



Offered by:

REP. O'DEA, 125th Dist.

REP. FISHBEIN, 90th Dist.

REP. CALLAHAN, 108th Dist.

To: Subst. Senate Bill No. 5

File No. 516

Cal. No. 499

(As Amended)

"AN ACT CONCERNING ONLINE DATING OPERATORS, ONLINE CHILD GROOMING AND HARASSMENT, DOMESTIC VIOLENCE TRAINING AND PROTECTIONS FOR VICTIMS OF FAMILY VIOLENCE AND DOMESTIC VIOLENCE."

1 Strike section 6 in its entirety and renumber the remaining sections
2 and internal references accordingly

3 Strike subdivision (8) of subsection (b) of section 11 in its entirety and
4 substitute the following in lieu thereof:

5 "(8) For an employer, by the employer or the employer's agent, for an
6 employment agency, by itself or its agent, or for any labor organization,
7 by itself or its agent, to harass any employee, person seeking
8 employment or member on the basis of sex or gender identity or
9 expression. If an employer takes immediate corrective action in
10 response to an employee's claim of sexual harassment, such corrective

11 action shall not modify the conditions of employment of the employee
12 making the claim of sexual harassment unless such employee agrees, in
13 writing, to any modification in the conditions of employment.
14 "Corrective action" taken by an employer, includes, but is not limited to,
15 employee relocation, assigning an employee to a different work
16 schedule or other substantive changes to an employee's terms and
17 conditions of employment. Notwithstanding an employer's failure to
18 obtain a written agreement from an employee concerning a modification
19 in the conditions of employment, the commission may find that
20 corrective action taken by an employer was reasonable and not of
21 detriment to the complainant based on the evidence presented to the
22 commission by the complainant and respondent. As used in this
23 subdivision, "sexual harassment" means any unwelcome sexual
24 advances or requests for sexual favors or any conduct of a sexual nature
25 when (A) submission to such conduct is made either explicitly or
26 implicitly a term or condition of an individual's employment, (B)
27 submission to or rejection of such conduct by an individual is used as
28 the basis for employment decisions affecting such individual, or (C)
29 such conduct has the purpose or effect of substantially interfering with
30 an individual's work performance or creating an intimidating, hostile or
31 offensive working environment;"

32 Strike subsection (e) of section 11 in its entirety

33 Strike sections 12 and 13 in their entirety and renumber the remaining
34 sections and internal references accordingly