

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

Referred to: The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chairman of the Ways and Means Committee, John Gavaris, and Deputy Chair Kevin A. Roberts offer 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 Sexual Harassment Prevention Policy; and

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

WHEREAS, it is necessary to strengthen Ulster County’s Sexual Harassment Prevention Policy to clarify the investigatory process for appointed board, commission, committee and council members; and

WHEREAS, it is also necessary to include revisions to the New York State model sexual harassment policy; and

WHEREAS, the proposed policy amendments will improve the County’s ability to effectively address and act on complaints specifically involving appointed board or commission members, enhance training requirements, and implement trauma informed investigation practices; and

WHEREAS, the proposed policy amendments clarify that sexual harassment does not have to be severe or pervasive to be illegal, that sexual harassment as a form of gender-based discrimination and provides an explanation of gender diversity (including definitions of cisgender, transgender, and non-binary persons; and

WHEREAS, such policy amendments include provisions explaining that intent is irrelevant under the law; and

WHEREAS, such policy amendments clarify that sexual harassment can occur in the remote workplace; and

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WHEREAS, such policy amendments also add a new section on bystander intervention, including an explanation of five standard methods of intervention that can be used if employees witness harassment or discrimination; 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 sexual harassment; 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

RESOLVED, that the revised Ulster County Sexual Harassment Prevention Policy, in the form as filed with the Clerk of the Legislature, and attached, entitled “Exhibit A”, is hereby adopted,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Litts)

Passed Committee: Ways and Means on March 14, 2024

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 20th Day of March in the year Two Thousand Twenty-Four, 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 20th Day of March in the year Two Thousand Twenty-Four.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
20th Day of March 2024.

Approved by the County Executive this
28th Day of March 2024.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Jen Metzger
Jen Metzger, County Executive