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By:  Zaffirini S.B. No. 56

A BILL TO BE ENTITLED

AN ACT

relating to employment discrimination training for members of the legislature and state or legislative employees and interns.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 21.010, Labor Code, is amended to read as follows:

Sec. 21.010.  EMPLOYMENT DISCRIMINATION TRAINING FOR STATE EMPLOYEES AND UNPAID INTERNS. (a) Each state agency shall provide to employees and unpaid interns of the agency an employment discrimination training program that complies with this section.

(b)  The training program must provide the employee or unpaid intern with information regarding the agency's policies and procedures relating to employment discrimination, including employment discrimination involving sexual harassment.

(c)  Each employee of a state agency shall attend the training program required by this section not later than the 30th day after the date the employee is hired by the agency and shall attend supplemental training every two years. An unpaid intern shall attend the training program required by this section not later than the 30th day after the date the internship begins.

(d)  [~~The commission shall develop materials for use by state agencies in providing employment discrimination training as required by this section.~~

[~~(e)~~]  Each state agency shall require an employee or unpaid intern of the agency who attends a training program required by this section to sign a statement verifying the employee's or intern's attendance at the training program. The agency shall file the statement in the employee's or intern's personnel file.

(e)  Section 21.1065(c) applies to a determination of whether an individual is an unpaid intern for purposes of this section.

SECTION 2.  Subchapter A, Chapter 21, Labor Code, is amended by adding Sections 21.011 and 21.012 to read as follows:

Sec. 21.011.  EMPLOYMENT DISCRIMINATION TRAINING FOR LEGISLATORS AND LEGISLATIVE EMPLOYEES AND UNPAID INTERNS. (a) Each house of the legislature shall provide to members of that house and to employees and unpaid interns of that house an employment discrimination training program that complies with this section.

(b)  The training program must provide the member, employee, or unpaid intern with information regarding the policies and procedures of the applicable house of the legislature that relate to employment discrimination, including employment discrimination involving sexual harassment.

(c)  An individual elected to be a member of the legislature shall attend the training program required by this section:

(1)  not earlier than the day following the date of the November general election that precedes the convening of each regular session of the legislature for which the individual is elected; and

(2)  not later than February 1 of the year in which that regular session is convened.

(d)  Each employee of a house of the legislature shall attend the training program required by this section not later than the 30th day after the date the employee is hired by the house and shall attend supplemental training every two years. An unpaid intern shall attend the training program required by this section not later than the 30th day after the date the internship begins.

(e)  The presiding officer of each house of the legislature shall require each member of that house who attends a training program required by this section to sign a statement verifying the member's attendance at the training program. The presiding officer shall maintain each statement.

(f)  Each house of the legislature shall require an employee or unpaid intern of that house who attends a training program required by this section to sign a statement verifying the employee's or intern's attendance at the training program. The applicable house shall maintain each statement.

(g)  Section 21.1065(c) applies to a determination of whether an individual is an unpaid intern for purposes of this section.

Sec. 21.012.  EMPLOYMENT DISCRIMINATION TRAINING MATERIALS. The commission shall develop materials for use in providing the employment discrimination training required by Sections 21.010 and 21.011.

SECTION 3.  (a) Not later than October 1, 2019, the Texas Workforce Commission shall develop the training materials required by Section 21.012, Labor Code, as added by this Act.

(b)  Except as provided by Subsection (c) of this section, the changes in law made by this Act apply only to an individual who becomes a member of the legislature, an employee of a house of the legislature, or an unpaid intern of a state agency or a house of the legislature after October 1, 2019.

(c)  An individual who, on October 1, 2019, is a member of the legislature, an employee of a house of the legislature, or an unpaid intern of a state agency or a house of the legislature shall attend the applicable training program required by Section 21.010, Labor Code, as amended by this Act, or Section 21.011, Labor Code, as added by this Act, not later than November 1, 2019.

SECTION 4.  This Act takes effect September 1, 2019.