

New Sexual Harassment Prevention Laws in New York: What Employers Need to Know about the October 9th Deadline

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As we previously reported in our [April 23 newsletter/bulletin](#), the New York State Legislature passed significant legislation aimed at protecting employees from workplace sexual harassment. This week, the state issued its highly anticipated [model sexual harassment prevention policy](#) and [model interactive sexual harassment prevention training program](#) after issuing draft documents in August, and receiving public comments thereafter. Effective October 9, 2018, the new law requires all New York State employers to either implement the state's model sexual harassment prevention policy, or create their own sexual harassment prevention policy that meets or exceeds the minimum standards established by the state. Employers must also distribute their sexual harassment prevention policy to all New York State employees, in writing or electronically, as of this date. On the training front, the new law requires employers to either adopt the state's model interactive sexual harassment prevention training program, or create their own state-compliant program. However, in something of a reprieve, employers will have a year—until October 9, 2019—to train current employees, instead of by January 1, 2019, as originally required. Such training must be conducted annually, and new employees should be trained “as quickly as possible” once their employment begins. What constitutes “as quickly as possible,” however, has not yet been defined.

To aid employers in their compliance with the new law, the state has published additional materials including the following: a [Sexual Harassment Prevention Employer Toolkit](#), [Minimum Standards for Sexual Harassment Prevention Policies](#), [Minimum Standards for Sexual Harassment Training](#), a [Model Complaint Form for Reporting Sexual Harassment](#), a [Sexual Harassment Prevention Policy Notice, Instructions and a Model Training Script for Sexual Harassment Prevention Training](#) and [Sexual Harassment Prevention Case Studies](#). Employers should carefully review these sexual harassment prevention materials and determine whether to adopt the model policy and training program or devise their own.

Employers should act quickly to ensure full compliance with all requirements under the new law. If you have any questions concerning New York State's or New York City's anti-sexual harassment laws, or you would like assistance implementing your sexual harassment prevention program, please contact **Jonathan A. Wexler** at (212) 407-7732, **Blythe E. Lovinger** at (212) 407-7770, **Monique E. Chase** at (212) 407-7774, **Haley P. Tynes** at (212) 407-6997 or any other Vedder Price attorney with whom you have previously worked.

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