



Legislation Text

File #: Int 1689-2019, **Version:** *

Int. No. 1689

By Council Members Cabrera and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to requiring co-working spaces to post sexual harassment posters and to address complaints of sexual harassment

Be it enacted by the Council as follows:

Section 1. Section 8-102 of the administrative code of the city of New York is amended by adding new definitions of “co-working space” and “co-working space tenant” in alphabetical order to read as follows:

Co-working space. The term “co-working space” means a business that, for a fee, provides shared meeting rooms, office spaces, desks or other workplace facilities or services to members of the public to use for work-related purposes.

Co-working space tenant. The term “co-working space tenant” means a person who pays a fee to a co-working space for access to its facilities for work-related purposes.

§ 2. Section 8-107 of title 8 of the administrative code of the city of New York is amended by adding a new subdivision 32 to read as follows:

32. Sexual harassment in co-working spaces. (a) It shall be an unlawful discriminatory practice for a co-working space to permit sexual harassment of co-working space tenants on its premises. A co-working space may be held liable to a co-working space tenant with respect to sexual harassment, when the co-working space, its employees or agents knew or should have known that such tenant was subjected to sexual harassment on the co-working space’s premises, and the co-working space failed to take immediate and appropriate corrective action. In determining the legal liability of a co-working space, a court of competent jurisdiction or the

commission shall consider (i) the co-working space's actual knowledge of the complaint, (ii) its compliance with paragraph (b) of this subdivision, (iii) its efforts to address such complaint and (iv) the reasonableness and adequacy of any corrective actions.

(b) Posters. Each co-working space in the city shall post the sexual harassment poster created by the commission pursuant to subdivision 29 of this section in breakrooms or other common areas co-working space tenants gather. Each co-working space shall provide each tenant with a copy of such poster at the start of such tenant's membership at such co-working space. The poster shall be initialed and dated by each tenant and a print or electronic copy shall be maintained by the co-working space for three years.

(c) Complaints. Each co-working space in the city shall examine each complaint of sexual harassment made by a tenant of such co-working space. Upon review of the complaint, such co-working space shall provide such tenant with a written response within 15 business days containing what, if any, corrective action was taken to address the sexual harassment. A copy of such response shall be maintained in such co-working space's records for three years. If such tenant is unsatisfied by such response or upon the expiration of the 15 day period, such tenant may file a complaint with the commission.

(d) Exceptions. This subdivision shall not apply to sexual harassment complaints that occur between co-working space tenants that are employees of the same employer.

§ 3. This local law takes effect 120 days after it becomes law.

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LS 7395
8/16/2019