



NEW YORK STATE SENATOR

Dean G. Skelos

Senate Passes Women's Equality Measures

DEAN G. SKELOS June 18, 2014

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Completes Passage of Women's Equality Agenda, Calls On Assembly To Act

The New York State Senate today completed action on all of the measures that make up its Women's Equality Agenda. Three bills passed by the Senate would stop sexual harassment at work, allow for the recovery of attorney's fees by victims of gender discrimination, and

enable domestic violence victims to obtain orders of protection electronically.

Senate Majority Co-Leader Dean Skelos called on the Assembly to act immediately on the women's equality bills passed by the Senate. Over the past week, the Senate has approved eight bills of the nine-bill equality agenda. One of the bills was enacted into law last year.

“The Senate has now passed all of the bills that comprise the New York State Senate Women's Equality Agenda,” Senator Skelos said. “A package of legislation designed to further protect and enhance women's rights in the Empire State. These bills will empower women and break down barriers that perpetuate violence, discrimination and inequality based on gender. It's time for the Assembly to listen to the calls from women's advocacy groups and from many Assemblywomen to pass each of these bills immediately.”

PROHIBITING SEXUAL HARASSMENT

The Senate unanimously approved a bill yesterday (S5873), sponsored by Senator David Valesky (D-Oneida), that 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.

REMOVING BARRIERS TO REMEDYING DISCRIMINATION

The Senate also approved legislation today (S5874), sponsored by Senator Elizabeth Little (R-C-I, Queensbury) that would remove barriers to remedying discrimination. The bill would allow successful parties in employment or credit discrimination cases based on sex to recover attorney's fees.

“The existing law actually deters women from taking legal action when they are the victims of sex discrimination in employment or obtaining credit because they cannot recover their attorney’s fees,” Senator Little said. “This is a particularly troubling problem when a victim cannot afford to hire an attorney. The bill would address this problem by allowing for victims of sex discrimination in employment, credit and lending cases to recover reasonable attorney's fees.”

ALLOW FOR ELECTRONIC FILING OF ORDERS OF PROTECTION

In addition, the Senate passed a bill Tuesday (S5878), sponsored by Senator Cathy Young (R-I-C, Olean), that would allow domestic violence victims to electronically file for orders of protection. The legislation creates a pilot program to allow domestic violence victims to seek temporary orders of protection through electronic means rather than having to appear in person.

The bill also requires 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.

“Women face too many obstacles in securing protection from their abusers,” Senator Young said. “Some domestic violence victims require immediate temporary orders of protection, but have no means to travel to the appropriate family court. To protect victims and ensure that they are able to secure much-needed orders of protection, this bill would allow the Office of Court Administration to develop a pilot program to allow victims to petition for temporary orders of protection remotely.”

All three of these measures were also passed in June 2013 as part of the Senate’s Women’s Equality Agenda.

The bills have been sent to the Assembly.

In addition to the three bills passed today, the Senate Women’s Equality Agenda included the following legislation, all of which passed the Senate and have yet to be acted on by the Assembly:

- > Preventing the exploitation of children and adults who are victims of human trafficking; (S5879B), Senator Andrew Lanza (R-I-C, Staten Island);
- > Ensuring that women receive equal pay for equal work by prohibiting employers from paying employees disparate amounts due to gender; (S5872), Senator Diane Savino (D-Staten Island);

> Requiring employers to provide reasonable accommodations to employees with pregnancy-related medical conditions; (S5880) Senator Kemp Hannon (R-C-I, Garden City);

> Preventing employment discrimination based on family status; (S5875), Senator Betty Little (R-C-I, Queensbury);

> Preventing housing discrimination against domestic violence victims; (S5876), Senator Joseph Robach (R-C-I, Rochester);

Legislation was enacted into law last year that strengthened orders of protection for domestic violence victims by clarifying that a victim for whom an order of protection is issued cannot be arrested for violating that same order; (S5605, Chapter 12 Laws of 2013), Senator Joseph Robach (R-C-I, Rochester).

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