

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

No. 97

Introduced by Council Members Levine, Williams, Torres, Cabrera, Rose, Rosenthal, Chin, Gibson, Powers, Constantinides, Reynoso, Lander, Ayala, Miller, Adams, Rivera and Koslowitz.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to mandating annual reporting on workplace sexual harassment within city agencies

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119.2 to read as follows:

§ 3-119.2 Annual reporting on workplace sexual harassment. 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 of the charter and shall include the offices of the borough presidents, the comptroller and the public advocate.

Department. The term “department” means the department of citywide administrative services.

Reporting individual. The term “reporting individual” means a city job or internship applicant, or a current or former employee, intern, independent contractor or volunteer who brings forth a report of workplace sexual harassment.

Respondent. The term “respondent” means a city job or internship applicant, or a current or former employee, intern, independent contractor or volunteer accused of workplace sexual harassment who has entered into the agency’s official complaint process.

b. Each agency shall report to the department complaints of workplace sexual harassment annually. The department shall annually compile complaints of workplace sexual harassment within each agency for the preceding fiscal year and shall annually submit by December 31 to the mayor, the council and commission on human rights, which shall post it on its website, a report containing the following information:

- 1. The number of such complaints that were filed;*
- 2. Of those complaints in paragraph 1 of this subdivision, the number of complaints resolved;*
- 3. Of those complaints in paragraph 2 of this subdivision, the number of complaints substantiated;*
- 4. Of those complaints in paragraph 2 of this subdivision, the number of complaints not substantiated; and*
- 5. The number of complaints in the agency’s official discrimination claim process that were closed because the complaint was withdrawn by the reporting individual prior to a final determination.*

c. The information required pursuant to subdivision b of this section shall be disaggregated by agency, except that agencies with 10 employees or less shall be aggregated together.

d. No report required pursuant to subdivision b of this section shall contain personally identifiable information. If any category requested contains between 0 and 5 incidents of sexual harassment claims, the number shall be replaced with a symbol.

§ 2. This law takes effect 180 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. 97 of 2018, Council Int. No. 653-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.