

Best Practices for Delivering Mandatory Sexual Harassment Prevention Training

This article discusses “best practices” for *delivering* mandatory sexual harassment prevention training. The goal is to provide trainers with strategies and techniques for improving the way that they deliver the content that is required by law to be covered by such trainings. This article does not discuss the content that is required to be included by law, and the goal of this article is not to provide legal advice about complying with any training requirements. The contents of this of article should neither be interpreted as, nor construed as legal advice or opinion.

Introduction

This article discusses “best practices” for delivering instructor-led (as opposed to E-learning or live webinar) sexual harassment prevention training. Further, this article discusses strategies and techniques for delivering such training as part of a two-hour, large-group, classroom-based training where all legally required content is covered in a single training. We note that many of the techniques discussed in this article apply equally to other training formats; however, we make no representation about what format (e.g., one two-hour vs. four thirty-minute sessions) is most effective in terms of retention and behavioral change.

Legal requirements for sexual harassment prevention training

The content that is required by law to be covered during sexual harassment prevention training is beyond the scope of this article. Nonetheless, it is important to note several of the legal requirements inasmuch as they affect which employers need to offer training and who can deliver the training.

Which employers must provide training?

By January 1, 2020, all California employers having five or more employees must provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of such training for all nonsupervisory employees within six months of their assumption of a position. Training must be provided once every two years.

Generally, the training must be provided in a classroom setting, through interactive E-learning, or through a live webinar (although there are special requirements for using E-learning). All training must include questions that assess learning, skill-building activities to assess understanding and application of content, and hypothetical scenarios about harassment with discussion questions.

The DFEH has prepared a “sample” PowerPoint that can be used to get an idea of what components need to be included in any training. The DFEH has also prepared a sexual harassment prevention pamphlet, which can be used as a starting point for developing the training. These materials can be accessed at the following web addresses:

- <https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2018/11/SampleSexualHarassmentPreventionTraining.pptx>
- https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2018/12/DFEH_SexualHarassmentPamphlet.pdf

Who can provide sexual harassment prevention training?

According to the DFEH, there are three types of qualified trainers:

1. Attorneys who have been members of the bar for at least two years and whose practices includes employment law under FEHA and Title VII;
2. Human resource professionals or harassment prevention consultants with at least two years of practical experience in conducting sexual harassment prevention training or responding to or investigating sexual harassment complaints; and
3. Law school, college, or university instructors with a post-graduate degree or California teaching credential and either 20 hours of instruction about employment law under the FEHA or Title VII.

Special requirements for farm labor contractors

California farm labor contractors should note that Labor Code section 1684 contains special requirements for the sexual harassment prevention training that FLCs are required to provide employees. For example, for FLCs, the sexual harassment prevention training must be provided by “a licensee or appropriate designee of the licensee.” (Cal. Lab. Code, § 1684, subd. (a)(8)(B).)

Before delivering your training

While there are a number of strategies and techniques that you can build into your training to improve its effectiveness, some of the most

important things you can do for your delivery happen before the training begins. The following are the most critical pre-training components to focus on.

Tailor your training to your learning objectives

The “required by law” part of sexual harassment prevention training can cause us to forget that the purpose of training is not the training itself, but the learning that the training is supposed to facilitate. Your sexual harassment prevention training should be built around your learning objectives (which are all set by law). A delivery strategy or technique is only helpful if it helps participants to achieve the learning objectives. In other words, be intentional about the way you design your delivery. Just because a certain strategy worked well in another training it does not mean that you should incorporate it into your sexual harassment prevention training. For example, while a hands-on training might be an effective way for participants to learn how to safely operate new machinery, a hands-on approach might not be ideal for a sexual harassment prevention training.

Know your “stuff,” but don’t memorize your slides

An absolutely core component of effectively delivering any training is knowing the training material backwards and forwards. However, there is an important difference between having a fluid understanding of your material and being able to recite it word-for-word. You need familiarize yourself with the training concepts until you have internalized them; you do not need to (and should not) try to memorize all your slides verbatim.

Practice delivering your training

Honing your delivery requires rehearsing your training until you can perform it on “auto-pilot.” The general rule is to spend at least twice as much time rehearsing for a training as you spent planning it. Here are a few things you will want to take note of while you are practicing your delivery:

- **You cannot rehearse “too much.”** Some trainers believe that over-rehearsal undermines spontaneity and authenticity. This is false. Adequately internalizing your material allows you to be present during a training and focus on engaging your audience. You cannot effectively interact with your audience when you are referencing your notes (or worse yet, reading from your slides). Rehearsing your presentation will help you to effortlessly deliver your training in a way that looks natural and authoritative.
- **Practice out loud and on your feet.** You wouldn’t get ready for a football game by simply reviewing the playbook, and you shouldn’t prepare for your training by just reading through your material. The closer you can practice your training under “game” conditions the better prepared you will be to deliver an effective training. Practice out loud, on your feet, and if possible, using your training materials. The day of your sexual harassment training is not the time to figure out how to cue the video you embedded into your PowerPoint.

Practicing out loud also helps you to naturally cut down the words you’re using, which makes your delivery conversational and easy to digest. One of the most common mistakes that trainers make is talking too much and confusing participants with too much information.

- **Pay attention to your body language and vocal variety.** Trainers often overlook the body language and vocal variety that is used in their delivery. Keep your delivery fresh and engaging by including a variety of movement, facial expressions, volume, speech pacing, and tone (especially to emphasize certain points).
- **Get some early feedback.** Whether you practice in front of a mirror, record yourself giving the training, or have a friend or

spouse watch a rehearsal, it is important to get an idea of what you look and sound like during the delivery of your training. This early feedback is where you can fine tune all of the various components of your delivery.

Audience

The goal of every training should be to create a training that is as relevant, practical, and meaningful as possible for each learner in your audience. This requires the trainer to think critically about the particular characteristics of their audience, and how they can tailor their delivery to their audience. Is your group largely comprised of new hires? Does the group include a majority of seasoned supervisors? Has the group previously trained on this subject matter? These are all questions you want to ask yourself about your audience. Ultimately, you want your training to challenge your participants, but not overwhelm them. Thinking about the characteristics of your audience should help you to plan a delivery that does just that.

Strategies and techniques for effective delivery

There are a number of strategies and techniques that you can build into your trainings to improve your delivery. Ideally, the strategies and techniques that you use should all be designed to increase participants’ engagement, retention, and enjoyment of your training. Here are a few of our favorites:

Open with an attention grabber

The old adage about public speaking, i.e., that you “tell ‘em what you’re going to say, say it, and then tell ‘em what you said,” is somewhat useful, but largely wrong. Some repetition can be helpful, but your sexual harassment training should not open with a slide that provides an overview of the entire training. Modern audiences are easily distracted and extremely sensitive to having their time wasted. Starting with the proverbial “agenda” slide

immediately cues the audience to zone out. We recommend starting with something attention grabbing like a highly memorable story, a recent news headline, or even an appropriate video clip.

Clearly state the learning objectives

After you have your participants' attention, quickly turn to setting forth the objectives of the training. Without clear learning objectives and a focused training, participants will quickly lose interest. Keep this overview brief and to the point. Generally, you should identify no more than three to five learning objectives for participants.

Stick to the topic and focus on your objectives

As mentioned before, participants do not take kindly to having their time wasted. This is perhaps especially true in the context of mandatory sexual harassment prevention training where many participants will already believe that the training is a waste of time for them. Trainers must ensure that their delivery stays on topic and focuses on fulfilling the stated objectives.

One area we see many presentations get derailed is with participant questions. It is important for trainers to remind participants when their questions and comments move too far from the topic. You can do this politely by saying something like, "That's a great question but it's a little outside the scope of this training. Let's discuss that privately once the training is complete."

Include multiple ways for participants to interact with your training

It's no secret: Trainers feed off audiences, and audiences feed off trainers. This reality can be a virtuous circle or a vicious one. That being said, trainers should seek to foster active participation as early on in the presentation as possible. Plus, in addition to making the training more enjoyable, active participation increases engagement and ultimately retention of the training material.

The best way to increase audience participation is to build in several different ways for participants to interact with the training. Every participant will naturally have a different desire and comfort level for interacting with your training. Some participants will be comfortable asking a question in front of the whole group. Others will want an opportunity to share their own opinions and experiences. Here are some ways you can make sure you provide everyone in the room with an opportunity to interact with your training:

- **Get participants dialoguing by grouping them in twos**, having them discuss a prompt or question with their partner, and then sharing what their partner said. Many times participants find it easier to share another person's ideas with the group rather than their own.
- **Use an electronic audience response system**, like Verso, Kahoot!, or Poll Everywhere to allow your participants to text in responses and questions. Many of these response systems can be utilized to allow participants to use their phones to respond in real-time to questions and quizzes.

Ask better questions and facilitate better debriefs

One minor tweak you might make to your delivery is reevaluating your questions and debriefs. Here are some quick-fixes to help this part of your delivery run smoother:

- **Wait at least three to six seconds for each question to be answered.** This will feel like an eternity, but your participants need at least this much time to process the question (and then decide if they want to share their response with the group).
- **Try to avoid calling on participants directly**, unless you're certain they don't mind being put on the spot. Generally, participants engage more when they feel comfortable

with the training environment, and it can be hard for participants to get comfortable if they're worried about getting called on. The last thing you want during a training is for your participants to try to actively avoid being asked to interact with the training.

- **If someone is talking too much, invite others to speak.** Be careful not to allow one or two participants to dominate the conversation. If one participant is talking too much, you can always say something like, "I know you know the answer to this question, but I'd like to hear from some other folks in the room."

Take your hypotheticals one step further by facilitating a debrief that fosters audience involvement. Try asking the following questions:

1. What things jump out at you in this example?
2. What is one thing you take away from this story?
3. What would you have done differently?
4. What are some things [the subjects of the story] did right?

Generally, we tend to come to the workplace with a problem-oriented way of thinking. By engaging your audience with a debrief like this, you can tap into the kind of thinking they are already prepared to perform at work. These kinds of debriefs also help to make the training more interactive and inclusive.

Incorporate "gamification" into your trainings

Audiences are increasingly responding positively to elements of gamification in trainings, and your sexual harassment prevention training is no different. "Gamification" refers to the practice of

incorporating game-design principles into non-game contexts like workplace trainings and presentations. The current research indicates that gamification improves engagement, productivity, and efficiency. You can introduce gamification into your trainings by having participants or groups of participants compete to earn points or achieve levels. If you incorporate an electronic audience response systems (e.g., Kahoot!), you have a ready-made platform to build gamification into your training.

Incentivize active participation

Another strategy for motivating participants to actively engage with the material is to incentivize participation by providing participants with something more than just a "certificate of completion." What if the participant who answered the most questions right received an extra day of paid vacation? What if everyone who got more than 85% of the questions right on a post-training evaluation got a \$5 gift card for Starbucks? Think about what incentives your audience might find motivating and consider what options are feasible.

After delivering your training

Ideally, immediately after delivering training you will get some feedback from participants on how the training went. Without feedback from your participants it is difficult to know whether the training was successful, a complete waste of time, or somewhere in between. A short questionnaire at the conclusion of the training is all you need to gauge your effectiveness. If you want to take it one step further, you might conduct a focus group with several participants (provided you trust them to give you honest feedback about the delivery). In any event, it is important to reflect on what went right and wrong during your delivery.