



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

Statements From Senate Majority Leader Andrea Stewart-Cousins And Senator Alessandra Biaggi On Protections Against Sexual Harassment Signed Into Law

GARY GINSBURG August 12, 2019

| ISSUE: **SEXUAL HARASSMENT LAWS**

Senate Majority Leader Andrea Stewart-Cousins said, “No one should have to endure sexual harassment or mistreatment in the workplace. For too long, our state was held back from making real progress in the fight against sexual harassment. Thanks to the new Senate Democratic Majority, major strides were made in combatting this inappropriate behavior and addressing the priorities of the survivors of sexual harassment. The legislation signed today will close loopholes, extend the statute of limitations, and ensure that sexual harassment policies are clear for all employees across the public and private sector. I commend Senator Alessandra Biaggi for her unrelenting advocacy on this issue and I thank all those who testified at the joint Legislative hearing on sexual harassment.”

Bill Sponsor, Senator Alessandra Biaggi said, “In 2018 a group of former legislative staffers came forward to demand justice for the years of sexual harassment they endured at the hands of powerful lawmakers and state agencies – today we are taking that power and putting it in the hands of survivors and working people of New York. With the signing of this legislation, employers across all sectors will be held accountable for addressing all forms of sexual harassment and discrimination in the workplace, and survivors will be given the necessary

time to report complaints and seek the justice they deserve. It has been such an honor to carry this bill and I am incredibly appreciative of Senate Majority Leader Andrea Stewart-Cousins and Governor Andrew M. Cuomo for their commitment to addressing this issue with open hearts and minds. Today New York stands as a beacon of hope for survivors across the country as we usher a movement into law, and take one step forward towards building a harassment-free New York for all."

BACKGROUND:

- The Senate Majority and Assembly Majority held the first joint Legislative hearing on sexual harassment in nearly 30 years this past February and held another joint hearing on sexual harassment in May.

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

Remove the "severe or pervasive" standard from discriminatory and retaliatory harassment cases.

- o Extend the statute of limitations to three years for sexual harassment complaints under the Human Rights Law.

- o Prohibit non-disclosure agreements to bar someone from speaking out against discrimination.

- o Expand protections of domestic workers and independent contractors to include all forms of harassment.

- o Authorize the award of punitive damages and attorney fees in employment discrimination actions.

- o Push against 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.
- o Require employers to provide their employees with a notice of sexual harassment prevention policies in the employees' primary language.

In an NY1/Baruch College poll, a quarter of New Yorkers reported experiencing sexual harassment. The poll found that 55 percent of women harassed were victims of a person in a position of power. In a Siena Research Institute poll, 74 percent of respondents stated that sexual harassment in the workplace is a significant problem.

RELATED LEGISLATION

2019-S6577

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- Introduced
 - - o In Committee Assembly
 - o In Committee Senate
 - - o On Floor Calendar Assembly
 - o On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

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?