



2022 NYC Sexual Harassment Complaint Report

Local Law 97 of 2018

Introduction

On May 9, 2018, the Stop Sexual Harassment in NYC Act was signed into law, expanding current City laws against sexual harassment, including enacting Local Law 97 of 2018 (LL97). LL97 requires the Department of Citywide Administrative Services (DCAS), in partnership with all City agencies, to submit a comprehensive report on sexual harassment complaints filed at every City agency each fiscal year. Openly reporting this data demonstrates the City's commitment to prevent and effectively address sexual harassment in the workplace.

Overview

The complaints in this report cover all City job and internship applicants, current and former City employees, interns, independent contractors, and volunteers who initiated the complaint process during FY22. The number of complaints in this report are listed in the following manner, in accordance with the requirements of LL97¹:

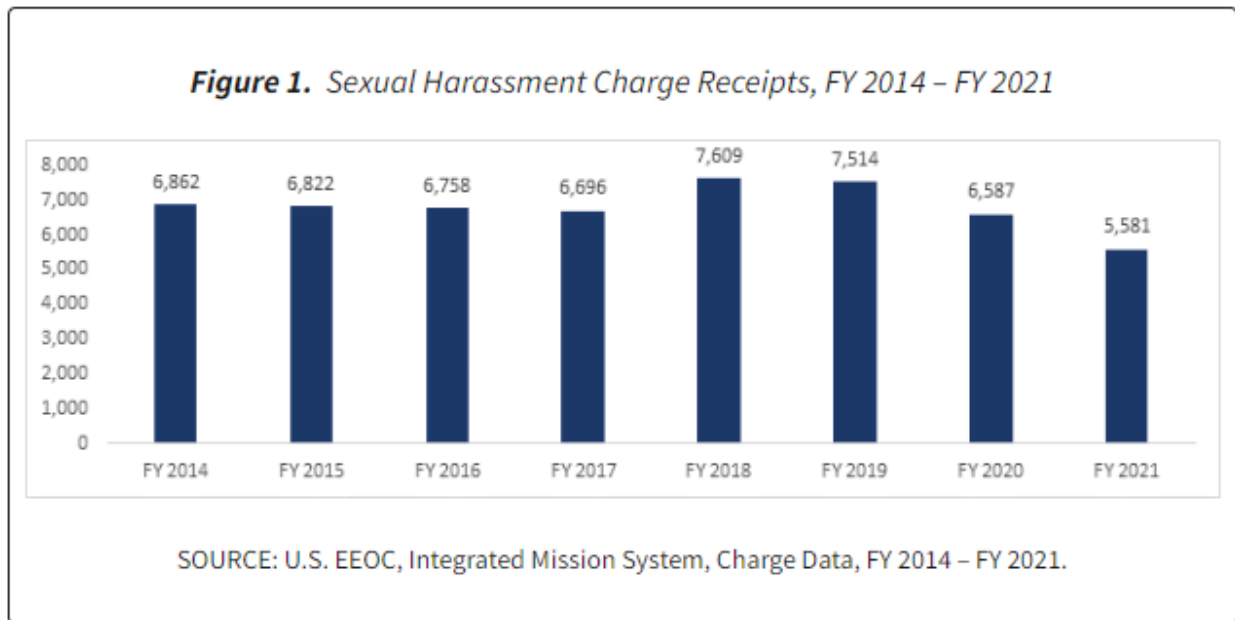
1. Filed.
2. Resolved.
3. Substantiated.
4. Not substantiated.
5. Closed in the agency's official discrimination claim process because of a complaint withdrawn by the reporting individual prior to a final determination.

¹Also included are cases that were resolved in FY22 but were filed in previous fiscal years.

Sexual Harassment Trends

According to nationwide data from the federal Equal Employment Opportunity Commission (EEOC), in fiscal year 2021 (FY21), it received 5,581 sexual harassment complaints. No data is available for fiscal year 2022 (FY22) at the time of publication of this report.

EEOC Sexual Harassment Complaints Total



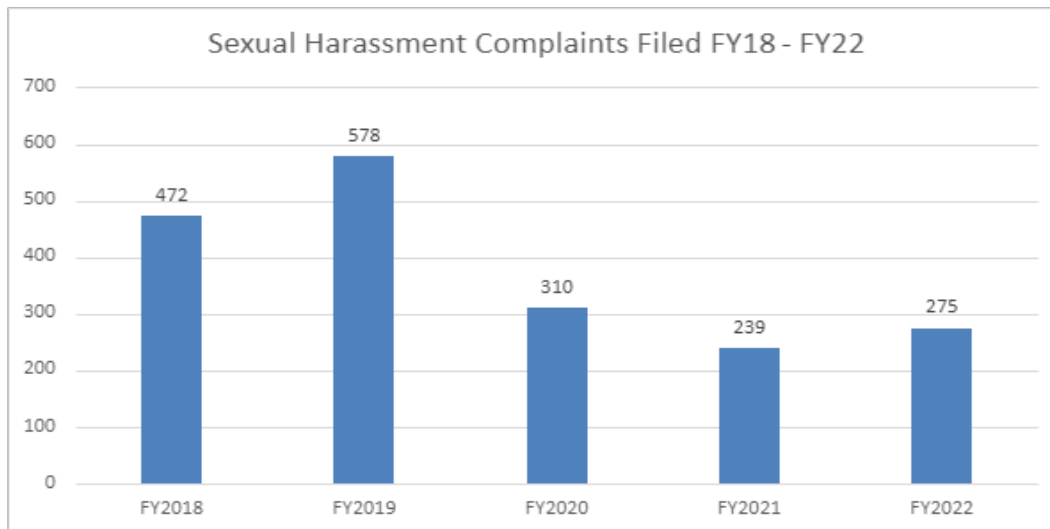
EEOC Sexual Harassment Charge Receipts

Sources: EEOC²

Although the EEOC nationwide data for FY22 is not yet available, this report customarily shows the EEOC trends because it is important to be cognizant that sexual harassment complaints are a concern for employers throughout the country.

²[EEOC Sexual Harassment Charge Receipts.](#)
[EEOC Total Charge Receipts.](#)

City of New York Sexual Harassment Complaints Total



The City of New York saw an increase, with 275 sexual harassment complaints filed in FY22, a 15% increase from the 239 sexual harassment complaints in FY21. The FY22 City data appears on the last page of this report in greater detail.

While the City's data has had a modest increase of 15% from FY21, the City's trend since 2018 shows that the City's complaints in FY22 are still lower, overall, than in previous reporting periods.

The modest increase in FY22 can be explained as follows:

First, the City's continued emergence from the COVID-19 pandemic impacted the increase of registered complaints. Specifically, the City implemented its return to office plan in September 2021, when employees were required to report back to their worksites on a full-time basis. The resumption of in-person interactions may have contributed to the increase in the number of sexual harassment complaints.

The upward trend in complaints is also attributable to awareness of the City of New York's [Equal Employment Opportunity \(EEO\) Policy](#), which was updated in December 2021 and elaborated on the concepts of hostile work environment and quid pro quo sexual harassment.

Training

In addition, the City’s annual sexual harassment prevention training and agency-specific training efforts that reinforce awareness of inappropriate interactions have successfully served to educate the workforce to identify such behavior and to report it. Some recent enhancements to the City’s sexual harassment prevention training include the obligations of managers and supervisors, a more extensive discussion of bystander intervention, examples that illustrate intersectionality, and several hypothetical scenarios to engage employees and illustrate the necessary concepts.

Additional training designed to address multiple forms of discrimination complement and reinforce principles in the annual sexual harassment prevention training mandated under Local Law 92 (2018) and reinforce anti-sexual harassment awareness. For example, in February 2022, DCAS launched the *Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees*, which all City employees are required to complete biennially, and which includes a module that defines sexual harassment, provides examples of sexual harassment, details the role of managers and supervisors when it comes to reporting instances of sexual harassment in the workplace, and also touches upon bystander intervention, if feasible in a situation.

Agencies have also said that effective training, coupled with targeted agency-specific initiatives, has contributed to an increase in the reporting of complaints. In fact, the EEOC has noted that, “If employees are filing complaints of harassment, that means the employees have faith in the system.”³

Support and Guidance for Agencies

Furthermore, the municipal workforce’s trust in the City’s EEO processes and relevant rights and resources is bolstered because the City provides resources to agencies in support of their EEO enforcement programs. For example, DCAS Citywide Equity and Inclusion (CEI)⁴ engages EEO professionals from over 80 agencies through bi-monthly best practices meetings, offers direct consultation on correctly conducting EEO complaint investigations, provides training for newly appointed EEO officers, and advises

³[Report of the Co-Chairs of the EEOC Select Task Force on the Study of Harassment in the Workplace](#), Page 36 (June 2016).

⁴DCAS CEI derives its authority from the New York City Charter, Chapter 35, Section 814.1, to enable City agencies to comply with the City’s Equal Employment Opportunity (EEO) Policy and the City Charter provisions and laws concerning equal employment opportunity. The New York City Charter provides for the creation of a diversity and inclusion office within DCAS to guide agencies. CEI highlights the City’s efforts to address workforce inequities, agencies’ compliance with non-discriminatory and equitable employment practices, policy, reporting and training requirements.

on creative recruitment strategies. DCAS also provides agencies with various tools, including ongoing assessments of risk factors associated with sexual harassment, and an *EEO Complaint Process at a Glance* document that agencies can widely distribute to create transparency and to raise additional awareness about employee protections and available resources. In addition, DCAS utilizes information from the Citywide Workplace Climate Survey, mandated under Local Law 101 (2018), to gauge employee awareness of Citywide EEO Policy, their rights, and available resources. As a result of agency-specific survey results, agencies developed action plans geared toward increasing the awareness of the EEO Policy, the agency's EEO Office, and the complaint process.

Lastly, DCAS CEI has increased communication and engagement with agency EEO professionals to ensure standardization and consistency in the execution of the City's EEO Policy and relevant non-discrimination processes and practices. For example, CEI is proactive in conducting outreach to agencies that need to increase completion rates for the City's mandated EEO trainings, including sexual harassment prevention training, so they may develop and apply strategies to increase compliance. In addition, through agency spotlight segments at the mandatory bi-monthly best practices meetings, CEI shares with the City's EEO Officers and Chief Diversity Officers notable EEO and diversity, equity, and inclusion practices at various City agencies. CEI also maintains consistent supportive contact and has increased accessibility to guidance resources, through the creation of a Microsoft Teams site where City EEO professionals can easily access presentations from previous best practices meetings, investigation process templates, model forms, training materials, and other helpful resources. These citywide efforts support the City's renewed focus and investment in becoming a global leader in equitable, diverse, and inclusive employment practices.

The City of New York is firmly committed to preventing all forms of workplace discrimination, including sexual harassment. The City will continue to educate agency employees and increase their awareness about their rights, available resources, and the sexual harassment complaint process.

Sexual Harassment Complaints for the Period 7/01/21-6/30/2022¹

Agency	Complaints Filed in FY22	Complaints Filed and Resolved in FY22	Complaints Resolved During Summary Period ²	Substantiated Complaints Filed and Resolved in FY22	Substantiated During Summary Period	Not Substantiated Complaints Filed and Resolved in FY22	Not Substantiated During Summary Period	Withdrawn Complaints Filed and Resolved in FY22	Withdrawn Complaints During Summary Period
ACS	10	-	7	-	-	-	-	-	-
DEP	9	-	-	-	-	-	-	-	-
DOC	23	11	23	-	7	8	13	-	-
DOE	36	12	69	-	27	-	22	-	-
DOT	9	-	7	-	-	-	-	-	-
DPR	38	14	25	-	10	7	12	-	-
FDNY	20	12	21	9	16	-	-	-	-
H+H	58	36	64	12	16	16	29	-	-
HRA	15	-	7	-	-	-	-	-	-
NYPD	33	16	32	-	6	-	6	-	-
Total³	275	122	274	39	101	40	95	-	-

¹Notes on data:

- Complaint resolved = closed by agency EEO office.
- Complaint substantiated = it is more likely than not that the incident occurred.
- Complaint unsubstantiated = it is more likely than not that the incident did not occur.
- Complaint withdrawn = case is withdrawn by the complainant.
- Per City law, to protect the privacy of the employee making the complaint, we are only releasing agency data where there are more than five complaints.

²Cases that have been resolved in FY22 regardless of when the case was filed are also included.

³Agencies with zero to five incidents of sexual harassment complaints are not shown but are included in the totals. To protect the personal privacy of employees, in a cell for which the number to be reported is between zero and five, the number is replaced with a “-” symbol.

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