



Preventing Sexual Harassment at the State Labor Department

What You Need to Know

Every state agency follows New York State's Policy on Sexual Harassment Prevention. Sexual harassment in the workplace is discrimination and is against both federal and state law. It causes serious legal problems and affects people both in their work and in their personal lives.

Executive Order 19 states that all NYS employees must have workplaces free from sexual harassment. We have created a training program to help state agencies prevent sexual harassment in the workplace.

All NYS employees must work together to prevent sexual harassment in the workplace. As an employer, New York State has zero tolerance for sexual harassment.

This brochure gives you a brief description of what sexual harassment is, as defined by law. It also tells you what you can do to resolve an incident. For more information, visit: www.goer.state.ny.us/train/onlinelearning.

Sexual Harassment - What is it?

Sexual harassment is a form of sex discrimination. It violates Title VII of the 1964 Civil Rights Act as amended in 1972, New York State Human Rights Law, and the Workforce Investment Act of 1998.

Sexual harassment is unwanted and unwelcome sexual actions in the workplace. This behavior gets in the way of a person's work performance. It can create a workplace that is uncomfortable or frightening.

Examples of sexual harassment are:

- Demanding sexual favors in exchange for a promotion, a good performance evaluation, as a condition of employment or other terms or conditions.
- Pressuring someone for sexual activity.
- Making hostile or demeaning comments based on gender.
- Unwanted touching or grabbing.
- Making sexual comments, jokes or gestures.
- Displaying sexually suggestive pictures in the workplace.
- Sending sexual messages about or to someone in letters, cards, e-mail, or voice mail.

What Can You Do?

Sexual harassment will not go away if you ignore it. If you think that you are a victim of sexual harassment, take one or more of the following steps:

- Speak directly to the harasser, stating the specific behavior(s) that you don't like.
- Talk to someone regarding the incident(s); report it to your supervisor and/or file a complaint in accordance with your agency's sexual harassment policy.
- Document when the harassment took place; where, what was said or done and the names of the people involved, including witnesses.
- Keep all proof of sexual harassment, including notes, gifts, phone messages and/or other such materials.



- Find out if anyone saw any inappropriate behavior, and if any one is aware of any past harassment by this person.
- Report all sexual harassment incidents to your supervisor or your agency's designee.
- If you are not happy with the decisions made by your agency, you may file your complaint within six months of the last incident of harassment, with the Director, Civil Rights Center – U.S. Department of Labor, the State Division of Human Rights or the Federal Equal Employment Opportunity Commission.

How Do We Resolve Complaints?

The Division of Equal Opportunity Development (DEOD) investigates all complaints of sexual harassment. DEOD makes decisions on complaints as quickly as possible. We keep all information confidential, if possible. It is against the law for an employer to punish a worker for filing a sexual harassment complaint.

How Can We Prevent Sexual Harassment?

- Review the sexual harassment policy found in each Department of Labor office.
- Be a role model for your peers.
- Identify potential problems and address them promptly.
- Remember that preventing sexual harassment is everyone's responsibility.

Who Can I Contact?

For more information, contact the people designated in your agency's sexual harassment policy:

NYS Division of Human Rights

1-800-427-2773

www.dhr.state.ny.us

To be connected with the nearest EEOC Field Office call

1-800-669-4000

TDD: 1-800-669-6820

Email: info@ask.eeoc.gov

Albany

W. Averell Harriman
State Office Building Campus
Building 12, Room 540
Albany, New York 12240
(518) 457-1984
TDD 1-800-662-1220
(Voice) 1-800-421-1220

Buffalo

290 Main Street
Room 208
Buffalo, New York 14202
(716) 851-2768

New York City

9 Bond Street, 3rd Floor
Brooklyn, New York 11201
(718) 613-3673

or

Director, Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue
NW Room N-4123
Washington, DC 20210
(202) 693-6502

NYS Division of Human Rights
1-800-427-2773
www.nysdhr.com

1-888-4NYS DOL

www.labor.ny.gov

