



New York State Coalition Against Sexual Assault

Working for a World Without Violence.

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NYSCASA Applauds Signing of Legislation to Address Workplace Harassment and Discrimination

The New York State Coalition Against Sexual Assault (NYSCASA) applauds the passage of legislation addressing workplace harassment and discrimination signed into law on March 16, 2022, by Governor Kathy Hochul.

In particular, NYSCASA wishes to express our gratitude to the Sexual Harassment Working Group, whose testimonies revealed difficult truths about sexual harassment in New York State government and whose advocacy ensured that this legislative package received the attention it deserved. We also commend the efforts of Assemblymember Yuh-Line Niou, Assemblymember Jessica González-Rojas, Senator Alessandra Biaggi, and Senator Andrew Gounardes for their leadership in the Legislature and their commitment to implementing protections for New Yorkers who experience workplace harassment and discrimination.

Legislation S.812B/A.2035B will require the Division of Human Rights to establish a toll free confidential hotline for complaints of workplace sexual harassment. Many victims of workplace sexual harassment are unable to exercise their legal rights because they are not aware of what those rights are. The function of the hotline will be to connect complainants with experienced pro-bono attorneys who will help make them aware of their legal rights and advise them on the specifics of their individualized cases. In a recent press conference, NYSCASA shared our optimism that the sexual harassment hotline would be one of first measures to be approved. During Governor Hochul's recent announcement, the Governor stated the hotline as the first agenda item of her support. We thank the Governor's administration for their alignment with NYSCASA's goals.

Legislation S.3395B/A.2483B clarifies that the State is considered an employer of anyone serving in the executive, judiciary, and legislative branches – including the staff of elected officials or judges – and subject to the provisions of the Human Rights Law. This legislation will clarify that the state will not be able to avoid responsibility for harassment of public employees and ensure that New York's sweeping anti-harassment regulations protect both public and private employees.

Legislation S.5870/A.7101 establishes that the release of personnel records to discredit victims of workplace discrimination counts as a retaliatory action under the Human Rights Law. The Human Rights Law expressly prohibits all forms of retaliation against complainants. This legislation clarifies that the release of a personnel record counts as retaliation except where it is necessary to comply with an investigation. This bill also provides additional recourse to victims of

unlawful retaliation under this new provision by allowing them to file a complaint with the Attorney General who may commence a proceeding in state Supreme Court.

Max Micallef, NYSCASA's Public Policy Director, says, "It is excellent to see these pieces of legislation signed into law that comprehensively uphold the rights and protections of government employees and all New Yorkers. We thank the State Legislators involved and Governor Hochul for addressing these issues head-on."

If you have experienced sexual harassment, you are not alone.

New Yorkers who have experienced sexual harassment, abuse, and assault can call the 24/7 New York State Hotline for Sexual Assault and Domestic Violence for free and confidential support from trained victim advocates: 1-800-942-6906.

Workers who have experienced workplace harassment or discrimination can file a charge of employment discrimination with the U.S. Equal Employment Opportunity Commission (EEOC). [Click here to learn more.](#)

Additionally, NYSCASA will share information about how to contact the confidential hotline for complaints of workplace sexual harassment when it is available.