STATE OF NEW YORK

1963

2021-2022 Regular Sessions

IN ASSEMBLY

January 13, 2021

Introduced by M. of A. CRUZ, SEAWRIGHT, GLICK, J. RIVERA, EPSTEIN, SIMON, DeSTEFANO, ASHBY, SAYEGH, RAMOS, QUART, DINOWITZ, GOTTFRIED, NIOU, GRIFFIN, DARLING -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to unlawful discriminatory practices relating to employers

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

Section 1. The executive law is amended by adding a new section 296-e to read as follows:

§ 296-e. Unlawful discriminatory practices relating to employers. 1. It shall be an unlawful discriminatory practice for an employer to fail to take immediate and appropriate corrective action when such employer knows, or should have known, of instances of sexual harassment by non-employees toward employees, applicants, unpaid interns or volunteers, or persons providing services pursuant to a contract of such workplace.

2. In reviewing such instances of sexual harassment by non-employees, the extent of such employer's control and any potential legal responsibility that he or she may have with respect to the conduct of such non-employees shall be taken into consideration.

3. An employer shall take all reasonable steps to prevent such sexual harassment from occurring.

4. In establishing that such sexual harassment has occurred, it shall not be required to prove a loss of tangible job benefits.

§ 2. This act shall take effect immediately.

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

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