

# LABOR AND EMPLOYMENT PRACTICE

New York's deadline for training employees on preventing sexual harassment and discrimination is October 9, 2019. To that end, remember that lawyers are employers, and the law applies to you regardless of your number of employees (presumably at least one).

If pressed for time or resources, model training materials are available on the New York Department of Labor's website. For firms that wish to individualize their training programs, be advised that you are duty bound to ensure that the training meets or exceeds the State's minimum standards. Specifically, the training must:

- Be interactive;
- Include an explanation of sexual harassment consistent with guidance issued by the New York State Department of Labor in consultation with the New York State Division of Human Rights;

- Include examples of conduct that would constitute unlawful sexual harassment;
- Include information concerning the federal and State statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment;
- Include information concerning employees' right of redress and all available forums for adjudicating complaints; and
- Include information addressing conduct by supervisors and any additional responsibilities for such supervisors.

Recent legislation also requires every employer to distribute to its employees, at the time of hire and in connection with each annual sexual harassment prevention training, a written "notice" containing the sexual harassment prevention policy "and the information presented at such employer's sexual harassment prevention training program." The legis-



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lation does not explain the meaning of "information." Therefore, until the State releases model information, best practices suggest that your employees be provided with a hard copy of the entire training program.

Finally, firms with employees in New York City must be cognizant of the fact that the City imposes additional training requirements. The deadline for training in New York City is December 31, 2019.

As always, if you have any questions or comments, feel free to give me a call or drop me an e-mail. ●