

# HOUSE . . . . . No. 5023

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, February 5, 2026.

The committee on Labor and Workforce Development, to whom was referred the petition (accompanied by bill, House, No. 2190) of Christopher J. Worrell and others relative to employer policies and training to prevent unlawful harassment, including sexual harassment, reports recommending that the accompanying bill (House, No. 5023) ought to pass.

For the committee,

PAUL MCMURTRY.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Fourth General Court  
(2025-2026)  
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An Act relative to sexual harassment workplace training.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 151B of the General Laws, as appearing in the 2022 Official Edition, is hereby  
2 amended by striking out Section 3A and inserting in place thereof the following section:-

3 Section 3A: Employers' policies against harassment; preparation of model policy;  
4 education and training programs

5 (a) All employers, employment agencies and labor organizations shall promote a  
6 workplace free of all forms of unlawful harassment, including sexual harassment.

7 Notwithstanding any other provision of this section, the requirements of subsections (b) through  
8 (c) shall not apply to employers that employ twenty-five (25) or fewer employees.

9 (b) Every employer shall:

10 (1) adopt a policy against unlawful harassment, including sexual harassment, which shall  
11 include:

(i) a statement that all forms of unlawful harassment, including sexual harassment, in the workplace are unlawful and will not be tolerated, and that explains that it is unlawful for a person to be subject to harassment because of the person's sex or any other characteristic protected by section 4 of this chapter;

(ii) a statement that it is unlawful to retaliate against an employee for filing a complaint of unlawful harassment, including sexual harassment, or for cooperating in an investigation of a complaint for unlawful harassment;

(iii) a description and examples of unlawful harassment, including sexual harassment;

(iv) a statement of the range of consequences for employees who are found to have committed unlawful harassment, including sexual harassment;

(v) a description of the process for filing internal complaints about harassment and the contact information of the person or persons to whom complaints should be made; and

(vi) the identity of the appropriate state and federal employment discrimination enforcement agencies, and directions as to how to contact such agencies.

(2) provide to all employees an individual written copy of the employer's policy against unlawful harassment by January 1, 2027; provided, however, that an existing employee that is changing positions shall be provided a copy at such time of the change in position; provided further that a new employee shall be provided such a copy at the time of hire.

(c) The commission shall prepare and make available to employers subject to this section a model policy and poster consistent with federal and state statutes and regulations, which may be used by employers for the purposes of this section.

(d) An employer's failure to provide the information required to be provided by this section shall not, in and of itself, result in the liability of said employer to any current or former employee or applicant in any action alleging unlawful harassment. An employer's compliance with the notice requirements of this section shall not, in and of itself, protect the employer from liability for unlawful harassment of any current or former employee or applicant.

(e) Except as provided herein, this subsection shall not apply to employers that employ twenty-five or fewer employees. Employers and labor organizations are required to provide employees with training to prevent unlawful harassment, including sexual harassment, within six months after the employee is hired, promoted within the employer. An employer that does not use the model training developed by the Massachusetts commission against discrimination must ensure that the training that they use meets or exceeds the following minimum standards.

The training must:

(1) be focused on compliance with the legal requirements of employment non-discrimination law and on preventing unlawful harassment, including sexual harassment, in the workplace;

(2) include an interactive component, whether in-person, on-line, or remote; provided that trainings are led by one or more qualified trainers which allows participants to ask questions and receive answers in a timely fashion; and in the case of on-line trainings, the online program must allow participants to ask questions anonymously about the topics covered in the training and receive responses from the trainer(s) within two business days;

(3) be a minimum of one hour every year;

(4) include an explanation and examples of unlawful harassment and unlawful retaliation consistent with guidance issued by the Massachusetts commission against discrimination; provided, however, that for employers with 100 or more employees, the examples and scenarios should be tailored to the specific type of workplace or industry;

(5) include information on internal and external remedies available to victims of harassment;

(6) include bystander intervention training consistent with guidance issued by the Massachusetts commission against discrimination; and

(7) include information on the responsibilities of supervisory and managerial employees to address unlawful harassment and unlawful retaliation.

(8) include, in the case of on-line training, standards and requirements that demonstrate the active participation of the employee in the training, such as showing time spent watching videos, answering questions and otherwise, engaging in the program. On-line trainings shall also include the ability of employees to ask anonymous questions about the topic and receive responses from the trainer(s) within two business days. The employer shall maintain a record of the employee questions asked and the responses provided for a minimum of five (5) years, while preserving the anonymity of the employees.

Each employee must receive training on an annual basis, starting January 1, 2027. An employer's or labor organization's compliance with the training requirements of this section shall not, in and of itself, protect the employer or labor organization from liability for unlawful harassment of any current or former employee or applicant. All employers shall keep a record of their employees' completion of all trainings required by this subsection (e). Such records may be

76 electronic. Employers shall maintain such records for at least 5 years and must be made available  
77 to the Attorney General or the Massachusetts Commission Against Discrimination on request.

78 (f) The Attorney General may promulgate any rules, regulations or guidelines that are  
79 necessary and appropriate to effectuate the purposes of this section.