STATE OF NEW YORK

9880

IN ASSEMBLY

February 20, 2020

Introduced by M. of A. THIELE, GRIFFIN -- read once and referred to the Committee on Local Governments

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:

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

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

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

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

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

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

§ 3-314 Notification to trustees; violation of the sexual harassment policy or alleged violation of the human rights law. 1. Notification of any violation of the sexual harassment policy adopted in accordance with 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.

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the human rights law, which resulted in a finding of wrongdoing by any village employee or any alleged violation which resulted in any disciplinary action against any village employee shall be given to each trustee within one business day.

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

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

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

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

§ 3-e. Notification to members of the common council; violation of the sexual harassment policy or alleged violation of the human rights law. 1. Notification of any violation of the sexual harassment policy adopted in accordance with section two hundred one-g of the labor law or any alleged violation of the human rights law, which resulted in a finding of wrongdoing by any city employee or any alleged violation which resulted in any disciplinary action against any city employee shall be given to each member of the common council within one business day.

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

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

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

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

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

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

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

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

§ 5. This act shall take effect immediately.