STATE OF NEW YORK

2035--B

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. NIOU, EPSTEIN, CLARK, ZEBROWSKI -- read once and referred to the Committee on Governmental Employees -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- reference changed to the Committee on Governmental Operations -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing a toll free confidential hotline for complainants of workplace sexual harassment

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

Section 1. Section 295 of the executive law is amended by adding a new subdivision 18 to read as follows:

18. To establish a toll free confidential hotline to provide individuals with complaints of workplace sexual harassment counsel and assistance. The division shall operate this hotline during regular business hours and disseminate information about this hotline in order to ensure public knowledge of the hotline, including by working with the department of labor to ensure that information on the hotline is included in any materials employers must post or provide to employees regarding sexual harassment. The division will work with organizations representing attorneys, including but not limited to the New York state bar association, to recruit attorneys experienced in providing counsel related to sexual harassment matters who can provide pro bono assistance and counsel to individuals that contact the hotline. The hotline shall comply with all of the requirements for a program operated under the New York Rules of Professional Conduct, 12 NYCRR, Rule 6.5 (Participation in limited pro bono legal service programs). Attorneys may not solicit, or

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

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permit employees or agents of the attorneys to solicit on the attorney's behalf, further representation of any individuals they advise through the hotline relating to discussed sexual harassment complaint.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.