

STATE OF NEW YORK

7687

IN SENATE

February 6, 2020

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law, the village law, the general city law, and the county law, in relation to requiring immediate notification of any violation of the sexual harassment policy of the municipality or alleged violation of the human rights law

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The town law is amended by adding a new section 65-b to
2 read as follows:

3 § 65-b. Notification to town board; violation of the sexual harassment
4 policy or alleged violation of the human rights law. 1. Notification of
5 any violation of the sexual harassment policy adopted in accordance with
6 section two hundred one-g of the labor law or any alleged violation of
7 the human rights law, which resulted in a finding of wrongdoing by any
8 town employee or any alleged violation which resulted in any discipli-
9 nary action against any town employee shall be given to each town board
10 member within one business day.

11 2. Records maintained by the town and proceedings by the town based
12 thereon regarding a claim submitted by a victim or a claimant shall be
13 deemed confidential.

14 3. Any report or record obtained by the town, the confidentiality of
15 which is protected by any other law or regulation, shall remain confi-
16 dential subject to such law or regulation.

17 4. In the event that the violation involves accusations of wrongdoing
18 by an individual who would otherwise receive the notification as
19 required by this section, then the notification to such individual shall
20 be waived.

21 § 2. The village law is amended by adding a new section 3-314 to read
22 as follows:

23 § 3-314 Notification to trustees; violation of the sexual harassment
24 policy or alleged violation of the human rights law. 1. Notification of
25 any violation of the sexual harassment policy adopted in accordance with
26 section two hundred one-g of the labor law or any alleged violation of

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD15240-02-0

1 the human rights law, which resulted in a finding of wrongdoing by any
2 village employee or any alleged violation which resulted in any disci-
3 plinary action against any village employee shall be given to each trus-
4 tee within one business day.

5 2. Records maintained by the village and proceedings by the village
6 based thereon regarding a claim submitted by a victim or a claimant
7 shall be deemed confidential.

8 3. Any report or record obtained by the village, the confidentiality
9 of which is protected by any other law or regulation, shall remain
10 confidential subject to such law or regulation.

11 4. In the event that the violation involves accusations of wrongdoing
12 by an individual who would otherwise receive the notification as
13 required by this section, then the notification to such individual shall
14 be waived.

15 § 3. The general city law is amended by adding a new section 3-e to
16 read as follows:

17 § 3-e. Notification to members of the common council; violation of the
18 sexual harassment policy or alleged violation of the human rights law.

19 1. Notification of any violation of the sexual harassment policy
20 adopted in accordance with section two hundred one-g of the labor law or
21 any alleged violation of the human rights law, which resulted in a find-
22 ing of wrongdoing by any city employee or any alleged violation which
23 resulted in any disciplinary action against any city employee shall be
24 given to each member of the common council within one business day.

25 2. Records maintained by the city and proceedings by the city based
26 thereon regarding a claim submitted by a victim or a claimant shall be
27 deemed confidential.

28 3. Any report or record obtained by the city, the confidentiality of
29 which is protected by any other law or regulation, shall remain confi-
30 dential subject to such law or regulation.

31 4. In the event that the violation involves accusations of wrongdoing
32 by an individual who would otherwise receive the notification as
33 required by this section, then the notification to such individual shall
34 be waived.

35 § 4. The county law is amended by adding a new section 209-a to read
36 as follows:

37 § 209-a. Notification to the board of supervisors; violation of the
38 sexual harassment policy or alleged violation of the human rights law.

39 1. Notification of any violation of the sexual harassment policy adopted
40 in accordance with section two hundred one-g of the labor law or any
41 alleged violation of the human rights law, which resulted in a finding
42 of wrongdoing by any county employee or any alleged violation which
43 resulted in any disciplinary action against any county employee shall be
44 given to each member of the board of supervisors within one business
45 day.

46 2. Records maintained by the town and proceedings by the county based
47 thereon regarding a claim submitted by a victim or a claimant shall be
48 deemed confidential.

49 3. Any report or record obtained by the county, the confidentiality of
50 which is protected by any other law or regulation, shall remain confi-
51 dential subject to such law or regulation.

52 4. In the event that the violation involves accusations of wrongdoing
53 by an individual who would otherwise receive the notification as
54 required by this section, then the notification to such individual shall
55 be waived.

56 § 5. This act shall take effect immediately.