

CT SEXUAL HARASSMENT LAWS

New Sexual Harassment Laws

On June 18, 2019, Connecticut Governor Ned Lamont signed Substitute Senate Bill 3, publicly known as the “Time’s Up” (Act) bill and identified as Public Act 19-16. The law significantly changes the sexual harassment laws affecting Connecticut employers with the majority of the provisions **going into effect as of October 1, 2019.**

New Training Requirements

Beginning on October 1, 2019, **all Connecticut employers** will have to meet certain mandatory sexual harassment training requirements.

Under the revised requirements, **employers with three or more employees now must provide two hours of sexual harassment training to all employees.** For existing employees, this training must be provided by October 1, 2020. Employees hired on or after October 1, 2019 must receive the training within six months of hire.

The bill also imposes new requirements on employers with fewer than three employees, including family businesses where an individual is employed by a spouse, parent or child. All Connecticut employers, regardless of size, are now required to provide sexual harassment training to supervisory employees. The training must be provided by October 1, 2020, or within six months of an employee assuming a supervisory role.

All training mandated by the Act must then be updated every 10 years. As a benefit to employers, the Connecticut Commission on Human Rights and Opportunities (CHRO) has been tasked with creating resources that employers can use to satisfy the training requirement for no cost.

Failure to provide the training as required will be considered a “discriminatory practice,” and will be subject to fines.

Posting Requirements

Employers are now required to provide, within three months after an employee’s start date, a copy of the information about the illegality of sexual harassment and remedies available to victims of sexual harassment. An employer may provide this information to an employee via electronic mail only if the employer has provided the employee with an electronic mail account or the employee has provided the employer with an electronic mail account. If an employer has not provided an electronic mail account to an employee, the employer must post this information on the employer’s internet website, if the employer maintains such a site. In lieu of this an employer may comply with this requirement by providing an employee with the link to the CHRO’s website concerning the illegality of sexual harassment and the remedies available to victims of sexual harassment. Employers that fail to post or distribute such information will be subject to fines.

Expanded Protections for Employees Reporting Alleged Sexual Harassment

There are additional requirements on how an employer must respond to complaints of alleged sexual harassment in the workplace. If an employer responds to the complaint by relocating the employee, changing his/her schedule or making any other modification to the terms and conditions of the employee’s employment, the employee must consent to the change in writing.

Time to File Discrimination Complaints Expanded

Effective October 1, 2019, employees who believe they have been subjected to any discriminatory practice now have 300 days from the adverse action to file a complaint which is a significant increase from the 180-day time frame. This expanded time frame applies to any discriminatory practice and is not limited solely to a claim of sexual harassment.

Next Steps

The new law will substantially affect Connecticut employers. Employers should be reviewing the new requirements and paying particular attention to the training and posting requirements.