

New York Governor Takes Aim at Sexual Harassment in the Workplace

New York employers should expect proposals to “combat sexual harassment in the workplace” in the 2018-2019 Executive Budget or as standalone proposals, New York Governor Andrew Cuomo announced in his 2018 State of the State address on January 3, 2018.

The Governor said his anti-harassment proposals will include legislation that will:

- Prevent taxpayer funds from being used in settlements against individuals relating to sexual assault and harassment;
- Create a uniform code of sexual harassment policies that will be binding on state and local government employers;
- Create an anonymous whistleblower process for state and local government employees; and
- Void arbitration policies or clauses in employee contracts that prevent sexual harassment cases from consideration in law enforcement investigation and court trials.

The anti-harassment proposals also will include legislation prohibiting confidentiality agreements relating to sexual harassment and

assault from all public entities and branches of government, unless it is the victim’s express preference.

Further, they will require all New York companies to conduct annual reporting on the number of sexual harassment violations and nondisclosure agreements executed by the company.

The legislative components of the anti-harassment proposals have not been introduced, but they may appear as individual pieces of legislation, called “Governor’s Program Bills.” On the other hand, they may be introduced through the Governor’s Executive Budget Proposal, which is set for release in January 2018.

The anti-harassment proposals are among dozens of proposals of what the Governor hopes to accomplish in 2018.

Please contact a Jackson Lewis attorney if you have any questions about these developments.

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