

New York State Issues Revised Model Sexual Harassment Policy and Training Materials

By Michael L. Abitabilo, Richard I. Greenberg, Daniel J. Jacobs, Henry S. Shapiro & Christopher M. Valentino

April 20, 2023

Meet the Authors



Michael L. Abitabilo

Principal and Office Litigation Manager
(914) 872-6865
Michael.Abitabilo@jacksonlewis.com



Richard I. Greenberg

(Rich)
Principal
(212) 545-4080
Richard.Greenberg@jacksonlewis.com



Daniel J. Jacobs

New York has released an updated model sexual harassment prevention policy and updated model training materials. The revised model policy increases the emphasis on gender discrimination in the workplace, with a particular focus on discrimination and harassment based on gender identity, gender expression, and sexual orientation.

In addition, the revised model policy addresses issues related to remote work environments, contains more detailed examples of retaliation and information on bystander intervention, and a reference to the New York State Division of Human Rights' sexual harassment hotline.

The state's model sexual harassment prevention training materials have also been updated to reflect these same points of emphasis.

In 2018, New York became one of the first states in the nation to pass legislation requiring that employers provide all managers and employees sexual harassment prevention training on an annual basis. In addition, all employers must maintain and publish a sexual harassment prevention policy that meets or exceeds the state's minimum standards.

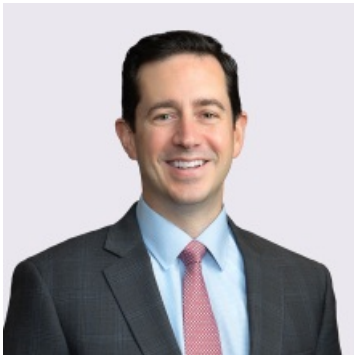
While the underlying statutory requirements (section 201-g of the Labor Law) have not changed, nor have there been any changes to the "minimum standards" for a lawful sexual harassment prevention policy, the latest actions show that the Department of Labor, Division of Human Rights, and the governor's office are placing an increased emphasis on sexual harassment in the workplace and particularly on disparate treatment based on gender identity, gender expression, and sexual orientation.

New York employers should consider potential updates to their current sexual harassment prevention policies and training materials. Please contact a Jackson Lewis attorney with any questions on updating policies and procedures to comply with the latest guidance.

(He/Him)
Principal
(212) 545-4049
Daniel.Jacobs@jacksonlewis.com



Henry S. Shapiro
Principal
(631) 247-4651
Henry.Shapiro@jacksonlewis.com



Christopher M. Valentino
Principal
(631) 247-4653
Christopher.Valentino@jacksonlewis.com

Related Services

Employment Litigation
National Compliance and Multi-State
Solutions
Sexual Harassment
Workplace Training

©2023 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material. This material may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on labor and employment law since 1958, Jackson Lewis P.C.'s 1000+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged, stable and diverse, and share our clients' goals to emphasize inclusivity and respect for the contribution of every employee. For more information, visit <https://www.jacksonlewis.com>.