



NEW YORK STATE SENATOR

David Carlucci

Senator David Carlucci and the Senate Majority Pass Stricter Sexual Harassment Protections

SENATOR DAVID CARLUCCI June 19, 2019

| ISSUE: **SEXUAL HARASSMENT LAWS**

(Albany, NY) -- Senator Carlucci (D-Rockland/Westchester) and the Senate Democratic Majority passed legislation to combat sexual harassment and ensure that all employees in the private and public sector are treated equally and respectfully. This important legislation includes the removal of the "severe or pervasive" standard from discriminatory and retaliatory harassment cases.

"It is important that survivors of sexual harassment have a safe environment to report sexual harassment in the workplace," **said Senator David Carlucci**. "This bill will make it easier for survivors and victims to come forward and seek the justice they rightfully deserve. Employers will now have to be accountable and address all forms of harassment. Thank you to the survivors, advocates, and Senator Biaggi for making this bill happen."

The Senate Majority held hearings on sexual harassment in the workplace for the first time in 27 years. The hearings, held in Albany and New York City, provided survivors and experts from around the state with the opportunity to share their testimony and discuss what needs to be done to address sexual harassment in the workplace.

In a Sienna College survey, about 70 percent of women believe that sexual harassment is a significant problem in the workplace. About one-third of all respondents said that they were victims of sexual harassment-ranging from 26 percent in New York City to 40 percent upstate.

Senate bill S.6577, sponsored by Senator Alessandra Biaggi, will:

- Remove the "severe or pervasive" standard from discriminatory and retaliatory harassment cases.
- Extend the statute of limitations to three years for sexual harassment complaints under the Human Rights Law.
- Prohibit non-disclosure agreements to bar someone from speaking out against discrimination.
- Expand protections of domestic workers and independent contractors to include all forms of harassment.
- Authorize the award of punitive damages and attorney fees in employment discrimination actions.
- Push back the Faragher-Ellerth defense by indicating that the fact that an individual did not make a complaint about the harassment to their employer, licensing agency, employment agency or labor organization will not be determinative of whether such employer, licensing agency, employment agency or labor organization is liable. It also prohibits mandatory arbitration of discrimination claims.
- Require employers to provide their employees with a notice of sexual harassment prevention policies in the employees' primary language.

2019-S6577

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to increased protections for protected classes and special protections for employees who have been sexually harassed

June 17, 2019

Senate Floor Calendar

Sponsored by **Alessandra Biaggi**

Do you support this bill?
