

New York State Revises and Finalizes its Sexual Harassment Policies and Training Requirements After Receiving Comments from Employers

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On October 1, 2018, New York State released final documents and resources in connection with its new sexual harassment prevention requirements. Along with the updated guidelines, the deadline to provide a first round of sexual harassment prevention training has been extended from January 1, 2019 to October 9, 2019.

Despite that New York State has extended the deadline for providing sexual harassment prevention training, New York City employers must continue to satisfy the requirements of the Stop Sexual Harassment in NYC Act, which as previously [reported](#), requires all employers with 15 or more employees to conduct sexual harassment prevention training beginning on April 1, 2019.

New York State's final guidance clarifies several points outlined below.

- [Sexual Harassment Policy \(Distributed by October 9, 2018\)](#)
 - Must be provided to employees in writing or electronically with the ability for employees to print a copy from a work computer for their records.
 - Requirement does not extend to third-party vendors, nonemployees, contractors, subcontractors, or consultants.
 - Employers can provide their own policies that are similar to the model.
- [Sexual Harassment Prevention Training \(Completed by October 9, 2019\)](#)
 - Required for all current employees.
 - Employees must be trained on an annual basis.
 - Newly hired employees must be trained as soon as possible. If the new employee can verify completion of training within the last year through a previous employer, he or she does not need to be retrained until the year is complete.
 - Only applies to employees who work or will work in New York State, for even a portion of their time. Does not apply to employees who work in other states.
- [Record keeping](#) - Employers are not required to keep records of compliance with the law. However, it is a best practice for employers to maintain such records, particularly in the event of a future complaint or lawsuit.
- [Languages](#) - The state will provide model materials in various languages. If materials are not available in the employee's primary language, materials in English can be provided. However, employers should make every effort to provide a policy and training in the language spoken by the employee.

In response to comments from the public, New York State has revised the models and policies that it previously issued.

Below are the updated resources:

- [Policies](#)



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- [Minimum standards for sexual harassment prevention policies](#);
- Sexual Harassment Prevention Model Policy in [PDF](#) and [Word](#);
- [Sexual harassment prevention poster](#);
- [Sexual harassment prevention toolkit for employers](#).
- Model complaint form in [PDF](#) and [Word](#).
- Training
 - [Minimum standards for sexual harassment prevention training](#);
 - Sexual harassment prevention model training in [PDF](#) and [Word](#);
 - Sexual harassment prevention training presentation in [PDF](#) and [PowerPoint](#);
 - Sexual harassment prevention training case studies in [PDF](#) and [PowerPoint](#).

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