

# STATE OF NEW YORK

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2035--A

2021-2022 Regular Sessions

## IN ASSEMBLY

January 14, 2021

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Introduced by M. of A. NIOU -- read once and referred to the Committee on Governmental Employees -- 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:

1 Section 1. Section 295 of the executive law is amended by adding a new  
2 subdivision 17 to read as follows:

3 17. To establish a toll free confidential hotline to provide individ-  
4 uals with complaints of workplace sexual harassment counsel and assist-  
5 ance. The division shall operate this hotline during regular business  
6 hours and disseminate information about this hotline in order to ensure  
7 public knowledge of the hotline, including by working with the depart-  
8 ment of labor to ensure that information on the hotline is included in  
9 any materials employers must post or provide to employees regarding  
10 sexual harassment. The division will work with organizations represent-  
11 ing attorneys, including but not limited to the New York state bar asso-  
12 ciation, to recruit attorneys experienced in providing counsel related  
13 to sexual harassment matters who can provide pro bono assistance and  
14 counsel to individuals that contact the hotline. The hotline shall  
15 comply with all of the requirements for a program operated under the New  
16 York Rules of Professional Conduct, 12 NYCRR, Rule 6.5 (Participation in  
17 limited pro bono legal service programs). Attorneys may not solicit, or  
18 permit employees or agents of the attorneys to solicit on the attorney's  
19 behalf, further representation of any individuals they advise through  
20 the hotline relating to discussed sexual harassment complaint.

21 § 2. This act shall take effect on the one hundred twentieth day after  
22 it shall have become a law. Effective immediately, the addition, amend-  
23 ment and/or repeal of any rule or regulation necessary for the implemen-  
24 tation of this act on its effective date are authorized to be made and  
25 completed on or before such effective date.

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

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