

Publications

California Requires Child Abuse Training and Reporting For Supervisors and HR Managers

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California's Child Abuse and Neglect Report Act (CANRA) requires individuals who are statutorily defined as "mandated reporters" to report known or reasonably suspected child abuse or neglect to law enforcement personnel and social service agencies. Effective January 1, 2021, the CANRA was expanded to include human resource employees and supervisors of minors as mandated reporters.

Mandated Reporting

Under the law, a human resource employee of an employer that employs five or more employees, and that also employs minors, is a mandated reporter of child abuse or neglect. The law broadly defines "human resource employee" to include the employee or employees designated by the employer to accept any complaints of misconduct (i.e., complaints of harassment or discrimination). This means, for example, that if the employer's EEO policy directs employees to report sexual harassment to their manager, to human resources, or to another manager, then each of those individuals is now a mandated reporter. Additionally, a person whose duties require direct contact with and supervision of minors in the performance of the minors' duties in the workplace is a mandated reporter of sexual abuse (but not all abuse or neglect).

Training Requirements

Employers of mandated reporters (i.e., human resources personnel and supervisors) must provide training in child abuse and neglect identification and reporting. The law does not set forth a timeframe for completing this training. Employers may satisfy this training requirement by having employees complete the free online training offered by the California Department of Social Services Office of Child Abuse Prevention. That four-hour training covers the definitions of child abuse and neglect, mandated reporters' obligations, how to spot evidence of abuse, and how to report abuse.

Penalties for Failing to Report

Mandated reporters who fail to report known or reasonably suspected abuse or neglect may be guilty of a misdemeanor and may also be sued by the minor-victim for damages.

Conclusion

Employers that employ minors should ensure their policies include mandated reporter provisions and should train their human resource employees and supervisors on their obligations under CANRA. Contact your Vorys lawyer if you have questions about workplace training requirements in California or other jurisdictions where you operate.