

AMENDMENT IN THE NATURE OF A SUBSTITUTION – Clerk Item Number 105-18

RESOLUTION NO 59-2018

A RESOLUTION TO PREVENT SEXUAL HARASSMENT IN NASSAU COUNTY GOVERNMENT

APPROVED AS TO FORM

[Signature]
Majority Counsel

Passed by Nassau County Legislature on 4-23-18 A voice vote was taken with 18 Legislators present.
Voting: aye 18, nay 0, abstained 0, recused 0
Became an resolution on 4-26-18
With the approval of the Deputy County Executive acting for the County Executive

WHEREAS, sexual harassment is an insidious problem which creates a hostile work environment, reduces productivity and victimizes innocent persons; and

WHEREAS, a string of revelations of sexual harassment and abuse by powerful figures in business, media and government has helped create heightened awareness of this pervasive problem; and

WHEREAS, Nassau County strives to maintain a welcoming and productive workplace for its employees; and

WHEREAS, by requiring dissemination of the Nassau County Equal Employment Opportunity Policy and Executive Summary of the Sexual Harassment Policy, yearly training

regarding sexual harassment, and reporting of data related to sexual harassment claims and the complaint process, the Nassau County Legislature is implementing procedures to combat sexual harassment in the Nassau County government workplace; now, therefore, be it

RESOLVED, that the Director of the Nassau County Office of Human Resources, who for purposes of this resolution shall be either the Commissioner of the Department of Shared Services, or a Deputy Commissioner designated by the Commissioner to serve as the Director of Human Resources, shall email every Nassau County elected official, deputy county executive, head of department or office, and employee, or otherwise deliver to every Nassau County elected official, deputy county executive, head of department or office and employee who does not have a Nassau County email address, the links to the Nassau County Equal Employment Opportunity Policy and an online tutorial regarding sexual harassment, as well as an Executive Summary of the County's Sexual Harassment Policy, within thirty business days of the effective date of this resolution, and note within the email or delivery that this Policy contains the Nassau County EEO Complaint Form that can be used in the event an employee would like to file a sexual harassment claim; and be it further

RESOLVED, that every Nassau County elected official, deputy county executive, head of department or office, and employee hired prior to January 1, 2018 shall complete the online tutorial regarding sexual harassment within thirty business days of receiving the link from the Nassau County Office of Human Resources unless he or she has already completed such training during calendar year 2018; and be it further

RESOLVED, that every Nassau County elected official, deputy county executive, head of department or office, and employee hired during calendar year 2018 or any subsequent year shall complete the online tutorial regarding sexual harassment within thirty business days of his or her

hiring date unless he or she has already completed such training during calendar year 2018; and
be it further

RESOLVED, that for all employees hired after the effective date of this resolution, the Director of Human Resources or his or her designee shall provide the new employee with a paper copy of the Nassau County Equal Employment Opportunity Policy and an Executive Summary of the County's Sexual Harassment Policy, and email or otherwise deliver a link to the online tutorial regarding sexual harassment; and be it further

RESOLVED, that the Director of the Nassau County Office of Human Resources in consultation with the Director of Equal Employment Opportunity and the County Attorney, shall prepare and issue a request for proposals for a consultant (the "Training Consultant") to provide sexual harassment training for all County employees on or before March 31, 2019, which proposals shall include options for each of the following modes of training for some or all employees: (i) instructional video training; (ii) live webcast; (iii) in person lecture; and (iv) in person interactive training with role playing; and be it further

RESOLVED, that on or before September 15, 2018, the Director of the Nassau County Office of Equal Employment Opportunity, in consultation with the Training Consultant and County Attorney, shall issue a written plan to provide annual training regarding sexual harassment to all County employees, which shall comply with or exceed the standards promulgated by the State of New York for such training, to be filed with the Clerk of the County Legislature and subject to the approval of the Legislature; and be it further

RESOLVED, that the Nassau County Office of Human Resources shall prominently post the Nassau County Equal Employment Opportunity Policy, the Executive Summary of the

County's Sexual Harassment Policy, and detailed instructions as to the process for filing a sexual harassment claim on its website; and be it further

RESOLVED, that the Director of the Nassau County Equal Employment Opportunity Office , in consultation with the County Attorney, shall review the current County sexual harassment policy and implement such updates and enhancements as are necessary to optimize its effectiveness and further ensure that the County complies with or exceeds the standards set forth in applicable law within six months of the adoption of this resolution; and be it further

RESOLVED, in the event that a sexual harassment complaint results in a finding of a policy violation by the Office of Equal Employment Opportunity and has resulted in the undertaking of disciplinary measures such as formal reprimand, suspension, probation, transfer, demotion, fine or termination, the Director of Equal Employment Opportunity shall forward the following information to the County Attorney, the Presiding Officer and the Minority Leader of the Legislature within thirty business days of the undertaking: The Department where the violation occurred, the nature of the allegations, the disciplinary measure taken, and the corrective action taken by the Department to prevent future violations of the sexual harassment policy; and be it further

RESOLVED, the County Attorney shall forward to the Presiding Officer and Minority Leader of the Legislature all settlements of sexual harassment claims within thirty business days of any such settlement, and be it further

RESOLVED, in conveying the required information to the Presiding Officer and Minority Leader, the County Attorney shall take all steps necessary to maintain the confidentiality of the identity of the complainant; and be it further

RESOLVED, it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this resolution is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering or priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

APPROVED
Helena Will
County Executive
4-26-18