

March 2022

Follow @Paul\_Hastings



## Governor Hochul Signs New Workplace Discrimination Legislation

By [Marc E. Bernstein](#) & [Kaveh Dabashi](#)

On March 16, 2022, New York Governor Kathy Hochul signed new legislation addressing workplace discrimination.

1. *Government Hotline for Workplace Harassment*: [S.812B/A.2035B](#) requires the New York Division of Human Rights to establish a toll free confidential hotline to provide assistance to individuals with complaints of workplace sexual harassment. The hotline will be staffed by experienced pro bono attorneys who will make callers aware of their legal rights and advise them on the specifics of their individualized cases. Once the hotline is established, employers must include information regarding the hotline in any materials that employers must post or provide to employees regarding sexual harassment.
2. *Retaliation Regarding Personnel Records*: [S.5870/A.7101](#) clarifies that the release of personnel records can be construed as retaliation for protected conduct under the New York Human Rights Law, except where the disclosure is made in the course of commencing or responding to a complaint in any proceeding. The provision also authorizes New York's Attorney General to commence an action if the Attorney General "is of the opinion that an employer has been, is, or is about to violate" the retaliation prohibition.
3. *New York State is an "Employer"*: [S.3395B/A.2483B](#) clarifies that New York State (or any city, county, town, village, or other political subdivision of the State) is an "employer" under the New York Human Rights Law and is subject to its provisions.

◇ ◇ ◇

*If you have any questions concerning these developing issues, please do not hesitate to contact either of the following Paul Hastings New York lawyers:*

Marc E. Bernstein  
1.212.318.6907  
[marcbernstein@paulhastings.com](mailto:marcbernstein@paulhastings.com)

Kaveh Dabashi  
1.212.318.6658  
[kavehdabashi@paulhastings.com](mailto:kavehdabashi@paulhastings.com)

---

### Paul Hastings LLP

Stay Current is published solely for the interests of friends and clients of Paul Hastings LLP and should in no way be relied upon or construed as legal advice. The views expressed in this publication reflect those of the authors and not necessarily the views of Paul Hastings. For specific information on recent developments or particular factual situations, the opinion of legal counsel should be sought. These materials may be considered ATTORNEY ADVERTISING in some jurisdictions. Paul Hastings is a limited liability partnership. Copyright © 2022 Paul Hastings LLP.