



NEW YORK STATE SENATE DEMOCRATIC MAJORITY

For Immediate Release: March 1, 2022

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Senate Majority To Pass Legislation Strengthening New York's Sexual Harassment Protections

(Albany, NY) The Senate Democratic Majority today will advance legislation to strengthen New York's sexual harassment protections at the workplace. This suite of legislation ensures that all employees in both the private and public sectors are treated in a fair manner and have the needed resources available to seek accountability. This legislative package enacts a ban on "no rehire" clauses in settlement agreements, extends the statute of limitations on workplace harassment and discrimination claims, protects public and private employees under the Human Rights Law, provides protection from unlawful retaliation, creates a workplace sexual harassment hotline, and enacts the Let Survivors Speak Act.

Senate Majority Leader Andrea Stewart-Cousins said, "It is the right of every New Yorker to be treated equally and respectfully in the workplace. As lawmakers, it is our responsibility to protect survivors of sexual assault and harassment and ensure that all employers in New York State foster a safe and respectful work environment for their employees. This legislation works to close loopholes, extend the statute of limitations, and ensure that sexual harassment policies are clear for all employees across the public and private sectors. I applaud today's bill sponsors for their unrelenting advocacy on these issues."

Bill Sponsor and Chair of the Senate Committee on Ethics and Internal Governance, Senator Alessandra Biaggi said, "On the first day of Women's History Month, I am proud to stand with my colleagues to deliver this package of legislation aimed at strengthening New York's sexual harassment protections. Last year, we witnessed a paradigm shift in our State's culture— New Yorkers made it clear that workplaces that silence, stifle and abuse survivors of sexual harassment will no longer be tolerated. As a Legislature, we must build upon this momentum and enact legislation that will protect working New Yorkers across all sectors and create a truly harassment-free New York. This is why I am proud to have two of my bills, S812A and S738, pass today. Both of these bills will strengthen sexual harassment protections in the workplace and provide survivors with the opportunity to freely speak their truth, without fear of retaliation. All survivors deserve the opportunity to openly seek justice, and only when we prioritize this, can we build a safer, harassment-free New York."

Bill Sponsor Senator Andrew Gounardes said, “Alongside the Sexual Harassment Working Group, NELA, and many other fierce and brave advocates, I have been working to close the personal staff loophole for years. I am incredibly proud that, today, we have finally won. And from banning ‘no rehire’ clauses in settlements to ensure that New Yorkers don’t lose their careers as a result of speaking out, to extending the statute of limitations for survivors to speak out another their experience, and ensuring that bosses can’t retaliate against survivors by releasing their private records, this package of bills go a long way to making sure workplaces are safer for New Yorkers all across the state. I am grateful to the advocates and survivors who have fought this fight alongside us, and I am eager to see these protections passed into law.”

Bill Sponsor Senator Brad Hoylman said, “New York’s Human Rights Law provides a powerful protection against discrimination and harassment, but its arbitrarily short statute of limitations for filing administrative complaints often benefit those who are discriminating and harassing. Our legislation (S.566A) to extend the statute of limitations for filing complaints with the Division of Human Rights from one to three years will give victims more time to come forward. I’m grateful for Senate Majority Leader Andrea Stewart-Cousins’ continuing commitment to centering victims’ rights and strengthening ethics laws in Albany.”

The legislation being passed by the Senate Democratic Majority includes:

- **Let Survivors Speak Act:** This legislation, Senate Bill [S.738](#), sponsored by Senator Alessandra Biaggi, would reform current Non-Disclosure Agreement laws that financially penalize survivors who speak out about their abuse by prohibiting settlements that require plaintiffs to pay liquidated damages for violating their NDA.
- **“No-Rehire” Ban:** This legislation, [S.766](#), sponsored by Senator Andrew Gounardes, will ban "no rehire" clauses in settlement agreements for employees or independent contractors that have filed a claim against their employer.
- **Extending Time Frame for Reporting Complaints:** This bill, [S.566A](#), sponsored by Senator Brad Hoylman, would raise the statute of limitations to three years for all unlawful discriminatory complaints to be brought to the Division of Human Rights, recognizing that victims need sufficient time to come forward.
- **Extending Human Rights to All Employees:** This bill, [S.3395A](#), sponsored by Senator Andrew Gounardes, would clarify who is to be considered an employee of public employers covered under the anti-discrimination provisions laid out by the Human Rights Law. Previous interpretations of “employer” excluded the personal staff of elected officials and judges in certain cases. This bill would rectify that.
- **Extended Statute of Limitations for Harassment:** This bill, [S.849A](#), sponsored by Senator Andrew Gounardes, will extend the statute of limitations for employment discrimination, including sexual harassment, from three years to six years.
- **Recourse to Victims of Unlawful Retaliation:** This bill, [S.5870](#), sponsored by Senator Andrew Gounardes, prohibits the release of personnel or employees as a retaliatory action against employees who complain or assist in proceedings involving unlawful discriminatory practices by employers.

- **Workplace Sexual Harassment Hotline:** This bill, [S.812A](#), sponsored by Senator Alessandra Biaggi, establishes a toll free confidential hotline for complainants of workplace sexual harassment.

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