

CLIENT ALERT

# Employment Law Update: Upcoming Deadlines Under New York State and City Anti-Sexual Harassment Laws

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New York State and New York City have recently adopted numerous laws to address sexual harassment in the workplace. Below is an overview of upcoming deadlines under these new laws.

### **September 6, 2018: Anti-Sexual Harassment Poster (NYC Law)**

Effective September 6, 2018, all New York City employers must post an anti-sexual harassment poster in employee breakrooms or other common areas. The poster must be displayed, at a minimum, in English and Spanish. Links to the posters can be found here:

[English version](#)

[Spanish version](#)

### **September 6, 2018: Anti-Sexual Harassment Fact Sheet (NYC Law)**

Effective September 6, 2018, all New York City employers must also distribute to individual employees at the time of hire a fact sheet on sexual harassment. Rather than distribute the fact sheet as a standalone document, employers may instead incorporate it into their employee handbook, so long as new employees are required to review the handbook at the time of hire. The fact sheet can be found [here](#).

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### ***October 9, 2018: Mandatory Sexual Harassment Prevention Policy (NYS Law)***

Effective October 9, 2018, all New York State employers must adopt a sexual harassment prevention policy. Employers may satisfy this requirement by either adopting a model policy published by New York State, a draft of which can be found [here](#), or by updating their existing policies to comply with mandated minimum standards, outlined [here](#). Employers who decide to update their existing policies should review these minimum standards carefully. They require information and materials not included in many standard policies, such as a complaint form, a draft of which can be found [here](#).

### ***October 9, 2018: Mandatory Sexual Harassment Prevention Training (NYS Law)***

Effective October 9, 2018, all New York State employers must implement sexual harassment prevention training on an annual basis. Employers may satisfy this requirement either by adopting a model training program published by New York State, a draft of which can be found [here](#), or by offering training that meets the mandated minimum standards, outlined [here](#).

While not explicitly required by statute, New York State's draft FAQs (and its model training) state that existing employees must complete the training by [January 1, 2019](#), and that employees hired after January 1, 2019 must complete the training within [30 days of hire](#). The draft FAQs can be found [here](#). Like all other New York State guidance, the FAQs are in draft form, so these deadlines could change in response to public comments. The public comment period ends September 12, 2018.

### ***April 1, 2019: Mandatory Sexual Harassment Prevention Training (NYC Law)***

Effective April 1, 2019, New York City employers with 15 or more employees will have one year to conduct sexual harassment prevention training for existing employees (including interns), and must conduct annual trainings thereafter. Starting April 1, 2019, this training must be completed within 90 days of initial hire for employees who work more than 80 hours in a calendar year. Employers must keep a record of trainings for three years, including a signed employee acknowledgment. The New York City Commission on Human Rights is tasked with developing an online training module, which it has not yet published.

Notably, New York City law specifies a somewhat broader list of topics that must be covered in training than does its New York State counterpart, including "bystander intervention," so NYC employers should be mindful of the NYC law requirements when developing an annual training program that will soon be mandatory under both laws. More information about the NYC training requirements can be found [here](#).

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If you have any questions regarding this client alert, please contact the following attorney or the attorney with whom you regularly work.

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