



NEW YORK CITY DEPARTMENT OF CORRECTION



COMMISSIONER'S SEXUAL HARASSMENT POLICY STATEMENT

Sexual harassment is a form of employment discrimination prohibited by the EEO Policy and law. All Department of Correction employees should be familiar with the EEO Policy's protections against sexual harassment. The EEO Policy incorporates the protection provided by federal, state, and local laws and implements them by providing for disciplinary sanctions to be imposed on employees who engage in sexual harassment. Every City employee - paid or unpaid, permanent, or temporary, managerial, or non-managerial - is protected from unlawful discrimination by the EEO policy and by federal, state, and local anti-discrimination laws. The EEO Policy and anti-discrimination laws also protect those who seek to work for the City.

Federal guidelines define sexual harassment as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature ... when: 1) submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment." Under the New York City Human Rights Law, verbal or physical conduct that treats a person "less well" because of gender is unlawful.

Sexual harassment may involve individuals of the same or different genders. A broad range of conduct by supervisors and co-workers may constitute sexual harassment, including, but not limited to, making remarks or gestures, or displaying pictures that are sexually suggestive; engaging in verbal banter, abuse or harassment of a sexual nature; requesting -- directly or subtly -- sexual favors; and subjecting another person to unwelcome touching, patting, pinching or other contact.

Sexual harassment is strictly prohibited. Employees who violate this policy are subject to discipline, including termination. Persons who violate this policy may also be subject to civil damages or criminal penalties.

The City's policy prohibiting sexual harassment does not forbid consensual social relationships between employees. But it does prohibit gender-based conduct that is unwanted or creates an intimidating and hostile work environment.

Managers, supervisors, and human resources personnel must promptly notify the agency EEO Officer in writing, either via email or a memorandum, if they receive a complaint alleging sexual harassment or if they observe, learn about, or suspect that any violation of the Policy has



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occurred. Managers and supervisors should also encourage subordinates to consult with the EEO Officer.

The Department of Correction urges anyone covered by the NYC EEO Policy who believes he or she has been subjected to sexual harassment or any unwelcome sexual attention to report the conduct to a supervisor or manager or to the agency EEO Officer, **Florina Getman, who may be contacted at 718-546-0861 or Florina.Getman@doc.nyc.gov**. It is important to report all concerns about sexual harassment or inappropriate sexual conduct to the EEO Officer or a supervisor or manager as soon as possible.

Complaints of sexual harassment will be handled under the New York City Equal Employment Opportunity Policy and Procedures. All inquiries, complaints and investigations are treated confidentially. Information is revealed strictly on a need-to-know basis. Information contained in a formal complaint is kept as confidential as possible.

No employee may retaliate against or harass any person for filing a complaint or cooperating in the investigation of the complaint. Retaliation or harassment is unlawful and subject to disciplinary action.



Lynelle Maginley-Liddie
Commissioner

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