

**Adopting The Ulster County Sexual Harassment Prevention Policy
And The Discriminatory Harassment Prevention Policy And
Complaint Procedure – Department Of Personnel**

Referred to: The Ways and Means Committee (Chairwoman Archer and Legislators Gerentine, Maio, James Maloney, Joseph Maloney, Petit, and Rodriguez)

Chairwoman of the Legislature, Tracey A. Bartels, offers the following:

WHEREAS, Section 201-g of New York State Labor Law mandates that all employers throughout the State of New York adopt a sexual harassment prevention policy; and

WHEREAS, Ulster County has an existing Ulster County Harassment in the Workplace Policy; and

WHEREAS, Ulster County considers sexual harassment, discrimination, discriminatory harassment and other conduct to be serious and a form of employee misconduct which will not be tolerated; and

WHEREAS, the Department of Personnel has sought advice and recommendation from Roemer Wallens Gold and Mineaux LLP, the County's Labor Law counsel, on policies on Sexual Harassment and Discriminatory Harassment; and

WHEREAS, upon recent review of the existing Ulster County Harassment in the Workplace Policy, it has been determined that in order to be in full compliance with New York State Labor Law, it would be in the best interest of the County to adopt two separate policies, one to address sexual harassment prevention, and one to address discriminatory harassment; and

WHEREAS, the proposed policies meet the mandate by New York State; and

WHEREAS, adopting the policies provides the County of Ulster with an opportunity to reiterate its strong commitment to a workplace free of any manner of harassment, whether sexual or discriminatory; and

WHEREAS, in order to remain in compliance with mandates of Federal, State and Local Law, if any provision of this policy is changed or becomes in conflict with Federal, State or Local Law, such Law will preempt the policy, and revision(s) will be made accordingly; and

WHEREAS, employees will be provided with notice that revisions have been made and the location of the revised policy(s); now, therefore, be it

Resolution No. 119 May 21, 2019

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RESOLVED, that the Ulster County Sexual Harassment Prevention Policy and the Discriminatory Harassment Prevention Policy and Complaint Procedure, in the form as filed with the Clerk of the Legislature, are hereby adopted,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislator James Maloney)
(Legislator Roberts left at 7:45 PM)

Postponed in Committee: Ways and Means for One Week on March 12, 2019 with consent

Postponed in Committee: Ways and Means on March 19, 2019 with consent

Postponed in Committee: Ways and Means for One Week on April 9, 2019 with consent

Postponed in Committee: Ways and Means on April 16, 2019 with consent

Postponed in Committee: Ways and Means for One Week on May 14, 2019

Passed Committee: Ways and Means on May 21, 2019

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 21st Day of May in the year Two Thousand and Nineteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 24th Day of May in the year Two Thousand and Nineteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
24th Day of May, 2019.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the Acting County Executive this
29th Day of May, 2019.

|s| Adele B. Reiter
Adele B. Reiter, Acting County Executive