

TOWN BOARD
 GARNERVILLE, NY
 SEPTEMBER 24, 2018

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, September 24, 2018, at 8:00 p.m. in the Meeting Room of the Town Hall, One Rosman Road, Garnerville, New York.

The meeting was opened with the Pledge of Allegiance.

On Roll Call the following members answered to their names:

Supervisor	Howard T. Phillips, Jr.
Councilman	Isidro Cancel
Councilman	Vincent J. Gamboli
Councilman	John J. Gould
Councilman	Hector L. Soto

ADOPTION OF MINUTES

356-18 ADOPTION OF MINUTES - TOWN BOARD MEETING OF SEPTEMBER 11, 2018 as submitted by the Town Clerk and on motion by Councilman Gould, seconded by Councilman Soto was unanimously adopted.

PAYMENT OF BILLS

Councilman Gamboli offered the following resolution, which was seconded by Councilman Cancel and on roll call unanimously adopted.

357-18 RESOLVED, that bills numbered 2831 through 3001 in the amount of \$579,939.82 and Highway bills numbered 468 through 513 in the amount of \$26,968.59 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

Councilman Soto offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

358-18 RESOLVED, that the Highway Department Operation Report for the Month of September 2018 has been submitted and is hereby accepted.

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, September 24, 2018 at 8:05 p.m. in the Meeting Room of the Town Hall, One Rosman Road, Garnerville, New York.

On Roll Call the following members answered to their names:

Supervisor	Howard T. Phillips, Jr.
Councilman	Isidro Cancel
Councilman	Vincent J. Gamboli
Councilman	John J. Gould
Councilman	Hector L. Soto

PUBLIC HEARING – TO ADOPT LOCAL LAW NO 6 – 2018

Supervisor Phillips announced that this Public Hearing was being held to consider adopting a Local Law to amend Chapter 147, Article II “EXCAVATIONS”, Section 147-8 “PERMIT FEES”, of the Town Code of the Town of Haverstraw.

The Deputy Town Clerk read the proof of publication.

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Supervisor Phillips stated that the proposed law would amend Chapter 147-8 “Permit Fees” of the Town Code of the Town of Haverstraw to read as follows: All applicants, whether an individual, a non-public-service company or a municipal district and all public service companies shall be bound by the following fee schedule: \$200 for the first 32 square feet of opening plus \$100 for every additional 32 square feet of opening, plus an inspection fee of \$450 for each inspection by the Town or its’ representative. The number of inspections shall be determined by the extent of the work proposed.

PUBLIC PARTICIPATION

Supervisor Phillips stated to let the record note that no public comment was offered.

CLOSE PUBLIC HEARING

359-18 On motion by Councilman Cancel and seconded by Councilman Gamboli, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION

The following resolution was offered and unanimously adopted by all of the Town Board Members.

360-18 **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby adopt Local Law No. 6 of 2018 to amend Chapter 147, Article II “EXCAVATIONS”, Section 147-8 “PERMIT FEES”, of the Town Code of the Town of Haverstraw.

MARISOL CANCEL
Deputy Town Clerk

CHANGE OF MEETING DATE - COLUMBUS DAY

Councilman Soto offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

361-18 **WHEREAS, THE FIRST MEETING OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW IN OCTOBER, IS SCHEDULED FOR MONDAY, OCTOBER 8, 2018, THE LEGAL HOLIDAY FOR THE OBSERVANCE OF COLUMBUS DAY, NOW, THEREFORE, BE IT**

RESOLVED, THAT THE TOWN CLERK IS AUTHORIZED TO PUBLISH A NOTICE THAT SAID MEETING IS HEREBY RESCHEDULED FOR TUESDAY, OCTOBER 9, 2018, AT 8:00 P.M.

SET DATE FOR RECEIPT OF 2019 TENTATIVE BUDGET

Councilman Gamboli offered the following resolution, which was seconded by Councilman Cancel, and on roll call unanimously adopted.

362-18 **RESOLVED, THAT THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED TO PUBLISH A NOTICE THAT A SPECIAL MEETING SHALL BE HELD IN ORDER FOR THE TOWN BOARD TO RECEIVE FROM THE TOWN**

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CLERK FOR THE 2019 TENTATIVE BUDGET IN ACCORDANCE WITH THE LAW, AND BE IT FURTHER

RESOLVED, THAT SAID SPECIAL MEETING SHALL BE HELD ON WEDNESDAY, OCTOBER 3, 2018, AT 4:00 PM AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK.

SCHEDULE PUBLIC HEARING - TO CONSIDER ADOPTING A LOCAL LAW NO. 7 – 2018 – TO AMEND CHAPTER 167-67.2B (2), OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW ENTITLED, “SPECIAL PERMIT USE ASSISTED LIVING RESIDENCE (ALR) FLOATING OVERLAY ZONE DISTRICT, BULK REGULATIONS”

Councilman Gould offered the following resolution, which was seconded by Councilman Soto, and on roll call unanimously adopted.

363-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW NO. 7 – 2018 TO AMEND CHAPTER 167-67.2B (2) OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW, ENTITLED, “SPECIAL PERMIT USE ASSISTED LIVING RESIDENCE (ALR) FLOATING OVERLAY ZONE DISTRICT, BULK REGULATIONS.” SAID PUBLIC HEARING WILL BE HELD ON MONDAY, OCTOBER 22, 2018 AT 8:05 P.M. AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK SHALL PUBLISH SAID NOTICE AND ALL PERSONS ARE INVITED TO ATTEND AND WILL BE HEARD BY THE BOARD.

SURPLUS VEHICLES AND EQUIPMENT – PARKS DEPARTMENT

Councilman Cancel offered the following resolution, which was seconded by Councilman Gamboli, and on roll call unanimously adopted.

364-18 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE FOLLOWING THREE (3) VEHICLES AND ASSORTED EQUIPMENT FROM THE TOWN OF HAVERSTRAW PARKS DEPARTMENT TO BE CLASSIFIED AS SURPLUS FOR RESALE/TRADE:

- CLUB CAR TURFSTER SERIAL # RG0643-697342**
- CLUB CAR GOLF CART SERIAL # AG0531-527809**
- CLUB CAR GOLF CART SERIAL # AG0531-527767**
- ASSORTMENT OF TIME SQUARE LIGHTING – STAGE LIGHTS**

SURPLUS VEHICLES – POLICE DEPARTMENT

Councilman Gould offered the following resolution, which was seconded by Councilman Soto, and on roll call unanimously adopted.

365-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY DECLARES THE FOLLOWING THREE (3) POLICE VEHICLES AS SURPLUS VEHICLES FOR THE TOWN OF HAVERSTRAW FOR RESALE/TRADE:

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN#</u>
2009	FORD	CROWN VC	2FAHP71V59X141667
2010	FORD	CROWN VC	2FABP7BVXAX136831
2004	CHEVY	TAHOE	1GNEK13Z14J284813

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SURPLUS VEHICLE – BUILDING DEPARTMENT

Councilman Gamboli offered the following resolution, which was seconded by Councilman Cancel, and on roll call unanimously adopted.

366-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY DECLARES THE FOLLOWING VEHICLE AS A SURPLUS VEHICLE FOR THE TOWN OF HAVERSTRAW FOR RESALE/TRADE:

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN#</u>
2006	JEEP	LIBERTY	1J4GL48K26W223126

ADOPTION OF SEXUAL HARASSMENT PREVENTION POLICY

The following resolution was offered and unanimously adopted by all of the Town Board Members.

367-18 RESOLVED, THAT THE TOWN BOARD HEREBY ADOPTS THE ATTACHED SEXUAL HARASSMENT PREVENTION POLICY.

APPROVAL OF CONTRACT WITH NORTH ROCKLAND CHAMBER OF COMMERCE

The following resolution was offered and unanimously adopted by all of the Town Board Members.

368-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES A CONTRACT WITH THE NORTH ROCKLAND CHAMBER OF COMMERCE IN THE AMOUNT OF \$2,500.00.

PUBLIC PARTICIPATION

Mr. Simone, 6 Charles Lane, Pomona NY, stated that he and many residents from the Gardens at Palisades Condominiums need guidance about requesting a crosswalk and stop light to be installed between their side of their street and the strip mall across the street. Mr. Simone stated that crossing this section of Thiells Mt. Ivy Road is very dangerous for pedestrians.

Supervisor Phillips stated that Thiells Mt. Ivy Road is a County road and the County would have to approve this before the Town can proceed with this request. Supervisor Phillips also stated that we can work to create this once it approved but that a caution light and a walkway would be more feasible, instead of a stop light.

ANNOUNCEMENTS

On Tuesday, September 25th, Supervisor Phillips and the Town Board Members will have the privilege and honor of dedicating the Town of Haverstraw Justice Court to former Town Justice Peter Branti Jr. Peter who was a tireless public servant. A beautiful plaque will commemorate the Town of Haverstraw Peter Branti Justice Court.

A Shredding Event was held last Saturday, September 22nd at Haverstraw Town Hall. It was a huge success. This event was sponsored by the Rockland County Solid Waste Management Authority and was open to all Rockland County residents.

The Garner Arts Center Brick Alley Block Party was held on Saturday, September 22nd. The crowd enjoyed great music, performance art, DJs, food trucks, drinks & more! Over 500 people attended this year.

The Town of Haverstraw Highway Department Open House will be held on Saturday, October 27th. Kids have a wonderful time painting, learning about the Highway Department's equipment and doing crafts. Refreshments will be provided to those who attend.

The Town of Haverstraw's Wednesday night Zumba classes were an enormous success. . We would like to thank Julia Urena and all the instructors: Abigail Tejada, Onix Banegas Toros, Yessy Santana, Maritza Gorrits, Samantha Tejada, Luisa Tavarez, Milagros Tejada, Darleny Santos, Wilkin Abreu, Jonas Abreu, Anaysa Vasquez, Jailyne Duarte and Felipe Andres Saavedra. We hope to see you back again next year for Zumba in the Park!

The Cal Ripken Sr. Foundation Badges for Baseball clinic hosted by the Haverstraw Police Athletic League and sponsored by the Town of Haverstraw and SUEZ Foundation was held on September 15th at Bowline Point Park. It was well attended and we would like to thank everyone who made this event a huge success.

The Town of Haverstraw is proud to once again co-sponsor with the Neighborhood Cruisers, Cruisin' For Kids Annual Car Show Benefit & Family fun Day at Bowline Point Park on September 30th. Hope to see you there!

The Town of Haverstraw's 12th Annual Ninety- Plus Recognition Day will be held on Thursday, October 11th at the Hudson Water Club. If you know any Town of Haverstraw resident who is 90 or better, please let them know about this great event. For more information, please call Town Hall at 845-429-2200.

The Town of Haverstraw Youth Board has two events planned: Frozen the Broadway Musical on September 27th and The Christmas Spectacular on December 6th. For more information please call Town Hall at 845-429-2200.

ADJOURNMENT

369-18 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Fredrick Marino, Sr., Catherine Seminara, and Patricia K. McCarthy who recently passed away. A motion was made by Councilman Gamboli, seconded by Councilman Cancel, and unanimously adopted and the Town Board Meeting was adjourned.

MARISOL CANCEL
Deputy Town Clerk

SEXUAL HARASSMENT POLICY

Introduction

Town of Haverstraw is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Town of Haverstraw has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Town of Haverstraw commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Town of Haverstraw, or with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. Town of Haverstraw Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with Town of Haverstraw.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Town of Haverstraw has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of Town of Haverstraw who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern or non-employee¹ working in the workplace who believes they have been subject to such retaliation should inform a supervisor, manager, or the Town Attorney. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects Town of Haverstraw to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.
5. Town of Haverstraw will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. Town of Haverstraw will provide all employees a complaint form for employees to report harassment and file complaints.

¹ A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

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7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to the Town Attorney.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.

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- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

What is "Retaliation"?

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- filed a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- complained that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Reporting Sexual Harassment

Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

SEXUAL HARASSMENT POLICY

Preventing sexual harassment is everyone's responsibility. Town of Haverstraw cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Town Attorney. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the Town Attorney.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Town Attorney.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint And Investigation Of Sexual Harassment

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

- Upon receipt of complaint, the Town Attorney will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

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- A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The final resolution of the complaint, together with any corrective actions action(s).
- Keep the written documentation and associated documents in the employer's records.
 - Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.
 - Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by Town of Haverstraw but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Town of Haverstraw, employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Town of Haverstraw does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, <http://www.dhr.ny.gov>

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

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The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at <http://www.eeoc.gov> or via email at info@eeoc.gov

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit: www.nyc.gov/html/cchr/html/home/home.shtml

Contact the Local Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.