

Topic No. 0250: Sexual Harassment

Topic description:	This document states the Department of Labor (DOL) policy concerning Sexual Harassment
Topic owner:	Personnel Bureau
Audience:	All Department of Labor employees, contract employees , and managers
Original publication date:	6/01/1992
Next review date:	5/1/11
Revision date:	5/1/10
Changes in this revision:	The policy was rewritten in plain language.

Scope

This document outlines DOL's policy sexual harassment. It includes the legal background supporting our policy and the department's position and expectations for all employees.

Policy Statement:

New York State operates under Executive Order #19 that was first issued by Governor Mario Cuomo in 1983. It forbids Sexual Harassment in the Workplace. The Department of Labor is committed to enforcing this Executive Order so that all employees may work in an environment that is free of discrimination.

Sexual Harassment is an unlawful practice. It is also a violation of:

- Section 703 of Title VII of the Civil Rights Act of 1964, as amended
- Parts of the Civil Rights Law of 1991 and
- The New York State Human Rights Law

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. We will take disciplinary action against:

- Staff who commit acts of sexual harassment
- Supervisors and managers who knowingly allow such behavior to continue.

Sexual Harassment is: (1) any unwelcome sexual advance, (2) request for sexual favors or (3) other verbal or physical conduct of a sexual nature.

It is against the law 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.

All employees, supervisors and managers are required to take Sexual Harassment Prevention training offered by the Office of Staff & Organizational Development and the Division of Equal Opportunity Development.

Employees or customers who have questions can call us at:

518-457-1984 (Albany)

(TDD) 1-800-662-1220

718-613-3673 (Brooklyn)

(Voice) 1-800-421-1220

716-851-2768 (Buffalo)

We investigate all complaints of sexual harassment and keep them in confidence.

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Related Topics:

[0251, Sexual Harassment Discrimination Complaint Procedure](#)

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Contact Information

For more information, contact any of the phone numbers given above.

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