NEW YORK STATE DEPARTMENT OF LABOR
POLICY STATEMENT ON SEXUAL HARASSMENT

Governor Paterson, through the reissuance of Executive Order No.19 entitled "New York State Policy Statement on Sexual Harassment in the Workplace," has clearly established the State's policy in this important area.

It is imperative that all employees and customers be aware of the Department of Labor's commitment to the enforcement of this Executive Order, and our efforts to ensure that every employee is entitled to a work environment free from any form of discrimination. Sexual harassment is an unlawful discriminatory practice. It is also a violation of Section 703 of Title VII of the Civil Rights Act of 1964, as amended, and the New York State Human Rights Law. The Civil Rights Law of 1991 makes additional provisions for victims of sexual harassment.

The Department of Labor also complies with the Workforce Investment Act of 1998, which prohibits discrimination on the basis of sex.

Sexual harassment is a form of employee misconduct for which appropriate disciplinary action will be taken against individuals, and against supervisors and managers who knowingly allow such behavior to continue.

As defined in the Order, sexual harassment is any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

1) submission to the conduct is either explicitly or implicitly a term or condition of an individual's employment;

2) submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individuals; or

3) the conduct has the purpose, or effect, of unreasonably interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

The Office of Staff & Organizational Development and the Division of Equal Opportunity Development periodically conducts trainings in this area for all employees, supervisors and managers as an informative and preventative measure regarding the Law to ensure compliance with this policy.

Any employee or customer who has inquiries regarding sexual harassment should contact New York State Department of Labor, Division of Equal Opportunity Development at (518) 457-1984 in Albany, (212) 352-6598 in New York City, (716) 851-2768 in Buffalo or (TDD) 1-800-662-1220 and (VOICE) 1-800-421-1220.

Any allegation of sexual harassment will be thoroughly investigated and kept in strict confidence.

M. Patricia Smith
Commissioner of Labor

The New York State Department of Labor is an Equal Opportunity Employer/Program.
Auxiliary aid and services are available upon request to individuals with disabilities.