



2021 NYC Sexual Harassment Complaint Report

Local Law 97 of 2018

Introduction

On May 9, 2018, Mayor Bill de Blasio signed into law the Stop Sexual Harassment in NYC Act, expanding current New York City laws against sexual harassment. As part of that act, Local Law 97 of 2018 (LL97) was enacted. This law requires the Department of Citywide Administrative Services (DCAS), in partnership with all City agencies, to submit a comprehensive report on sexual harassment complaints filed at every City agency each fiscal year. Openly reporting this data demonstrates the City's commitment to prevent and effectively address sexual harassment in the workplace. The fiscal year 2021 (FY21) report represents the fourth time the City is reporting data on sexual harassment complaints.

Overview

The complaints in this report cover all City job and internship applicants, current and former City employees, interns, independent contractors, and volunteers who initiated the complaint process during FY21. The number of complaints in this report are listed in the following manner, in accordance with the requirements of LL97¹:

1. Filed
2. Resolved
3. Substantiated
4. Not substantiated
5. Closed in the agency's official discrimination claim process because of a complaint withdrawn by the reporting individual prior to a final determination.

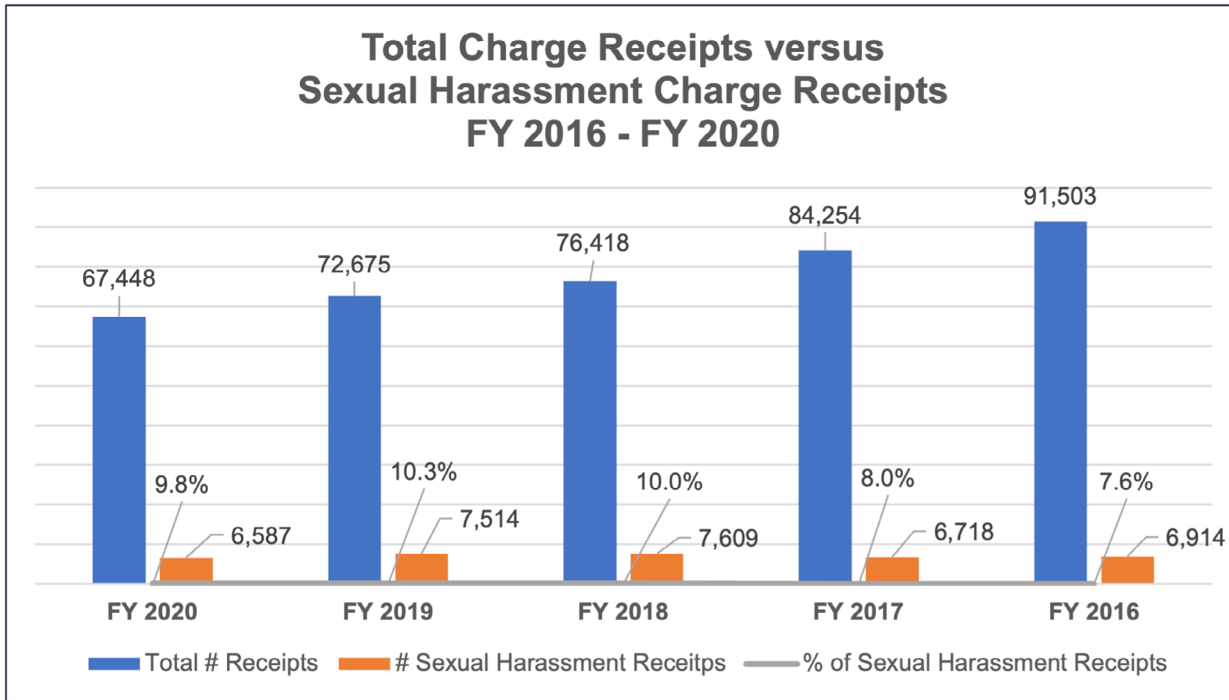
Sexual Harassment Trends

According to nationwide data from the federal Equal Employment Opportunity Commission (EEOC), in fiscal year 2020 (FY20), it received 6,587 sexual harassment complaints, a 12.3% decrease from the 7,514 complaints filed in fiscal year 2019 (FY19). No data is available for fiscal year 2021 (FY21) at the time of publication of this report.

¹ To protect the personal privacy of employees, in a cell for which the number to be reported is between zero (0) and five (5), the number is replaced with a “-” symbol.

For additional information, we have also included cases that have been resolved regardless of when the case was filed. This enables us to capture cases which were filed in previous fiscal years but were closed in FY21.

EEOC Sexual Harassment Complaints Total



Sources: EEOC²

For the second year in a row, the City of New York also saw a downward trend, with 239 sexual harassment complaints filed in FY21, a 23% decrease from the 310 sexual harassment complaints in FY20. The FY21 City data appears on the last page of this report. The 23% decrease can be explained in the following context:

First, the ongoing COVID-19 pandemic impacted the reduction of registered complaints. The shift from a full workplace presence to many employees teleworking or taking a leave of absence, served to minimize in-person interactions. This likely contributed to a drop in complaints. The City implemented its return to office plan in May 2021, when employees reported to their worksites on a partial basis. However, the workforce transitioned to reporting at their worksites daily in September 2021, after the end of FY21. Teleworking does not eliminate opportunities for sexual harassment to occur, but the reduced number of in-person interactions may have limited those opportunities.

² EEOC Sexual Harassment Charge Receipts: <https://www.eeoc.gov/statistics/eeoc-sexual-harassment-charges-state-gender-fy-1997-fy-2020>

EEOC Total Charge Receipts: <https://www.eeoc.gov/statistics/charge-statistics-charges-filed-eeoc-fy-1997-through-fy-2020>

The downward trend is also attributable to a deterrent effect of DCAS's Citywide sexual harassment prevention training and agency-specific training efforts that reinforced awareness of inappropriate interactions. In addition, educating employees about the consequences of sexual misconduct (i.e., disciplinary action, personal legal liability, and even criminal liability) also serve as a deterrent. Agencies have also said that effective training, coupled with agency-specific initiatives, has contributed to a reduction in the number of complaints.

In addition, the City provides resources to agencies in support of their equal employment opportunity (EEO) enforcement programs. For example, DCAS engages EEO professionals from over 80 agencies through monthly best practices meetings, offers direct consultation on correctly conducting EEO complaint investigations, provides training for newly appointed EEO officers, and advises on creative recruitment strategies. DCAS also provides agencies with various tools, including ongoing assessments of risk factors associated with sexual harassment, and an "EEO Complaint Process at a Glance" flowchart that agencies can distribute to raise additional awareness about employee protections and available resources. In addition, DCAS utilizes information from the annual Citywide Workplace Climate Survey, mandated under Local Law 101 (2018), to gauge employee awareness of Citywide EEO policy, their rights, and available resources. The goal is to use this information to better understand the types of information and educational support employees need. Additional training offerings complement the annual sexual harassment prevention training mandated under Local Law 92 (2018). For example, in 2020, DCAS provided two related and nuanced Citywide trainings on multiple dates to raise awareness about the complexities of bystander intervention and another training on how to engage in difficult conversations.

Lastly, the DCAS Office of Citywide Equity and Inclusion Officer has increased communication and engagement with agency EEO professionals to ensure standardization and consistency in the execution of the City's non-discrimination policies and practices. This has resulted in a renewed focus and investment in the City's objective to become a global leader in equitable, diverse, and inclusive employment practices.

The City of New York is firmly committed to preventing all forms of workplace discrimination, including sexual harassment. The City will continue to educate agency employees and increase their awareness about their rights, available resources, and the sexual harassment complaint process.

Complaint Type: Sexual Harassment

Summary Period of EEO Complaints: 07/01/2020-06/30/2021

Agency	Complaints Filed in FY2021	Complaints Filed and Resolved in FY2021	Complaints Resolved During Summary Period	Probable Cause / Substantiated of Complaints Filed and Resolved in FY2021	Probable Cause / Substantiated During Summary Period	No Probable Cause / Not Substantiated of Complaints Filed and Resolved in FY2021	No Probable Cause / Not Substantiated During Summary Period	Withdrawn of Complaints Filed and Resolved in FY2021	Withdrawn of Complaints During Summary Period
DCAS	-	-	7	-	-	-	-	-	-
DEP	9	-	9	-	-	-	-	-	-
DOC	29	15	25	-	8	10	17	-	-
DOE	38	10	60	-	16	-	19	-	-
DOT	-	-	6	-	-	-	-	-	-
DPR	27	13	18	-	6	7	10	-	-
FDNY	16	7	16	-	9	-	-	-	-
H+H	45	17	36	-	12	7	15	-	-
HRA	9	-	-	-	-	-	-	-	-
NYPD	35	20	36	-	-	-	-	-	-
Total*	239	100	235	33	76	32	82	5	7

Dash (-) indicates 0-5 incidents of sexual harassment complaints.

*Agencies with 0-5 incidents of sexual harassment complaints are not shown but are included in the totals.

ⁱ For additional information, we have also included cases that have been resolved regardless of when the case was filed. This enables us to capture cases which were filed in previous fiscal years but were closed in FY21

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