

## **New Law Mandates Training for Human Resources Employees and Others Pertaining to Child Abuse and Neglect**

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On September 29, 2020, the Governor signed [Assembly Bill 1963](#) which amends Section 11165.7 of the Penal Code, relating to mandated reporters of child abuse.

The existing law, the Child Abuse, and Neglect Reporting Act, requires a mandated reporter, as defined, to report whenever they, in their professional capacity or within the scope of their employment, have knowledge of or observed a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor punishable by up to six months of confinement in a county jail, by a fine of \$1,000, or both. Under existing law, employers are strongly encouraged to provide their employees who are mandated reporters with training in these duties, including training in the identification and reporting of child abuse and neglect.

This bill adds a human resource employee of a business with five or more employees that employ minors to the list of individuals who are mandated reporters. The bill also adds, for the purposes of reporting sexual abuse, an adult whose duties require direct contact with and supervision of minors in the performance of the minors' duties in the workplace of a business with five or more employees to the list of individuals who are mandated reporters. The bill requires those employers to provide their employees who are mandated reporters with training on identification and reporting of child abuse and neglect. By imposing the reporting requirements on a new class of persons, for whom failure to report specified conduct is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill provides that no reimbursement is required by this act for a specified reason.

### **What does this bill mean for California employers?**

Any California employer with five or more employees that employ minors will have to provide training on identification and reporting of child abuse and neglect to the following two new classes of mandated reporters – (1) all human resources employees and (2) all adults whose duties require

direct contact with and supervision of minors in the performance of the minors' duties in the workplace.

Also, although this new law imposes a state-mandated local program on local agencies and school districts by requiring training on identification and reporting of child abuse and neglect, California employers who are subject to this new law will not be able to seek reimbursement for the costs of such training.

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