

NAVEX Global's Course Content Update Notice For New York State and City Learners

Important: NAVEXGlobal's ethics and compliance training course, Workplace Harassment, 8th edition, will be the only available course to align to the new training requirements as specified in California law, SB 1343. This course is available now.

The New York laws are focused on addressing sexual harassment in the workplace and require specific topics and measures to be addressed in policies and training that align to the legislation. More information is available on the New York State web site, [here](#), and the New York City site, [here](#).

This document references some basic information about the requirements of these laws and how NAVEX Global anti-harassment courseware is aligned to the expectations in the laws to help our customers comply with them. This document in no way represents a legal document or legal guidance. Please consult your attorney or corporate counsel to understand how these laws affect your organization.

Note: Multiple states require mandatory harassment training. If your organization does business in multiple locations, please take this into account when making decisions about course selection, delivery and audience.

When Are the New York Laws Effective?

- New York State: **October 9, 2018**
- New York City: **April 1, 2019**

Who Must be Trained?

Both New York State and New York City mandate sexual harassment training for:

- All employees
- All managers

Note: If an individual works a portion of their time in New York State, even if they're based in another state, they must be trained. Similarly, Employers are encouraged, but not required, to provide training to anyone providing services in the workplace, including contractors, subcontractors, vendors and consultants.

How Often Must Training Be Provided?

Training must be provided annually.

After the first training year, employers can determine the proper timing for training and may use:

- The calendar year
- An anniversary of each employee's start date

- Any other date the employer chooses.

By When Must Employers Complete the Training?

New York City: New York City has not yet provided specifics. Currently, the law goes into effect April 1, 2019 and the training obligation is annual for existing employees. New employees must be trained within 90 days of hire.

New York State: All employees must complete training that meets the minimum standards by Oct. 9, 2019. New employees should be trained as soon as possible (encourage by the State). Employers should distribute an anti-sexual harassment policy that complies with state standards to employees prior to commencing work and should have it posted in the workplace.

What is the Duration Requirement for the Training?

At this time, neither jurisdiction has set minimum training time requirements.

That said, New York State has issued a model training program that can be used by employers. This program offers an example of sufficient training, but employers are encouraged to exceed the minimum training requirements and explore options for their own organizations. The model training program is anticipated to take a qualified trainer 45 to 90 minutes to deliver.

Can Web-Based Training Satisfy the Training Requirement?

Yes. Both New York City and New York State allow web-based and interactive learning.

New York State: New York State law requires all sexual harassment training to be interactive. Training may be online, so long as it is interactive. Web-based training is specifically permitted.

New York City: Interactive training is a requirement and defined as participatory teaching whereby the trainee is engaged in a trainer-trainee interaction. Use of audio-visuals, computer or online training program or other participatory forms of training is allowed, though training is not required to be live or facilitated by an in-person instructor.

NAVEX Global's Workplace Harassment Course Information

Which Workplace Harassment Course Should Be Deployed to Comply with New York Law?

NAVEX Global has updated Workplace Harassment (both the 6th and 7th editions) to comply with the New York law requirements in August and will do so again in November, 2018.

The course editions and versions that should be deployed to comply with the New York laws include:

- For Employees
 - WPH6: Employee Standard (60-minute version)
 - WPH7: Employee (30-minute versions)

- For Managers
 - WPH6: Manager Standard (120-minute version)
 - WPH7: Manager Standard (120-minute version)

Note: If your organization is subject to both the New York and the new California law (SB1343) requiring harassment training for all employees, NAVEX Global's upcoming Workplace Harassment, 8th Edition (WPH8) will be the best solution for you. This all-new course was designed to comply with both New York and California laws, and will be available in January, 2019.

What Course Features Should I Be Using If I am Training New York Learners?

Certain course features within WPH6 and WPH7 should be included and activated by customers training New York learners. These include:

- Remedies content for both managers and employees
- Your organization's New York-compliant Harassment Policy
- Your Complaint & Investigation procedure or clear directions on where employees can locate it
- Information in the course player's Reporting Tab related to your procedures for raising concerns (how to raise a complaint, specific names of people to call, contact information, and the offices employees can contact)
- A Questions tab in the course player that links to contact information that for the right person in your organization that can answer questions about the training and harassment in general
- The proper contact information for someone within your organization responsible for managing legal updates and new course packages if additional updates or legal changes occur

If you are not certain about whether or not your course includes these features or if you need to make modifications to your course, contact NAVEX Global's Customer Service team.

What Changes Did NAVEX Global Make to WPH6 and WPH7?

Our WPH6 and WPH7 courses already included robust coverage of topics that are required under both New York State and City laws. These topic areas include:

- An explanation of sexual harassment and general instruction on it being an illegal form of discrimination
- A description of what sexual harassment is and use of examples
- Information about the internal complaint process
- Prohibition on retaliation
- Information about the importance of speaking up as a target or a witness
- Specific duties of supervisors/managers relating to prevention, retaliation, culture, and complaint handling

NAVEX Global made updates to both WPH6 and WPH7 as a result of the New York training requirements. These changes include:

- Added additional content to the course on bystander intervention techniques (WPH7: `Speakup_06three`, WPH6: `compretal_02quiz`)
- Adding state law click functionality so learners have access to key terminology used in the following states: CA, ME, CT, DE, NY/NYC
- Adding additional language relating to retaliation definitions
- Added screens describing internal complaint handling procedures
- Modifications to the remedies page to add specifics under New York City and New York State law
- Minor updates to the 50-state survey

If You Currently Use WPH6 or WPH7, What Action Must You Take?

If you host your Workplace Harassment Course on NAVEX Global's Learning Management System (LMS), the new content will automatically be pushed to your course on the LMS. Yet, you should contact the NAVEX Global Customer Service team if:

- You have made customizations to your course
- You need to update your course to add a new policy, complaint procedure, or information about how to make report or ask questions
- You need to activate Remedies content or make other adjustments to course content
- You need to add learners or purchase a new edition of the course (for example, the new laws may require you to train employees you had not previously)

If you have deployed WPH6 or WPH7 on your own LMS, you will need to contact our Customer Service team to update applicable content when it becomes available.

Please reach out to our Customer Service team via email, at elearning@navexglobal.com, or by calling 1-866-297-0224, or international Customer Service at +44(0)20 8939 1650.

If You Currently Use WPH5, WPH4 or the Vector Harassment Course What Action Must You Take?

If you are currently using an older edition of Workplace Harassment or the Vector Animation Harassment and Discrimination course, you must move to a newer course. These courses have not been updated to comply with new state law training mandates and were retired.

Contact your Account Executives or Customer Service to learn how to move to a new harassment course.

Current as of January 30, 2019