



NEW YORK STATE SENATOR

Michael F. Nozzolio

Senator Nozzolio Announces Enactment of Women's Equality Package

MICHAEL F. NOZZOLIO January 13, 2015

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Senator Mike Nozzolio announced that the New York State Senate, in its first legislative act of 2015, has enacted a long overdue comprehensive Women's Equality Agenda that will enhance the rights of women across New York and protect those who are most vulnerable to abuse and discrimination.

"Today, women across New York State are leaders in business, science, government and higher education," said Senator Nozzolio, speaking on the passage of the Women's Equality Agenda. "My colleagues and I were proud to enact these important measures which further enhance equality under the law, ensure equal pay, and strengthen protections for all women from domestic violence and human trafficking."

The comprehensive package of bills includes provisions to stop the human trafficking of women, ensure equal pay for equal work, combat sexual harassment in the workplace, end gender discrimination in employment, housing and credit decisions, make reasonable work accommodations available for pregnant women and provide stronger protections for domestic violence victims.

"These landmark measures, enacted in the State Senate, represent huge victories for millions of women throughout New York State," said Senator Mike Nozzolio. "It is my hope that the State Assembly and the Governor will follow suit and enact these important measures, which will benefit women all across New York."

The eight bills comprising the Senate's Women's Equality Agenda were adopted in 2013 and 2014 in the New York State Senate but were not acted upon by the State Assembly. The measures include:

The Trafficking Victims Protection And Justice Act

The Trafficking Victims Protection and Justice Act toughens penalties against those who buy and sell young women, men, and children and reduces the stigma defendants may face when they are victims of the sex trafficking industry.

Ensuring Equal Pay

Despite existing protections under the law, women in New York earn 84 percent of what men earn and jobs traditionally held by women pay significantly less than jobs traditionally held by men. This measure will help women receive the wages they are entitled to by prohibiting employers from paying employees disparate amounts due to gender.

Stopping Discrimination Based on Family Status

The legislation will help working mothers by preventing discrimination in the hiring and promotion of people with families. Employers would be prohibited from denying work or promotions based on family status, such as parents and women who are pregnant.

Ending Pregnancy Discrimination In The Workplace

To help protect pregnant women, this legislation will require employers to provide reasonable accommodations to employees with pregnancy-related medical conditions. A pregnancy-related condition would be treated as a temporary disability and employers would be required to perform a reasonable accommodation analysis for employees with conditions related to pregnancy and childbirth.

Preventing Housing Discrimination Against Domestic Violence Victims

Discrimination against victims of domestic violence is almost always discrimination against women. Many of these victims are forced to stay with or return to their abusive partners because of a lack of available housing or when they are refused housing. This bill will make it illegal to discriminate against domestic violence victims and provides the victims with the option of a civil action if discrimination occurs.

Prohibiting Sexual Harassment

Sexual harassment disproportionately affects women in the workplace. In 2011, women filed 75 percent of all sexual harassment complaints in New York.

The legislation would protect workers from sexual harassment regardless of the size of the workplace. Under current law, people working at businesses with fewer than four employees cannot file a harassment complaint with the state because small employers are exempt from the law that prohibits harassment. This bill would ensure that all employees are protected from sexual harassment by applying existing protections to businesses of all sizes.

Removing Barriers to Remedying Discrimination

Under existing law, individuals who bring a legal action in a sexual discrimination case involving their employment or a banking related issue, such as credit or a lending issue, they have not been able to seek reimbursement for their legal fees, even if they are successful in court. This measure would allow an individual to recoup reasonable attorney's fees if it is determined by the court that sexual discrimination was in fact the basis of the discrimination.

Allowing Electronic Filing For Orders Of Protection

This domestic violence legislation would allow victims to electronically file for orders of protection. The measure creates a pilot program to allow domestic violence victims to seek temporary orders of protection through electronic means rather than having to appear in person.

The bills were sent to the New York State Assembly for their review and action.

Legislation originally included as part of the Senate's Women's Equality Agenda was enacted into law in 2013 that strengthened orders of protection for domestic violence victims. It clarifies that a victim for whom an order of protection is issued cannot be arrested for violating that same order; (S5605, Chapter 480 Laws of 2013).

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