

# Realty Advisory Board on Labor Relations, Incorporated

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# BULLETIN

August 30, 2018

No. 148 (General)

TO: Representatives of memberships in the  
Realty Advisory Board on Labor Relations, Inc.

**SUBJ: New York City Temporary Schedule Change Law, Recent Developments in New York State and City Anti-Discrimination and Harassment Laws, and Miscellaneous Updates.**

Dear Member:

We write to advise you of significant issues in labor and employment law that may impact the employment relationship at your properties.

## 1. New York City's Temporary Schedule Change Law

As you may be aware, New York City recently enacted a temporary schedule change law that became effective July 18, 2018. The law permits covered employees to request a temporary change in their schedule up to two times per year (for no more than two days, in total) to accommodate a "personal event." Personal events can include such things as: needing to care for a minor child; needing to care for a disabled member of the employee's household; attendance at a court hearing or other governmental process; and any reason under which the employee could request earned paid time off, under the New York City Paid Sick and Safe Leave Law.

All employers with employees covered by a collective bargaining agreement with a term that commenced prior to July 18, 2018, are exempt from compliance with this law until the expiration of that agreement. This includes all employers whose employees are employed under the RAB Apartment Building Agreement, Commercial Building Agreement, Contractors Agreement, and Engineer Agreement.

If you have any question as to whether your employees are impacted by the New York City Temporary Schedule Change Law, please contact the RAB.

Howard I. Rothschild  
President

Proskauer Rose LLP  
General Counsel

2. Proposed Rules Regarding Discrimination Based Upon Gender Identity or Expression

The New York City Commission on Human Rights issued a Notice of Public Hearing and Opportunity to Comment on proposed rules to establish definitions and clarify the scope of protections against discrimination based upon gender identity or expression under the New York City Human Rights Law (“NYCHRL”). The proposed rules address a wide range of workplace conduct and policies including forms of address, dress codes, insurance benefits, leaves and accommodation requests. The RAB will follow this rulemaking process and inform its members of final rules having impact on covered employees.

3. Mandatory Sexual Harassment Policy and Annual Training Requirement become Effective October 9, 2018

New York State will require all employers to adopt and distribute written sexual harassment prevention policies, and will require employers to provide mandatory annual sexual harassment prevention training, commencing on October 9, 2018. Draft policies and model training documents were recently released by the State, and are available at: <https://www.ny.gov/programs/combating-sexual-harassment-workplace>. The RAB will continue to follow these requirements as they develop and will inform its members of any further matters that have impact on covered employees.

4. Miscellaneous Updates

**The RAB also wishes to remind its members of the availability to pay their semi-annual membership dues electronically, through the RAB’s website at: <https://www.rabolr.com>.**

Members of the RAB should be aware that the Engineers Agreement with Local 94, IUOE, is set to expire at the end of this year. The RAB welcomes its members having an interest in that contract to submit their proposals at their earliest convenience.

If you have any question about the contents of this bulletin, please do not hesitate to contact the RAB.

**\*\*Please note that the RAB will be moving offices at the end of this year to 1 Penn Plaza.\*\***