

New York Sexual Harassment Laws

New York Sexual Harassment Laws

By: Michael J. Borrelli, Attorney
September 22, 2008

In New York, Sexual harassment is one of the most wide-spread forms of work place discrimination. Federal and NY state law makers have provided a remedy in case you have been subjected to such abuse. The laws are clear that unwelcome sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature constitute sexual harassment. When this conduct affects an individual's employment, or unreasonably interferes with an individual's performance it creates an offensive or hostile work environment.

If you feel that you have been subjected to any form of sexual harassment it is important that you act immediately to stop the harassment. A company is obliged to know the scope of the laws prohibiting sexual harassment in the workplace and to monitor the behavior and relations of the staff.

Sexual harassment can come in two forms.

1) Quid pro quo or something for something. This form implies that you have experienced economic loss. The economic loss may include:

A supervisor's request for sexual favors as a condition of continuation of employment;
giving job benefits such as a salary increase or a promotion in exchange for sexual favors;
withholding job benefits, a wage increase or promotion, or assigning more tasks to an employee who has rejected the request for sexual favors

2) Hostile work environment; this means that you have been subjected to an offensive work environment. It implies that the environment has become so hostile due to someone's actions that it adversely affects your performance. In this case you don't need to prove any economic loss to be successful.

Every large employer in New York should have an employee manual with New York sexual harassment policy. You need to follow the manual and report any sexual harassment. You have to let the company know what is going on in their departments and give them a chance to fix the issue.

Be honest and tell the whole story even if it is embarrassing or private. You should put the report in writing and it never hurts to see an employment lawyer to get help in drafting your complaint. Many companies will choose to take action and terminate the harassment. However if they don't, you will need to consult a professional New York sexual harassment attorney. The specific nature of sexual harassment requires that the New York sexual harassment attorney thoroughly examine all the circumstances, context and nature of the harassment.

For more detailed information regarding federal and state law prohibiting sexual harassment, visit our homepage at www.employmentlawyernewyork.com. If you would like to consult with our professionals or have questions concerning New York sexual harassment Laws, do not hesitate to contact the Law Offices of Borrelli and Associates.