestic partnerships in limited instances such as leave laws), sex (including pregnancy, childbirth, maternity leave or related medical condition), genetic testing, national origin, ancestry, sexual orientation, arrest or conviction record, membership in the national guard or military service, use/nonuse of lawful products off the employers premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, honesty testing, and use of genetic information.</p> <p>Sexual orientation prohibitions applicable to state employers are also covered in Wisc. Stat. Ch. 230, Subch. 1, sections 230.01, 230.03, and 230.05, and Subch. II, Sections 230.18, and 230.19.</p> <p><b>Wis. Stat. § 103.15</b> HIV status or testing is also prohibited. See</p> <p><b>Wis. Stat. § 103.88</b> Prohibits discrimination against individuals exercising emergency responders' leave rights (Volunteer firefighters, emergency medical technicians, first responders, ambulance drivers).</p>	<p>The state and its agencies, private employers and their agents, employment agencies, labor organizations, licensing agencies, and government contractors and subcontractors, but not social clubs or fraternal societies with respect to a particular job for which the club or society seeks to employ or employs a member.</p>	<p>On its website, the agency advises employers to take action to respond to concerns about workplace harassment. One of the ways to do this is to "provide training to sensitize employees on the issue of harassment and periodically remind them of your strong desire to maintain a harassment free workplace."</p>

## Wyoming

<p><b>Wyo. Stat. §§ 27-4-302, 27-9-102, 27-9-105</b> Age (40+), sex, race, creed, color, national origin, ancestry, and disability, pregnancy, and use or nonuse of tobacco products outside the workplace.</p>	<p>The state and its political subdivisions, employers with at least two (2) or more employees, employment agencies, labor organizations, and government contractors, but not religious organizations or associations.</p>	<p>None</p>
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