



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 60

December 16, 1993

CITYWIDE OFFICE FOR SEXUAL HARASSMENT PREVENTION

WHEREAS, the City of New York has a strong commitment to equal opportunity for all employees; and

WHEREAS, pursuant to section 813(a)(12) of the Charter, the City has adopted and implemented an Affirmative Employment Plan setting forth policies and procedures for the prevention and remediation of unlawful employment discrimination; and

WHEREAS, sexual harassment is a form of unlawful discrimination that affects both women and men; the law governing this subject is complex and still evolving; and cases of sexual harassment often include related complaints of other forms of discrimination;

WHEREAS, on October 28, 1992 the Mayor appointed a Task Force on Sexual Harassment ("Task Force") to study the City's procedures for preventing and addressing sexual harassment, and to make recommendation as to how such procedures could be improved; and

WHEREAS, the Task Force submitted a report to the Mayor on November 1, 1993, recommending that the City establish, on a pilot basis, a Citywide Office for Sexual Harassment Prevention; and

WHEREAS, while the immediate objective of the establishment of such an office is to enhance the City's ability to address the problem of sexual harassment, the long term goal is to develop approaches, which can be tested by the new office, that will enable the City to address all forms of discrimination with heightened sensitivity;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Office Established. As a pilot project to test the efficiency of a centralized office to address the problem of unlawful sexual harassment, there is hereby established an Office for Sexual Harassment Prevention ("Office"). The Office shall be headed by the Director of the Office for Sexual Harassment, who shall be appointed by the Mayor. For Administrative purposes, the Office shall be located in the Department of Personnel.

Section 2. Responsibilities of the Office.

a. The Office shall respond to City employees' requests for information, advice, or counselling on issues related to sexual harassment.

b. The Office shall mediate cases of alleged sexual harassment arising in City agencies.

c. The Office shall investigate formal complaints of alleged sexual harassment filed by City employees with the Office, as well as other complaints of alleged unlawful discrimination filed in connection with such complaints of sexual harassment. Upon completion of such an investigation, the Office shall submit to the head of the relevant agency a report of the findings of the investigation, and recommendations as to any corrective action, including discipline, which should be taken in response to the complaint.

d. The Office shall monitor the responses of City agencies to employees who seek assistance with matters related to sexual harassment, and provide such assistance as it determines necessary to ensure that such matters are addressed in an appropriate and consistent manner.

e. The Office shall evaluate the effectiveness of training in the prevention of sexual harassment that is provided by City agencies, and collaborate with the Department of Personnel to ensure that appropriate training is provided to all employees, and take appropriate action to ensure that such training is consistent, with particular attention to the specialized training needs of high level managers and persons responsible for investigating allegations of sexual harassment.

f. The Office shall assist the Department of Personnel in its efforts to strengthen the complaint procedures developed pursuant to the Citywide Affirmative Employment Plan.

g. The Office, assisted by the Department of Personnel, the Office of Labor Relations, the Commission on Human Rights , and the Law Department, shall compile a summary of precedents and other relevant information to which agency heads may refer in determining the appropriate corrective action to take in response to a complaint of sexual harassment.

h. The Office shall maintain central records of complaints of sexual harassment, including informal complaints.

Section 3. Responsibilities of City Agencies.

a. The Equal Employment Opportunity Office of each agency shall advise the Office whenever an employee has filed a complaint alleging sexual harassment, and shall submit reports to the Office about activities related to the prevention and investigation of sexual harassment, as requested by the Office.

b. Whenever an agency head determines not to take a corrective action recommended by the Office, the agency head shall submit an explanation for such a determination to the Mayor and the Office.

Section 4. Activity Reports. The Office shall submit quarterly reports of its activities to the Mayor.

Section 5. Cooperation of City Agencies. The Commission on the Status of Women, the City Commission on Human Rights, the Department of Personnel, and other relevant City agencies shall consult with the Office and provide support and expertise as required by the Office.

Section 6. Mayoral Oversight Committee. There shall be a Mayoral Oversight Committee, consisting of a Deputy Mayor to be designated by the Mayor, the Corporation Counsel, the Counsel to the Mayor, and the Personnel Director, which shall oversee the work of the Office.

Section 7. Effective Date. This Executive Order shall take effect immediately, and shall remain in effect for two years. Prior to the expiration of this Order, the Mayor shall evaluate the effectiveness of the provisions herein, and determine whether they should be continued, expanded, or otherwise modified and whether the duties of the Office established by this Order should be exercised by the Department of Personnel, together with its Equal Employment Opportunity and Affirmative Employment responsibilities.



DAVID N. DINKINS
MAYOR