STATE OF NEW YORK

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2023-2024 Regular Sessions

IN ASSEMBLY

January 25, 2023

Introduced by M. of A. SIMON, EPSTEIN, GALLAGHER, BARRETT, SEAWRIGHT, JACKSON, DeSTEFANO, DURSO, SANTABARBARA, GONZALEZ-ROJAS, McMAHON, DAVILA, DINOWITZ, WALLACE -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to bystander intervention training

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

Section 1. Paragraph a of subdivision 2 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:

a. Such model sexual harassment prevention training program shall be interactive and include: (i) an explanation of sexual harassment consistent with guidance issued by the department in consultation with the division of human rights; (ii) examples of conduct that would constitute unlawful sexual harassment; (iii) information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment; [~~and~~] (iv) information concerning employees' rights of redress and all available forums for adjudicating complaints**; and (v) bystander intervention training that includes information and practical guidance on how to enable bystanders to recognize potentially problematic behaviors and to motivate such bystanders to take appropriate action when observing problematic behaviors; provided, however, bystander intervention training shall create no duty to intervene or impose any liability for the failure to intervene**.

§ 2. This act shall take effect on the one hundred eightieth 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.

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

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