



Memorandum in Support of Strengthening the New York State Human Rights Law (A.7083 / S.3817)

June 3, 2019

CWA District 1 submits this memo in strong support of amending executive law, in relation to increased protections for protected classes and special protections for employees who have been sexually harassed (A.7083/S.3817).

The New York State Human Rights Law (NYSHRL) must be amended in a comprehensive manner that provides broad protection to all employees, and strong incentives to all employers to keep their workplaces free from discrimination.

To do so, the State must expand baseline statutory protections for workers by closing gaps in the law that exclude some workers from protections, and improves protections to reflect the realities of workplace power discrepancies.

Assembly Prime Sponsor	Simotas
Assembly Co-Sponsors	Rozic, De La Rosa, Simon, Quart, Lavine, Mosley, Gottfried, Paulin, Ortiz, Miller MG, Braunstein, O'Donnell, D'Urso, Zebrowski, Weprin, Hevesi, Wright, Cruz, Dinowitz, Epstein, Niou, Seawright, Kim, Lentol
Senate Prime Sponsor	Biaggi
Senate Co-Sponsors	Carlucci, Hoylman, Krueger, Liu, Mayer, Metzger, Rivera, Salazar, Stavisky

* As of 6/2/19

WHAT THE BILL WILL DO

Protect the civil rights of all New Yorkers by removing existing barriers to employees who seek redress for discrimination, including discriminatory harassment. Under this legislation:

- A hostile work environment based on sex, race or another protected class, is unlawful unless the employer shows the conduct complained of is a petty slight or a trivial inconvenience,
- Employers are held responsible for the conduct of their supervisors;
- The prospect of punitive damages will create an incentive for employers to stop discrimination in the workplace;

- Sex discrimination and harassment are treated the same as other forms of discrimination and harassment;
- Adverse actions against employees are unlawful if they are motivated by discriminatory or retaliatory motives;
- Employer actions are unlawful if discrimination is a motivating factor.

The bill expands protection to independent contractors, domestic workers, and employees of small businesses. It also provides for the recovery of attorneys' fees for victims of all forms of discrimination and harassment who prove their cases and makes clear that the New York State Human Rights Law is a remedial statute that is to be construed liberally, and not the same as more restrictive federal legislation.

S.3817/A.7083 is strong, fair and comprehensive legislation that, if passed, will ensure that the right to equal employment opportunity is truly available to all employees in New York State. We urge the legislature to support this important bill.

Strengthen the N.Y.S. Human Rights Law A.7083 / S.3817
For More Information Contact CWA District 1 at 212-344-2515