

Preventing sexual harassment at work



SMALL BUSINESS
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Employers have been given more time to provide sexual harassment prevention training to all employees.

The original deadline, Jan. 1, has been extended by New York State to Oct. 9, 2019. Still, employers are advised not to drag their feet and to start familiarizing themselves with requirements. They will have to give the training every year.

■ **Prepare ahead.** “Businesses should begin planning now and looking at their options,” said CEO Aoifa O’Donnell of National EAP, a Hauppauge firm that provides employee assistance and training programs.

“Employers were quite rushed to get it all done by year-end,” she said, but about

half of EAP’s clients that had booked training in the fourth quarter moved it to 2019’s first quarter after the extension was given. EAP provides a live 60-minute session for employees and a 90-minute session for management.

■ **State model.** The state Department of Labor and the Division of Human Rights, the agencies charged with developing harassment policy, have released sexual harassment prevention training guidance. Employer training that doesn’t use the state’s model must meet or exceed certain minimum standards, including providing examples of unlawful conduct,

says Jules Halpern, founding partner at Jules Halpern Associates in Garden City.

■ **What’s illegal.** According to the U.S. Equal Employment Opportunity Commission, it is unlawful to harass an applicant or employee because of that person’s sex. Harassment can include unwelcome sexual advances, requests for sexual favors, and other such verbal or physical behavior. Harassment also can include offensive remarks about a person’s sex, the EEOC says.

■ **One key requirement.** Training must be interactive — have “a back and forth component” — but not necessarily live, said Paul Scrom, a partner at Jules Halpern Associates. Also it must have a platform for employees’ questions, even if it’s web-based training.

The firm is getting multiple calls a day from businesses looking to get training, Halpern said. The firm’s training takes about 60 to 90 minutes.

■ **The mandated requirements** are similar to traditional training, said Dominique Camacho Moran, a partner in labor law at Farrell Fritz in Uniondale.

■ **Expanded requirements** include trainers’ noting the alternate forums for resolving complaints so employees know they can raise concerns internally or can go to the NYS Division of Human Rights and the EEOC.

■ **Who to turn to.** There’s also more emphasis on stressing to employees the role of supervisors and their obligation to report any harassment they are told about or actually observe, says Moran. “That was normally just talked about in supervisor training,” she said.

Farrell Fritz has already completed its own internal training. It conducts employee training at firms generally in 90 minutes and supervisor/management training in two hours.

■ **Every year.** Firms are now required to do this training annually, says Barbara DeMatteo, HR

consulting director at Portnoy, Messinger, Pearl & Associates in Jericho. “The sooner they can start the clock, the better it will be,” she said, adding it can help them limit liability in the event of any claims.

Portnoy delivers live training at an employer’s site (generally an hour for employees and an additional hour suggested for managers), but also has an interactive web-based model that allows employees to ask questions and get answers in a timely manner, she says.

■ **Teach everyone.** Keep in mind training must be given to all employees, including part-time, full-time, seasonal and temporary, said Scrom. There’s no minimum on required hours of training, but new employees must be trained within a reasonable time frame, he says.

Use the training to open up dialogue within the organization. “The training’s an opportunity for a deeper conversation,” said O’Donnell.

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Number of EEOC harassment lawsuits filed in fiscal 2018 that included sexual harassment allegations, up more than 50 percent over fiscal 2017

Source: EEOC

THE ISSUE: MEDICARE

Annual enrollment changes due Dec. 7

MONEY FIX

The annual ritual of Medicare enrollment is almost upon us: You have until Dec. 7 to change plans for Jan. 1, 2019.

Here’s what you need to know.

■ **What’s new?** There are two main changes to look for in 2019.

■ **First,** the income tiers for Medicare Parts B and D premiums have changed. “The shift in tiers could potentially impact the premiums you pay and change your expenses,” says Matthew Peck, co-founder of SHP Financial in Plymouth, Massachusetts.

■ **The second change** is that the new Medicare Advantage Open Enrollment period, formerly known as the Medicare Disenrollment period, has been revamped and is open from Jan. 1 through March 31.

This enrollment period allows anyone with a Medicare Advantage plan to switch to a different

Medicare Advantage plan or return to the original Medicare Parts A and B.

“If you switch back to Medicare Parts A and B, you will be able to enroll in Medicare Part D at that time. Finally, if you missed open enrollment, this is your chance to select coverage that goes into effect July 2019,” says Peck.

■ **Review your plan.** Carriers change their formularies every year.

■ **Medications** that were inexpensive in 2018 may cost more next year, if they have been moved to a higher drug tier.

“Make sure your medication will continue to be covered, and [see] if you can save money on medication by changing plans. You can save hundreds of dollars per year,” says Elizabeth Gavino, a principal at Lewin & Gavino, an insurance brokerage in Hoboken, New Jersey.

■ **Check that your providers are participating** in your plan for the new year. Doctors negotiate their contract with carriers each year.

THE WEEK AHEAD

For more events, visit newsday.com

TUESDAY

PERSONAL BRANDING | Stony Brook

Workshop to help understand the difference between how you view yourself versus how others see you. Learn how to define and control your image and develop a professional appearance, 8:30-11 a.m., Stony Brook Small Business Development Center, Research and Development Park, Building 17, free, register, nwsdy.li/brand, 631-632-9837.

WAGE AND HOUR COMPLIANCE | Jericho

Learn how to avoid costly litigation by ensuring your organization is compliant with the Fair Labor Standards Act and New York Labor Law, check-in and continental breakfast at 8 a.m., program 8:30-10 a.m., Nixon Peabody, 50 Jericho Quadrangle, Suite 300, Jericho, \$25 (\$20 advance), financialexecutives.org.

WEDNESDAY

LETIP BUSINESS NETWORKING | Bohemia

New members looking to grow their businesses are welcome, 7:01-8:31 a.m., Airport Diner, 3760 Veterans Memorial Hwy., no cost for meal, call to reserve, letipbohemia.com, 631-281-6200.

THURSDAY

ROTARY CLUB MEETING | West Hempstead

The Central Nassau County Rotary Club meets, new members welcome, 8:30 a.m., Lantern Diner, 564 Hempstead Tpke., \$11 for breakfast, 516-369-2376.

BUSINESS EXPO 2018 | Melville

Get qualified leads and make connections; day features live music, raffles, food tastings and more,

10 a.m.-3 p.m., Hilton Long Island/Huntington Hotel, 598 Broadhollow Rd., \$10 at the door (free in advance), melvillechamber.org, 631-777-6260.

TNT MEETING | Freeport

TNT (Top Notch Teams) one-per-profession networking group meets, new members welcome, call to see if your profession is open, 7:15 a.m., Imperial Diner, 63 W. Merrick Rd., free for first-time visitors, reserve, nwsdy.li/tnt, 516-567-8790.

BNI NETWORKING | Baldwin

Business by Sunrise breakfast meeting, new members in different categories welcome, 7-8:30 a.m., Valencia Ravioli, 82 Broadway, call to reserve, fee for meal, nwsdy.li/sunrise, 516-236-4340.

FRIDAY

THE ULTIMATE SUPERVISOR'S GUIDE | Selden

Full day of training covers supervisory skills, creating positive workplace habits, giving and receiving coaching, awareness and prevention of sexual harassment and discrimination in the workplace and more, presented by Miller Business Academy, 8:30 a.m.-4 p.m., Middle Country Library-Selden Branch, 575 Middle Country Rd., \$199, must register, millerbusiness.academy/courses, 631-585-9393.

— GINA TABARUS

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