

# Reconciling New York State and New York City Training Mandates

New York	Both	New York City
Deadline to have all employees trained: October 9, 2019.		Deadline to have all employees trained: April 1, 2020.
All employers must train all New York State (“NYS”) employees, no threshold number of employees to trigger compliance.		Employers with 15 or more employees in New York City must meet the training requirements.
	Training must be interactive.	
	“Interactive” means the training must include participatory teaching for the employee.	
	Both NYS and NYC allow web-based interactive trainings, neither requires the training be live or conducted by an in-person instructor.	
	All employees, including supervisors, must complete the course.	
	Training must include examples of conduct that would constitute unlawful sexual harassment.	
Employers must train new hires “as soon as possible” following commencement of employment.		Employers must train new hires within 90 days of commencement of employment.
	Must conduct training annually.	
	Training must include an explanation of sexual harassment consistent with guidance issued by the Department of Labor in consultation with the Division of Human Rights (NYS) and under local law (NYC).	

New York	Both	New York City
<p>Training must include information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment.</p>		<p>There are no specific federal or state statutory remedy required to be addressed in the training.</p>
	<p>Training must include information concerning employees' rights of redress and all available forums for adjudicating complaints both internally and externally.</p>	
<p>Training must include information regarding conduct expectations for supervisors and additional responsibilities for supervisors within the workplace.</p>		<p>Additional, supervisor training required. Supervisor training must address the responsibilities of supervisory and managerial employees in the prevention of sexual harassment and retaliation, and measures that such employees may take to appropriately address sexual harassment.</p>
<p>All employees must be trained by October 9, 2019 and on an annual basis thereafter.</p>		<p>All employees must be trained by January 1, 2020, and on an annual basis thereafter.</p>
<p>Training should be conducted in the language that is spoken by the employees while at work.</p>		<p>No specific language requirement for the training to be offered in languages other than English.</p>
<p>No specific requirement for bystander intervention to be addressed in the training.</p>		<p>The training must address bystander intervention.</p>
<p>Effective January 1, 2019, all contractors who bid on NYS contracts, whether in state or out-of-state must certify under penalty of perjury that they have provided annual sexual harassment training to all employees.</p>		<p>No specific requirement in NYC regarding contractor requirements.</p>
<p>No specific recordkeeping requirement.</p>		<p>NYC requires employers to keep a record of all training, including a signed employee acknowledgment, which may be electronic. Employers must maintain the records for three years and such records must be made available for commission inspection upon request.</p>