

July 2018

### New York Passes Law Requiring Annual Sexual Harassment Prevention Training

Both New York State and New York City have recently passed laws which require that employers now conduct annual and comprehensive sexual harassment prevention training for its employees. This mandate applies to all physicians and medical practices with any employees.

According to the New York State law, effective October 9, 2018:

“Every employer shall utilize the model sexual harassment prevention training program pursuant to this subdivision or establish a training program for employees to prevent sexual harassment that equals or exceeds the minimum standards provided by such model training. Such sexual harassment prevention training shall be provided to all employees on an annual basis.” Moreover, employers will be required to maintain records of their compliance with the law which include signed employee acknowledgments. A similar law, passed by the New York City Council, becomes effective April 1, 2019.

While our news apps and smart phone feeds tell us about prominent individuals and “big businesses” that have been besieged by sexual misconduct allegations, we know that small and mid-sized businesses may be subject to substantial liability for the actions of their principals and employees. For New York businesses, the stakes are now even higher. The recent laws in New York State and New York City will now **require** businesses to provide harassment avoidance training.

In short, providing training to your employees is now the law in New York. It is also a key component to preventing workplace harassment and limiting your company's liability in the event of a lawsuit. The Health Care Group, in conjunction with the Labor & Employment Group at Norris McLaughlin & Marcus, P.A., offers comprehensive and affordable training to businesses. Our sexual harassment prevention training covers the following topics:

- Prejudice, stereotypes, discrimination
- History of harassment in the workplace
- Types of unlawful harassment
- Quid Pro Quo harassment
- Hostile work environment harassment
- The elements of a hostile work environment
- Technology issues and harassment
- Personal liability issues
- Policy review
- What to do if you believe you are being harassed
- What to do if a co-worker is being harassed



- Gray areas (compliments, social invitations, consensual relationships; third party harassment)
- Supervisors only -- duty to protect employees from harassment
- Supervisors only -- duty to eliminate and promptly correct harassment
- Supervisors only -- what to do when an employee complains
- Supervisors only -- what to do when they have knowledge of inappropriate conduct but no one has complained
- Supervisors only -- legal framework for liability for company and supervisor
- Supervisors only -- retaliation issues

The format of our training program is a lecture-based presentation involving a significant amount of attendee interaction (attendees are encouraged to be involved by asking questions, working through hypothetical situations, and role-playing). We recommend separate training sessions for supervisors and non-supervisors. Our training is tailored to each specific group and will satisfy the new requirements of New York State and New York City laws.

To schedule this mandatory training, please contact David Adelson, Esq. or David Voza, Esq. at (212) 808-0700 or email us at [DAdelson@norris-law.com](mailto:DAdelson@norris-law.com) or [DNVoza@norris-law.com](mailto:DNVoza@norris-law.com).

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