



NEW YORK STATE SENATOR

David J. Valesky

Senate Passes Valesky Bill to Combat Sexual Harassment in the Workplace and Other Women's Equality Legislation

DAVID J. VALESKY June 18, 2014

| ISSUE: **HUMAN RIGHTS, WOMEN, JOBS & EMPLOYMENT**

ALBANY—The State Senate today passed legislation sponsored by Senator David J. Valesky (D-Oneida) that strengthens laws against sexual harassment. This bill enacts part of the New York Women's Equality Agenda, helping to break down barriers that perpetuate discrimination and inequality based on gender.

The legislation (S5873) would ensure that all employees are protected from sexual harassment by applying existing protections to businesses of all sizes.

"Sexual harassment in the workplace is intolerable, regardless of how large or small your employer may be," Senator Valesky said. "This legislation will bring small businesses, which were previously exempted, in line with all others and provide protection to all employees."

Sexual harassment disproportionately affects women in the workplace. In 2011, women filed 75 percent of all sexual harassment complaints filed at the New York State Division of Human Rights and 83 percent of all sexual harassment complaints filed at the Equal Employment Opportunity Commission.

However, under current law, people working at businesses with fewer than four employees cannot file a harassment complaint with the State because small employers are exempt from the law that prohibits harassment. More than 60 percent of the state's private employers have fewer than four employees. This bill would protect workers from sexual harassment regardless of the size of the workplace.

In addition, the Senate passed several other bills relating to the Women's Equality Agenda:

- **S5872**: ensuring that women receive equal pay for equal work by prohibiting employers from paying employees disparate amounts due to gender;
- **S5874**: removing barriers to remedying discrimination by allowing successful parties in employment or credit discrimination cases based on sex to recover attorney's fees;
- **S5875**: preventing employment discrimination based on family status;
- **S5876**: preventing housing discrimination against domestic violence victims;
- **S5878**: creating a pilot program to allow domestic violence victims to electronically file for orders of protection, and requiring the Office of Court Administration to review and update their policies and services for all crime victims in the courts to make sure that their needs are being met so victims are truly protected;
- **S5879B**: preventing the exploitation of children and adults who are victims of human trafficking; and
- **S5880**: requiring employers to provide reasonable accommodations to employees with pregnancy-related medical conditions.

"These are extremely important pieces of legislation that are needed to protect women today," Senator Valesky said. "Many women's lives and financial livelihoods literally depend on the passage of these bills, and I sincerely hope they can be signed into law this year."

All of the aforementioned have been sent to the Assembly.