



Fiscal Year 2019

NYC Sexual Harassment Complaint Report

In compliance with Local Law 97 of 2018

INTRODUCTION

On May 9, 2018, Mayor de Blasio signed into law the “Stop Sexual Harassment in NYC Act”¹ expanding current NYC laws against sexual harassment. As part of that act, Local Law 97 (LL97) of 2018 was enacted mandating the Department of Citywide Administrative Services (DCAS), in partnership with all city agencies, to submit a compiled report on sexual harassment complaints filed within city agencies each fiscal year. This transparency in the data conveys the City’s efforts to prevent and effectively address sexual harassment in the workplace. The fiscal year 2019 (FY19) report represents the second time the City is reporting on sexual harassment complaints.

As part of the same package of laws, Local Law 92 (LL92) of 2018 required that every City employee receive sexual harassment prevention training. This training was deployed to City agencies on a rolling basis as network connectivity was established. Throughout the year, DCAS monitored compliance and met with agencies on a regular basis through:

- sharing training completion dashboards on a bi-weekly basis with agency heads and Agency Personnel Officers to keep them informed of their employees’ successful compliance with this mandate;
- monthly meetings with all Agency Equal Employment Opportunity (EEO) Officers where training challenges and best practices were discussed and updates regarding compliance were shared;
- quarterly meetings with all Agency Personnel Officers where the shared responsibilities of agency personnel and EEO officers toward achieving compliance were discussed; and
- agency-specific Compliance meetings with every City agency, where agency training completion rates and personalized strategies were discussed.

OVERVIEW

The complaints on this report cover any city job or internship applicant, or a current or former employee, intern, independent contractor or volunteer who has entered into the agency’s official complaint process in FY19. The complaints are reported in the following manner, in accordance with the requirements of LL97:

1. Number of complaints filed;
2. Number of complaints resolved;
3. Number of complaints substantiated;

¹ Local Law No. 101 of 2018, Council Int. No. 664-A of 2018, New York City Council.

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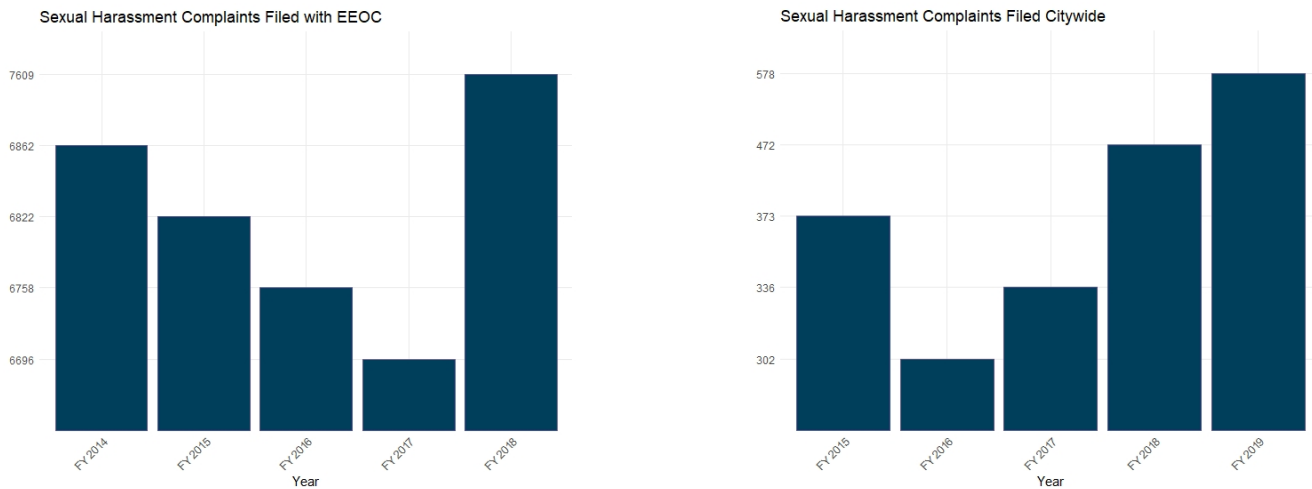
4. Number of complaints not substantiated; and
5. Number of complaints in the agency’s official discrimination claim process that were closed because the complaint was withdrawn by the reporting individual prior to a final determination.

Note: In order 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 and relevant outcomes regardless of when the case was filed. This enables us to capture cases filed in previous fiscal years but were closed in FY19.

SEXUAL HARASSMENT TRENDS

In FY18, according to nationwide data from the Equal Employment Opportunity Commission (EEOC), 7,609 complaints on sexual harassment were filed with the Commission, a 14% increase over the 6,696 complaints filed in FY17. (No data is available for FY19 yet.) The City of New York also saw an upward trend, with 578 complaints filed in FY19, a 22% increase over the 472 complaints in FY18.



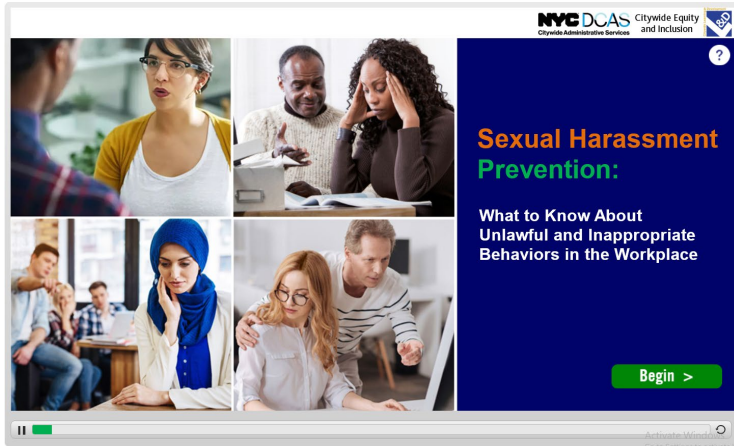
The City’s Commission on Human Rights’ Law Enforcement Bureau also saw growing awareness and increased reporting of incidents of workplace sexual harassment.² The Commission has seen a rapid escalation of the number of such claims brought to the Commission in recent years from 56 in 2017 to

² The NYC Commission on Human Rights *Fiscal Year 2018 Annual Report*, p. 2

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115 in 2018.³

For complaints filed with City agencies, the agencies that experienced an uptick in complaints year by year have attributed the change to increased awareness and training. FY19 was the first full fiscal year in which mandatory annual training was conducted. As noted earlier, Local Law 92 of 2018 required the heads of each agency to ensure that each employee, intern, and consultant receives interactive anti-sexual harassment training annually to “create an environment that is free from sexual harassment, to



discourage the development of sexual harassment, to raise awareness and sensitivity of employees to potential sexual harassment, and to enable employees to prevent and respond to sexual harassment.” To assist agencies in fulfilling the mandate, DCAS developed the training “Sexual Harassment Prevention: What to Know About Unlawful and Inappropriate Behaviors in the Workplace.” At the end of the cycle, DCAS successfully trained almost 362,000 people in the first year.

The trend of increased reporting of concerns or complaints related to sexual harassment can be attributed to employees feeling more comfortable in raising allegations to the proper workplace resources. In fact, the EEOC has noted that “if employees are filing complaints of harassment, that means the employees have faith in the system.”⁴

The City provides resources to agencies in support of their EEO enforcement programs. For example, DCAS engages EEO professionals from over 80 agencies through monthly best practices meetings, availability for direct consultation on correctly conducting EEO complaints, training for newly appointed EEO Officers, and advise on creative recruitment strategies. DCAS has also provided agencies with various tools such as for conducting ongoing assessments of risk factors associated with sexual harassment in order to provide a fair and safe work environment, pursuant to Local Law 93 of 2018, as well as a flowchart, *EEO Complaint Process at a Glance*, that agencies can publish in order to continue to raise awareness and education about resources and protections.

³ The NYC Commission on Human Rights *Fiscal Year 2019 Annual Report*, p. 11

⁴ The EEOC’s June 2016 *Report of the Co-Chairs of the EEOC Select Task Force on the Study of Harassment in the Workplace*, p.43

Finally, with the appointment of a new Chief Citywide Equity and Inclusion Officer in March of 2019, DCAS has increased communications and engagement with the EEO professionals in the City of New York in order to ensure a standardization and consistency in 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 remains firmly committed in preventing all forms of workplace discrimination, including sexual harassment, and looks forward to continuing our important work with city agencies in this area.

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Complaint Type: Sexual Harassment

Summary Period of EEO Complaints: 07/01/2018 - 06/30/2019

Agency	Complaints Filed in FY2019	Complaints Filed and Resolved in FY2019	Complaints Resolved During Summary Period	Probable Cause / Substantiated of Complaints Filed and Resolved in FY2019	Probable Cause / Substantiated During Summary Period	No Probable Cause / Not Substantiated of Complaints Filed and Resolved in FY2019	No Probable Cause / Not Substantiated During Summary Period	Withdrawn of Complaints Filed and Resolved in FY2019	Withdrawn of Complaints During Summary Period
DEP	7	-	8	-	-	-	-	-	-
DHS	17	8	16	-	6	-	7	-	-
DOC	62	45	65	11	15	27	42	-	-
DOE	209	108	191	-	6	-	9	12	27
DOHMH	-	-	11	-	6	-	-	-	-
DOT	-	-	7	-	-	-	-	-	-
DPR	31	24	35	10	17	10	13	-	-
FDNY	15	12	16	9	11	-	-	-	-
H+H	42	27	28	-	7	17	19	-	-
HPD	10	9	9	6	6	-	-	-	-
HRA	56	9	23	-	11	-	9	-	-
NYCHA	35	13	33	-	-	10	29	-	-
NYPD	54	26	42	-	-	-	-	-	-
Total*	578	316	520	56	104	95	164	20	37

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.*