

IMPORTANT LAW UPDATE FOR ALL EMPLOYERS IN THE STATE OF NEW YORK

- On April 12, 2018, Governor Andrew Cuomo signed the New York State 2019 Budget Bill, which contains, among other things, provisions regarding sexual harassment claims and policies in the workplace.
- **Effective Immediately:**
 - Under the New York State Human Rights Law, liability will be imposed on employers for permitting sexual harassment against non-employees, including contractors, subcontractors, vendors, and others providing services pursuant to a contract in the workplace.
- **Effective July 11, 2018:**
 - It will be prohibited to use non-disclosure agreements in connection with the resolution of sexual harassment claims unless the claimant prefers confidentiality.
 - It will also be prohibited to have mandatory arbitration clauses requiring the arbitration of sexual harassment claims in written contracts.
- **Effective October 9, 2018**
 - Employers will be required to distribute written anti-harassment policies in the workplace and provide anti-harassment training for all employees.
 - The written policies and training will be based on models developed by the New York State Division of Human Rights and Department of Labor.
- **Effective January 1, 2019**
 - Bids on certain state contracts will have to contain language showing that the bidder has provided employees with written policies addressing sexual harassment at work and annual sexual harassment training.

IMPORTANT LAW UPDATE FOR ALL EMPLOYERS IN NEW YORK CITY

- On April 11, 2018, the New York City Council passed the “Stop Sexual Harassment in NYC” Act.
- The law will require employers with 15 or more employees to provide all employees, including supervisors and managers, with annual sexual harassment training.
- The training must cover several topics, including:
 - Definitions and examples of sexual harassment.
 - Education on bystander intervention.
 - Explanations on how to file complaints internally and with federal, state, and city administrative agencies.

- The training must be “interactive.”
- The training must be conducted annually for incumbent employees.
- New employees who work 80 or more hours per year in New York City must receive the training after 90 days of their initial hire date.
- Employers will be required to obtain a signed acknowledgement from each employee verifying that he or she attended the training.
- New York City employers will also be required to post and display anti-sexual harassment rights and responsibilities posters. The poster will be made available by the New York City Commission on Human Rights.
- The law is currently awaiting the signature of Mayor Bill de Blasio.
- Mayor Bill de Blasio is expected to sign much of these pieces of legislation into law in the coming weeks.