



Legislation Text

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Preconsidered Res. No. 272

Resolution to amend chapter II of the Rules of the Council in relation to discrimination and harassment

By Council Member Koslowitz:

Section 1. Rule 2.70 of the Rules of the Council of the city of New York is amended to read as follows:

2.70. Policies Prohibiting Discrimination and Harassment [Policies] and Related Training - a. The Speaker shall establish a policy or policies [against] prohibiting workplace discrimination and harassment, including sexual harassment, [and discrimination] for the Council, which shall apply to all Council Members, their staff and Council central staff. All Members, their staff and Council central staff shall be required to comply with the requirements of such policy or policies, including the requirements for related training. The Speaker shall provide all Members, their staff and Council central staff with a copy of such policy or policies and any changes thereto.

b. The Speaker shall require mandatory annual participatory interactive training for all Members, their staff and Council central staff as outlined in the policy or policies established pursuant to rule 2.70a.

§ 2. Chapter II of the Rules of the Council of the city of New York is amended by adding new rule 2.75 to read as follows:

2.75 Assessment and Reporting - a. The Speaker shall formulate a recurrent risk factor review plan to assess and address potential risk factors associated with workplace sexual harassment, such as a homogenous workforce, language differences in the workplace, a workforce having significant power disparities and isolated and decentralized workplaces. The process herein shall commence immediately, recur periodically and cease January 31, 2022.

b. The Speaker shall publish an annual report within the Council for the first Stated meeting in February disclosing complaints of workplace sexual harassment, as defined by the Council's policy or policies

prohibiting discrimination and harassment established pursuant to rule 2.70a. Such report shall track for each preceding calendar year the number of complaints alleging workplace sexual harassment and the dispositions of such complaints. The annual report shall not contain any personally identifiable information.

c. The Speaker shall distribute a discrimination and harassment climate survey. Such survey shall gauge whether Council staff are familiar with the Council's policy or policies prohibiting discrimination and harassment, consider their workplace safe and free from violations of the Council's policy or policies and believe that the Council protects the rights of its employees to pursue their duties in a respectful workplace. The climate survey shall assess whether Council staff have witnessed or experienced workplace discrimination or harassment as described by the Council's policy or policies and whether they understand Council reporting and complaint procedures. The climate survey shall also gauge whether Council staff believe discrimination or harassment is, or would be, tolerated by the Council. For supervisors and managerial employees, the climate survey shall prompt whether such supervisors and managerial employees are knowledgeable about their responsibilities with respect to the prevention of conduct prohibited by the Council's policy or policies prohibiting discrimination and harassment. The climate survey shall also prompt whether such supervisors and managerial employees are knowledgeable about the measures they may take to address complaints. Information concerning demographic variables, including, but not limited to, race, ethnicity, gender, sexual orientation and age, shall be solicited from survey respondents. Survey respondents may provide such demographic information, in full or in part, at their discretion.

By the close of the first year of the term, the Speaker shall disseminate the climate survey. By the close of the second year of the term, the Speaker shall assess the climate survey results, and, in response, determine and implement a preemptive action plan to create a discrimination-free and harassment-free workplace, as set forth in the Council's policy or policies established pursuant to rule 2.70a. By the close of the third year of the term, the Speaker shall refine and redistribute the climate survey. By the end of the term, the Speaker shall assess the recent climate survey results, and, in response, recommend a successive preemptive action plan. By the end of the first year of the ensuing term, and every four years thereafter, the Speaker shall address the preceding Speaker's recommendations, disseminate a climate survey, assess the climate survey results, and, in response, determine and recommend a preemptive action plan for the next Speaker. Based on each assessment and determination, the Speaker shall update the Council's policy or policies prohibiting discrimination and harassment, as necessary, established pursuant to rule 2.70a.

In the event a Speaker's term is fewer than four years, the subsequent Speaker shall maintain the four-year climate survey schedule delineated herein for the remainder of the unexpired term. In the event of two consecutive 2-year terms, the Speaker of the first term shall initiate and conclude the steps delineated herein for the first two years of a regular four-year term. The Speaker of the second term shall initiate and conclude the steps delineated herein for the final two years of a regular four-year term.

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