

LM in Action: January 29, 2024**For National Stalking Awareness Month, Legal Momentum Helps Introduce Stronger Protections for Survivors in NYS****By: Seher Khawaja, Director of Economic Justice and Deputy Legal Director**

January is **National Stalking Awareness Month**, an important moment to spotlight Legal Momentum's advocacy to protect survivors of gender-based violence, including stalking. This month, our efforts resulted in an important step forward for stalking survivors in New York State, with Senator Roxanne Persaud introducing [S7996](#).

Gender-based violence is pervasive and has significant impacts on survivors' ability to maintain their employment at a time when they need it most. While New York State's Human Rights Law currently includes important protections, this bill would address several notable gaps and significantly strengthen workplace protections for survivors.

First, this bill would ensure that existing protections that prohibit workplace discrimination against victims of domestic violence also cover victims of sex offenses and stalking. To effectively address gender-based violence in New York, our laws must cover all categories of survivors. Survivors of sex offenses or stalking, for example, require equivalent protections as they often must seek medical assistance, engage with law enforcement, and engage in safety planning that requires drastic life changes that can undermine the ability to maintain employment when there are no protections.

Second, to address abuse while maintaining employment, survivors regularly need workplace adjustments—reasonable accommodations—to address a host of issues such as finding new housing, securing childcare, seeking medical and mental health care, and engaging in safety planning. Our existing law only allows survivors to take leave in certain limited scenarios. While access to paid and unpaid leave is essential, it can also fall short of addressing survivors' actual needs. Survivors face a host of obstacles and barriers to maintain employment and escape abuse that require accommodations beyond leave. For example, survivors often need to change their shift, request an adjustment to their hours, seek a transfer to a different work location, or seek assistance to address PTSD. This bill would expand access to reasonable accommodations beyond just leave to allow survivors to define their own request based on their needs. Workplace adjustments, in addition to leave, are often the most

essential to helping survivors maintain their employment and economic security while addressing the abuse.

Third, because many employers remain unaware of existing protections and often fail to comply, placing survivors in dangerous and precarious situations, this bill would require employers to include guidance on survivor workplace protections in their mandated workplace policies and training on sexual harassment and would require the DOL to include this guidance in their model training and policy. In our work, we regularly see employers discriminate against survivors based on their status, seek intrusive documentation not required by the law, deny leave that workers are entitled to, and retaliate against workers who report their status and seek assistance. Employers therefore need guidance and training to advance awareness and compliance and to ensure the law actually works for survivors.

We call on New Yorkers as well partners across the state to express their support this session for [this important legislation](#).