

EMPLOYMENT ALERT

August 2018



New Sexual Harassment Laws Affecting New York State Employers

Sexual harassment training for employees has never been required under New York State law, but rather has always been a best practice for employers. However, as a result of the many highly publicized accounts of sexual harassment and the subsequent public outcry, including the “#MeToo” and “Times Up” movements, New York State and New York City have enacted legislation geared towards curbing harassing conduct in the workplace. The recently enacted New York State law expands the existing protections under the New York State Human Rights Law by, for example, covering certain “non-employees” and prohibiting mandatory arbitration agreements and confidential settlement agreements for sexual harassment claims. These changes have been made in an effort to, among other things, stop harassment claims against employers from being swept under the proverbial rug.

By October 9, 2018 companies will also be required to create or update and distribute written sexual harassment policies and institute annual sexual harassment training programs consistent with the requirements of the law. This training requirement provides a proactive opportunity for employers to educate their workforce and to address any issues that may be lurking before a problem arises. Beginning on April 1, 2019, employers in New York City with at least 15 employees have additional annual training requirements, including for supervisors and managers.

Effective as of January 1, 2019, all public bids made to the State or to any public department or agency must contain a sworn statement by the bidder that the company has instituted written policies addressing sexual harassment in the workplace and that the company conducts annual sexual harassment training

Companies must act swiftly to ensure they are in compliance with all deadlines. Ruskin Moscou Faltischek P.C., can aid companies in creating new or reviewing existing policies and procedures, along with arbitration agreements and settlement agreements. In addition, we will provide the mandatory annual interactive training to your employees.

**For more information on the new sexual harassment laws or
any employment law related matters, please contact:**

Kimberly Malerba, Esq.
(516) 663-6679
kmalerba@rmfpc.com

Michael Schoenberg, Esq.
(516) 663-6546
mschoenberg@rmfpc.com

Nicole Della Ragione, Esq.
(516) 663-6687
ndellaragione@rmfpc.com

Attorney Advertising

Ruskin Moscou Faltischek, P.C. - East Tower, 15th Floor - 1425 RXR Plaza, Uniondale, NY 11556 - 516.663.6600