



NEW YORK STATE SENATOR

Patrick M. Gallivan

## New Laws Will Enhance Women's Rights and Cut Taxes for Veterans & Businesses

JIM RANNEY December 28, 2015

| ISSUE: **WOMEN'S EQUALITY AGENDA, TAXES, VETERANS**

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Senator Patrick M. Gallivan (R-C-I, Elma) announces several measures that enhance the rights of women are among the new state laws that will take effect in January 2016.

“These new laws will enhance the rights of women and protect those who are most vulnerable to abuse and discrimination and ensure that all New Yorkers receive equal protection under the law,” Gallivan said.

Other laws soon to take effect include business tax cuts and property tax relief for eligible veterans.

### **Women’s Equality Agenda:**

On Jan. 19, 2016, seven of the eight bills comprising the Senate’s Women’s Equality Agenda will take effect, including:

- Preventing Human Trafficking and Protecting Trafficked Victims: This new law toughens penalties against those human trafficking young women, men, and children. It will reduce the stigma defendants may face when they are victims of the massive \$32 billion sex trafficking industry.

- Ensuring Equal Pay: The law will ensure that women receive the wages they are entitled to by prohibiting employers from paying employees disparate amounts due to gender. In New York, on average, a woman working full time is paid \$42,213 per year, while a man working full time is paid \$50,388 per year. This creates a wage gap of \$8,275 between full-time working men and women in the state.

- Stopping Discrimination Based on Family Status: The new law will help working mothers by preventing discrimination in the hiring and promotion of people with families. Employers will be prohibited from denying work or promotions based on family status, such as parents

and women who are pregnant. Prior laws only prohibited discrimination based on family status in credit and housing decisions but not employment with children.

- **Ending Pregnancy Discrimination in the Workplace:** This law requires employers to provide reasonable accommodations to employees with pregnancy-related medical conditions. A pregnancy-related condition would be treated as a temporary disability. Additionally, the measure would codify in law a regulation that an employee must provide medical or other information to verify the existence of the condition.
- **Preventing Housing Discrimination Against Domestic Violence Victims:** The new law prohibits discrimination against domestic violence victims in housing, and subjects violators of this prohibition to a misdemeanor. It also allows the option of a civil action for a violation of the prohibition.
- **Prohibiting Sexual Harassment in the Workplace:** This law protects all employees from sexual harassment by applying existing protections to businesses of all sizes. Under prior law, people working at businesses with fewer than four employees could not file a harassment complaint with the state because small employers were exempt from the law that prohibits harassment. More than 60 percent of the state's private employers have fewer than four employees.
- **Removing Barriers to Remedying Discrimination:** This law removes barriers to remedying discrimination by allowing successful parties to recover attorney's fees in employment or credit discrimination cases based on sex.

The remaining law that completed the Women's Equality Agenda package will take effect April 1, 2016. The measure creates a pilot program that would enable domestic violence victims to seek temporary orders of protection through electronic means rather than having to appear in person. The Office of Court Administration will also review and update its policies and services for all crime victims in the courts in order to ensure that their needs are being met and that all victims are truly protected.

### **Business Tax Cuts:**

In 2014, the Senate succeeded in overhauling and simplifying the State Corporate Franchise Tax, which incorporated banks into the new combined code. Starting on Jan. 1, 2016, the Business Income Tax Rate will be lowered from 7.1 to 6.5 percent, saving businesses a total \$125 million.

Also starting Jan. 1, 2016, New York State's small business exemption will increase to 5 percent for sole proprietors and farmers with at least one employee and a federal adjusted gross income that does not exceed \$250,000. Exemption increases have been phased in since legislation was passed in 2013 and will ultimately save small businesses a total of \$61 million.

### **Increases in the Minimum Wage and Minimum Wage Reimbursement Tax Credit:**

On Dec. 31, 2015, the state's minimum wage will increase from \$8.75 an hour to \$9 an hour. The increase is coupled with an increase in the Minimum Wage Reimbursement Tax Credit from \$1.31 to \$1.35 to help offset some of the increased wage costs for businesses.

### **Help for Veterans:**

A new law that takes effect Jan. 2, 2016, helps reduce the local property tax burden for veterans by authorizing an increase in limits to the real property tax exemption. Municipalities have the option of offering these exemptions to help veterans afford owning a home. The new limits take into account rising property values so that the savings offered with the tax exemption can continue to help eligible veterans.

**Access to Missing Child Case Information:**

On Jan. 19, 2016, a new law will expedite access to critical information in missing child cases. The law was created in response to a tragic child abuse case in Albany County. It specifies that Child Protective Services (CPS) records can be released to expedite an investigation when law enforcement is investigating a missing child and there is reason to believe that a parent, guardian, or other person legally responsible for the child is the subject of a report of child abuse or maltreatment. If CPS denies the request, law enforcement agencies can request an administrative review by the state Office of Children and Family Services, which would then have the ability to overturn a decision by the county CPS.

**Breastfeeding Mothers' Bill of Rights:**

A new law will go into effect on Jan. 1, 2016, that will update the Breastfeeding Mothers' Bill of Rights to add a provision that allows women to take reasonable, unpaid breaks at work in order to pump breast milk for up to three years following childbirth. Including this provision in the Breastfeeding Mothers' Bill of Rights, which is publicly posted in maternal healthcare facilities, nurseries, maternity floors, and post-delivery rooms, would ensure that women are aware of this right and would prevent employers from discriminating against them based on their decision to express breast milk at work.

