

Louisiana #MeToo Law Requires Sexual Harassment Policies, Training, and Reporting for State Agencies

June 7, 2018

By [Andrew \(Drew\) P. Burnside](#) and [Andrew J. Halverson](#)



Less than a year after the #MeToo movement began in earnest, it continues to impact boardrooms and statehouses. In May of 2018, Louisiana became the latest state to take action in support of the #MeToo movement, with its lawmakers unanimously approving a statewide anti-sexual harassment policy—though they limited the law to state agencies and their employees for the time being.

Less than a year after the #MeToo movement began in earnest, it continues to impact boardrooms and statehouses. In May of 2018, Louisiana became the latest state to take action in support of the #MeToo movement, with its lawmakers unanimously approving a statewide anti-sexual harassment policy—though they limited the law to state agencies and their employees for the time being.

The legislature's action coincided with the resignation of Louisiana's former secretary of state, Tom Schedler, who resigned amid allegations that he sexually harassed an employee and later retaliated against her when she rebuffed his advances.

Democratic Governor John Bel Edwards recently signed the bill into law as Act 270 of 2018, and will take effect on January 1, 2019. The law has three main components, which require state agencies to (1) develop policies prohibiting sexual harassment; (2) train employees on preventing sexual harassment; and (3) report complaints of sexual harassment.

Each state agency's policy shall explicitly prohibit sexual harassment. It will be required to include descriptions and examples of inappropriate conduct. Each state agency will also be required to adopt a procedure to report complaints of sexual harassment, as well as provide a clear prohibition on retaliation against individuals who complain of or participate in the investigation of a complaint of sexual harassment. The agency heads are further required to notify each public employee of the agency's sexual harassment policy.

As for training, each year all public employees and elected officials will be required to receive at least one hour of education and training on preventing sexual harassment. Records shall be kept and maintained to show each employee's compliance with and receipt of training, and such records will be public records.

The heads of each state agency will be required to make annual reports that will be publicly available. Such reports will have to provide the following information: (1) the percentage of public servants in the agency who have completed the training requirements, (2) the number of sexual harassment complaints received by the agency, (3) the number of complaints that resulted in a finding that sexual harassment occurred, (4) the number of complaints in which a finding of sexual harassment resulted in discipline or corrective action, and (5) the amount of time it took to resolve each complaint.

As noted above, the bill only covers Louisiana's state agencies and public employees. However, this Act may presage efforts in the 2019 legislative session to enact similar requirements for private employers in Louisiana.

AUTHORS



Andrew (Drew) P. Burnside

Shareholder, [New Orleans](#)



Andrew J. Halverson

Of Counsel, Lafayette, [New Orleans](#)

RELATED ARTICLES



Ogletree
Deakins

November 17, 2022

DOL Sued Over FOIA
Request for Contractors'
EEO-1 Reports



Ogletree
Deakins

January 25, 2023

OFCCP's Scheduling List
Targets Contractors That
Didn't Certify in OFCCP's
Contractor Portal

RELATED WEBINAR



Ogletree
Deakins

February 9, 2023

I-9 Compliance Series: The
Basics, Part 1—What Does
Good Faith Compliance
Mean? Contractors'...

RELATED SEMINAR



Ogletree
Deakins

February 16 | Miami, FL

Employment Law Briefing

Browse More Insights

PODCASTS

SEMINARS

WEBINARS

Sign up to receive emails about new developments and upcoming programs.

SIGN UP NOW

