

New York State Workplace Sexual Harassment Rules

Practical Guidance for Employers

	I have an office within the five boroughs of NYC, and nowhere else in New York.	I have an office in upstate New York or Long Island and in New York City.	I have an office in upstate New York or Long Island, and at least one employee goes into NYC.	All of my offices are outside of New York, but at least one employee performs services within the five boroughs of NYC.	I have an office in upstate New York or Long Island, and my employees never go into NYC.	All of my offices are outside of New York, but at least one employee spends a “portion of their time” within New York State.
May not deduct value of settlement payments, or related attorneys’ fees, if settlement includes an NDA	X	X	X	X	X	X
May not include NDA’s* in settlements, unless at the claimant’s preference; and if so, must allow 21 days to consider and 7 days to revoke	X	X	X	X	X	X
May not impose mandatory arbitration on sexual-harassment claims	X	X	X	X	X	X
Annual training	X	X	X	X	X	X
New policy	X	X	X	X	X	X
Non-employees are protected by laws	X	X	X	X	X	X
Claimant has 3 years to bring a claim	X	X	X	X		
Fact sheet for new hires	X	X	*	*		
Display poster	X	X	*	*		

* Awaiting final clarification on how this will apply

Current as of October 4, 2018