STATE OF NEW YORK

2423

2021-2022 Regular Sessions

IN ASSEMBLY

January 19, 2021

Introduced by M. of A. NIOU, JACOBSON -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to requiring employers to submit an affirmative acknowledgement of implementing a sexual harassment prevention policy which meets or exceeds the minimum standards

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

Section 1. Subdivision 3 of section 201-g of the labor law, as added by section 1 of subpart E of part KK of chapter 57 of the laws of 2018, is amended to read as follows:

3. **a. The department shall consult with the division of human rights to create a system for every employer to affirmatively acknowledge that the employer has met or exceeded the sexual harassment prevention policy minimum standards required by this section and the regulations promulgated by the commissioner in accordance with this section.**

b. Each employer shall submit to the department an affirmative acknowledgement that the employer has met or exceeded the sexual harassment prevention policy minimum standards required by this section and the regulations promulgated by the commissioner in accordance with this section upon the completion of the employer's annual sexual harassment prevention training and upon the completion of the sexual harassment prevention training if any person newly hired by the employer. The employer shall use the system created by the department under paragraph a of this subdivision to submit the affirmative acknowledgements required by this paragraph.

4. The commissioner [~~may~~] **shall** promulgate regulations [~~as he or she deems necessary~~] for the purposes of carrying out the provisions of this section.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

LBD04783-01-1