



e-Alert – New York State and City Expand Anti-Harassment Training Requirements for Employers

Background

In the wake of the #MeToo movement, many state and local governments are considering anti-harassment legislation to combat workplace sexual harassment. Specifically, New York State and New York City have taken hard-hitting steps to implement stronger protections against workplace sexual harassment making New York one of the strictest states in the country when it comes to harassment training.

What will New York State require?

Effective October 9, 2018, New York employers must implement an **annual** non-harassment training program. The new law is summarized [here](#). Up to this point, training has been up to employers; now it will be required. The state will be providing a model program created by state agencies, which employers can adopt, or they can design their own non-harassment training program that meets the state's standards, which includes the following components:

- An explanation of sexual harassment that includes specific examples of inappropriate conduct
- Detailed information concerning federal, state, and local laws and the remedies available to victims of harassment
- An explanation of employees' rights and what judicial forums are available to address complaints

What will New York City require?

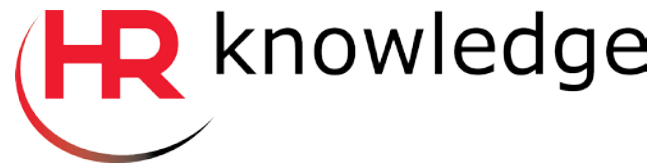
The Stop Sexual Harassment in NYC Act is expected to be signed by Mayor de Blasio in the coming weeks, and the law would be scheduled to take effect 120 days later. This will be similar to the state law, as it will require annual training, but, unlike the state law, will apply to employers with 15 or more employees, including interns. Additional obligations for employers include:

- The training must provide information about bystander intervention to curb workplace harassment.
- The training must be "interactive"; this means participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, either live or using audio-visual, computer, online, or other participatory forms of training determined by the New York City Commission of Human Rights.
- Managers and supervisors will need to complete additional training.
- New hires must complete training within 90 days of employment.
- Records of training and signed acknowledgment forms must be kept for at least three years.

HR Knowledge will communicate any additional information once the New York City law is signed, which is expected to occur in the coming weeks.

Employer next steps

All employers should take steps toward compliance as soon as possible. Employers with existing policies and training programs will need to review and update them in accordance with new requirements. If you



are an HR Knowledge full-service client or a Virtual HR Client, please note that we will be updating our template anti-harassment policy with appropriate language to ensure it is compliant with this new ruling and will be happy to provide this updated policy to our full-service and virtual HR client base. We are happy to help you update your current policy and handbook if you [email us](#); If you are not a current client but are interested in learning more about our services, please [contact us](#).

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