



NEW YORK STATE SENATE DEMOCRATIC MAJORITY

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Senate Majority Strengthens New York’s Sexual Harassment Protections

(Albany, NY) The Senate Democratic Majority today 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.

“New York’s outdated sexual harassment laws have silenced survivors for too long. As lawmakers, it is our responsibility to protect survivors and work to improve the standards and culture in the workplace,” **Senate Majority Leader Stewart-Cousins** said. “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 sector. I applaud Senator Biaggi for her unrelenting advocacy on this issue.”

Bill Sponsor, Senator Alessandra Biaggi, said, “Today’s victory is a culmination of the blood, sweat, and tears of courageous survivors, fierce advocates, and dedicated lawmakers. From the very beginning, this process has been about doing the necessary work to address the ways in which our current laws and systems silence victims of sexual harassment – even when that has meant engaging in difficult conversations and diving head first into territories previously deemed off limits. With 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. I want to thank Majority Leader Andrea Stewart-Cousins for her unwavering support in moving this legislation forward, and my partner in the Assembly, Assemblymember Aravella Simotas. However, it is the advocates and the members of the Sexual Harassment Working Group to which I owe the most gratitude. It is because of their courage to share their survivor stories, their resilience to overcome the obstacles placed before them, their strength to fight back when they were told no, and their selfless commitment to making New York a safer place for everyone, that New Yorkers today will now be better protected against sexual assault and harassment. Today’s victory is not won in isolation – this is only the beginning of our journey towards building a truly harassment-free New York for all.”

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 give testimony and discuss sexual harassment in the workplace directly with lawmakers.

In a 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.

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.

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