

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2018**

No. 92

Introduced by the Speaker (Council Member Johnson) and Council Members Rose, Rosenthal, Chin, Powers, Constantinides, Reynoso, Lander, Ayala, Miller, Adams, Rivera and Koslowitz.

A LOCAL LAW

To amend the New York city charter, in relation to anti-sexual harassment trainings at city agencies

Be it enacted by the Council as follows:

Section 1. Chapter 35 of the New York city charter is amended by adding a new section 815.1 to read as follows:

§815.1. Anti-sexual harassment training. a. Definitions. For purposes of this section, the following terms have the following meanings:

Agency. The term “agency” has the same meaning as such term is defined in section 1150 and shall include the offices of the borough presidents, the comptroller and the public advocate.

Interactive training. The term “interactive training” means participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, use of audio-visuals, computer or online training program or other participatory demonstrations as determined by the commission. However, such “interactive training” is not required to be live or facilitated by an in-person instructor in order to satisfy the provisions of this subdivision.

b. All personnel. The head of each agency, in consultation with the department, shall ensure that each employee of such agency receives anti-sexual harassment interactive training annually.

Such training shall be designed to create an environment that is free from sexual harassment, to discourage the development of sexual harassment, to raise awareness and sensitivity of employees to potential sexual harassment and to enable employees to prevent and respond to sexual harassment. Such training shall include the specific responsibilities of supervisory and managerial employees in the prevention of sexual harassment and retaliation, and measures that such employees may take to appropriately address sexual harassment complaints. Such training may be included as a part of a broader anti-discrimination training and shall include but not be limited to the following:

- 1. An explanation of sexual harassment as a form of unlawful discrimination under local law;*
 - 2. A statement that sexual harassment is a form of unlawful discrimination under federal and state law;*
 - 3. A description of what sexual harassment is;*
 - 4. The internal complaint process available to employees within such agency;*
 - 5. The complaint process available through the commission on human rights, the division of human rights and the United States equal employment opportunity commission, including contact information;*
 - 6. The prohibition of retaliation, pursuant to federal, state and local law and the internal complaint process, and examples thereof; and*
 - 7. Information concerning bystander intervention, including but not limited to any resources that explain how to engage in bystander intervention.*
- c. For purposes of this section the term “employee” shall apply to interns.*

d. Compliance. 1. The department of citywide administrative services shall maintain a record of all trainings required pursuant to this section for at least three years. On or before January 31 of each year the department of citywide administrative services shall report to the mayor and the speaker the results of agency compliance with the requirements of this section.

2. The training required pursuant to this section is intended to establish a minimum threshold and does not prohibit any agency from providing more frequent or additional anti-sexual harassment training.

§ 2. This local law takes effect 120 days after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on April 11, 2018 and approved by the Mayor on May 9, 2018.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 92 of 2018, Council Int. No. 612-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.