



Presbytery of Genesee Valley

TO: Clerks of Session, Pastors in Churches, Church Administrators
RE: Mandated NYS Sexual Harassment Prevention Training
Date: April 20, 2020

Since October, 2018, all non-profit employers, including churches, are mandated to have a sexual harassment prevention policy and provide annual training that meets or exceeds New York State law's minimum standards. Each church employee, **paid and unpaid**, must receive training again this year, to be completed by December 31, 2020. For more information, please access the NYS website at: <https://www.ny.gov/combating-sexual-harassment-workplace/employers>

We recommend you offer options for the training to your employees and required volunteers. The current "Shelter at Home" order currently in place does make it challenging to offer this important training. To complete the training during the shelter-in-place restrictions, the Presbytery offers the two options listed below:

- Interactive **On-line Training** via Armatus, a subsidiary of Praesidium (*see details below*). This free training meets NYS requirements. See below for information on the Armatus/Praesidium Training.
- Presenting the NYS Sexual Harassment Training for a group or a congregation via a Zoom meeting. For the Zoom session, enrollment records must be kept, and the training video and/or the tools found on the NYS website would be used:
<https://www.ny.gov/combating-sexual-harassment-workplace/employers>

It is our hope to be able to offer Live training sessions during the months of September, October and November. These sessions would be organized by Neighborhoods and would take place at a host church in each individual neighborhood. Times and dates for training sessions are still TBD, pending the hoped-for removal of the shelter-in-place restrictions. If by the fall we are still not able to safely gather, we will coordinate "live" trainings via Zoon. More information will be provided to you by mid-August.

Steps to Set-up Access to On-line Armatus/Praesidium Training:

1. Identify an individual to serve as the **Administrator** on behalf of your congregation, e.g., the chair of your Personnel Committee or the Clerk of Session. This person will be responsible for setting-up user accounts for all paid staff and volunteers who wish to use the On-Line Training Module. The Administrator will also be responsible for maintaining a database of all designated employees, paid and unpaid, who have taken the required annual training by December 31, 2020.
2. The Administrator reads through the [Praesidium Administrator Guide](#), and then fills out and signs both the Administrator Appointment Form and Authorization Form (found in the Guide). Scan and send these completed forms to: dgrasso@insuranceboard.org.

3. The Administrator will receive an email from Armatus Support confirming their Administrator Appointment detailing the required steps to create User accounts for staff and volunteers interested in the on-line training module. One very important thing to remember when setting up accounts is to **identify your church in the “Remarks” field**. This will help you to view reports later. Once accounts are set up for your Users, they can begin training immediately

Some additional helpful information from the NYS website:

From the FAQ

Q2. What type of records must employers maintain to verify compliance?

- A2. No signed acknowledgement of having read the policy is required, but employers are encouraged to keep a signed acknowledgement and to keep a copy of training records. These records may be helpful in addressing any future complaints or lawsuits.

Training

Q1. Who is considered an Employee for the training requirement? And when does the training need to be completed?

- A1. “Employee” includes all workers, regardless of immigration status. Employee also includes exempt or non-exempt employees, part-time workers, seasonal workers, and temporary workers. All employees must complete training that meets the minimum standards by Dec. 31, 2020.

Q2. How often must employees receive sexual harassment training?

- A2. Employees must be trained at least once per year. This may be based on the calendar year, fiscal year or anniversary of each employee’s start date.

Q3. How soon do new employees need to be trained?

- A3. As employers may be liable for the actions of employees immediately upon hire, the State encourages training as soon as possible. Employers should distribute the policy to employees prior to commencing work and should have it posted.

Q4. If an employer has previously provided training that meets or exceeds the requirements, must employees be retrained?

- A4. Employees must receive training on an annual basis. If employees have already received training this year, but it did NOT meet all new requirements, employers need only provide supplemental training to ensure all requirements are met.

Q9. What does “interactive training” mean?

- A9. New York State law requires all sexual harassment training to be interactive. Training may be online, but must include some feedback mechanism or interaction, such as an on-line quiz. An individual watching a training video or reading a document only, with no feedback mechanism or interaction, would NOT be considered interactive.

Q10. Is a live trainer required and does a trainer need to have a certification?

- A10. A live trainer is not specifically required. Live trainers may appear in person or via phone, video conference, etc. No certification is required and the State does not currently certify or license training providers.

Q12. What happens if some employees fail to take the training despite an employer’s best efforts to make it available, and to require everyone to take it?

- A12. Employers are required to ensure that all employees receive training on an annual basis. Employers may take appropriate administrative remedies to ensure compliance.