

Legislative Update SEPTEMBER 2019*

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NEW YORK GOVERNOR SIGNS SEVERAL PIECES OF LEGISLATION INTO LAW

New York's Governor Cuomo recently signed into law several pieces of legislation amending New York State's Human Rights Law and Labor Law that had been approved earlier this year by the New York State Legislature. Certain laws took effect immediately upon signing, while other pieces of legislation will be taking effect at various dates in the future. Some highlights are as follows.

Effective July 2019: New York State's Human Rights Law has been amended to prohibit race discrimination based on natural hair or hair styles. "Race" is defined to include traits historically associated with race, and includes but is not limited to hair texture and protective hairstyles. "Protective hairstyles" are defined to include but not be limited to such hairstyles as braids, locks and twists.

Effective October 2019: New York State's Labor Law has been amended to broaden the State's equal pay laws.

Effective October 2019: New York State's Human Rights Law has been amended to: (a) expand the definition of "harassment," (b) eliminate the "severe or pervasive" standard for determining whether unlawful harassment has occurred, (c) limit an employer's defense to a claim of harassment where the employee had failed to lodge an internal complaint of harassment or discrimination with his or her employer, and (d) permit the awarding of punitive damages and attorney's fees for successful claims of harassment and discrimination.

Effective November 2019: New York State's Human Rights Law has been amended to require employers to grant reasonable accommodations such as time off from work to employees who are victims of domestic violence and to the parents of children who are victims of domestic violence.

Effective February 2020: New York State's Human Rights Law has been amended to cover any employer with at least one employee instead of the prior requirement of at least four employees.

Effective August 2020: New York State's Human Rights Law has been amended to lengthen the statute of limitations in sexual harassment complaints filed with the New York State Division of Human Rights from one year to three years.

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