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AB 1978 – Property Service Workers Required Registration and Sexual Harassment Training

On September 16, 2016 Governor Brown signed AB 1978 directly affecting janitorial services and requirements for that industry which include mandatory sexual harassment training for all employees and supervisors regardless of the number of employees.

Some key provisions of the law are:

1. Requirement that janitorial services maintain accurate records for all employees engaged in rendering actual services.
 - (a) The names and addresses of all employees engaged in rendering actual services for any business of the employer.
 - (b) The hours worked daily by each employee, including the times the employee begins and ends each work period.
 - (c) The wage and wage rate paid each payroll period.
 - (d) The age of all minor employees.
 - (e) Any other conditions of employment.
2. Effective July 1, 2018
 - a. all employers shall register with the commissioner annually.
 - b. provide all workers with the DFEH Sexual Harassment pamphlet
3. Effective January 1, 2019
 - a. The Division of Labor Standards Enforcement shall establish a biennial in-person sexual violence and harassment prevention training requirement for employees and employers covered by this part by January 1, 2019. To assist in developing these standards, the director shall convene an advisory committee to recommend requirements for a sexual harassment prevention training program. The advisory committee shall be composed of representatives of the Division of Labor Standards Enforcement, the Division of Occupational Safety and Health, and the Department of Fair Employment and Housing, and shall also include representatives from a recognized or certified collective bargaining agent that represents janitorial workers, employers, labor-management groups in the janitorial industry, sexual assault victims advocacy groups, and other related subject matter experts. The director shall convene



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the advisory committee no later than July 1, 2017. The advisory committee shall consider the requirements of Section 12950.1 of the Government Code when developing the recommended standard. The Division of Labor Standards Enforcement shall propose the requirements for the sexual violence and harassment prevention training requirement no later than January 1, 2018.