

Sexual Harassment Checklist

- Policy** - Must be compliant with NY state requirements.

<https://www.ny.gov/sites/ny.gov/files/atoms/files/SexualHarassmentPreventionModelPolicy.pdf>

- Prohibit sexual harassment consistent with guidance issued by the Department of Labor in consultation with the Division of Human Rights
- Provide examples of prohibited conduct that would constitute unlawful sexual harassment
- Include information concerning the federal and state statutory provisions concerning sexual harassment, remedies available to victims of sexual harassment, and a statement that there may be applicable local laws
- Include a complaint form
- Include a procedure for the timely and confidential investigation of complaints that ensures due process for all parties
- Inform employees of their rights of redress and all available forums for adjudicating sexual harassment complaints administratively and judicially
- Clearly state that sexual harassment is considered a form of employee misconduct and that sanctions will be enforced against individuals engaging in sexual harassment and against supervisory and managerial personnel who knowingly allow such behavior to continue
- Clearly state that retaliation against individuals who complain of sexual harassment or who testify or assist in any investigation or proceeding involving sexual harassment is unlawful
- Distribute policy** -In writing or electronically to all employees. As a best practice have a signed acknowledgment from your employees.
- Complaint form** -Even if the employee reports the sexual harassment verbally or through another manner, employers are still required to complete the complaint form on the employee's behalf.

<https://www.ny.gov/sites/ny.gov/files/atoms/files/CombatHarassmentComplaint%20Form.pdf>

Poster Notice - is an optional tool, is one way to direct both employees and non-employees to your Sexual Harassment Prevention Policy and should be displayed in a highly visible place

https://www.ny.gov/sites/ny.gov/files/atoms/files/sexualharassmentpreventionposter_English_handfill.pdf

Training- Must be delivered annually and as promptly as possible for new hires

<https://www.ny.gov/sites/ny.gov/files/atoms/files/SexualHarassmentPreventionTraining.pdf>

<https://www.youtube.com/watch?v=sL7LwBsV9bM>

<https://www.youtube.com/watch?v=1za7gs9S2H0>

Be interactive

Include an explanation of sexual harassment consistent with guidance issued by the Department of Labor in consultation with the 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' rights of redress and all available forums for adjudicating complaints

Include information addressing conduct by supervisors and any additional responsibilities for such supervisors

Investigation of complaints- conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring.