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New York Business Opportunity for Veterans



In 2014, New York State passed the Service-Disabled Veteran-Owned Business Act with the goal of aggressively increasing service-disabled veteran-owned business participation in state contracting. If you are a veteran with a service-connected disability of 10% or greater, and you own at least 51% of a business with some business presence in New York, you should investigate whether you meet all of the eligibility requirements for certification with the New York State Division of Service-Disabled Veterans' Business Development.

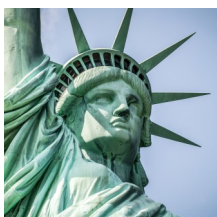
This program is limited to "small businesses" with fewer than 300 employees who are not considered dominant in their field. The service-disabled veteran's ownership needs to be real, substantial and continuing.

The certification process, from receipt of the application to the decision on certification, is averaging less than 35 working days. The Executive Director of the Division of Service-Disabled Veterans' Business Development personally visits over 85% of the applicants prior to his decision on certification. Staff in the division are veterans and are eager to grow the program.

As of October 2018, there are more than 560 New York State certified service-disabled veteran-owned businesses. Between July 2017 and June 2018, over \$48 million in state contracts were disbursed to certified businesses in this program. The program has also resulted in private sector businesses taking an interest in contracting with certified businesses.

For more information about the Service-Disabled Veteran-Owned Business certification process visit ogs.ny.gov/veterans. You can also e-mail veteransdevelopment@ogs.ny.gov or call (518) 474-2015.

A Look at E-Verify



E-Verify began as a pilot program in 1996 allowing employers to check the work eligibility of potential employees. Upon enrollment in the E-Verify program, an employer can input a potential employee's social security number and related I-9 information into an online verification system linked to both the Social Security Administration and the department of Homeland Security. The verification process is relatively simple, swift and inexpensive.

At present, E-Verify is largely voluntary for U.S. employers but the Trump Administration may include mandatory E-Verify in its immigration reform proposal to Congress. This is not the first time lawmakers have proposed a mandatory E-Verify program, but the prospect of mandatory E-Verify is an opportunity for employers to learn more about E-Verify and consider or re-consider enrolling their businesses in the program. According to some estimates, no more than 15% of U.S. businesses are currently enrolled.

There are both advantages and disadvantages to enrollment in the E-Verify program. If E-Verify does become mandatory, then enrollment now would give an employer more time to implement the program properly. In addition, the program assists employers in avoiding hiring and training individuals who are ultimately ineligible to work. Enrolling and using E-Verify does not result in an employer's immunity from prosecution for employment of an ineligible employee, but the employer does benefit from a "rebuttable presumption" that it did not engage in the unlawful employment of an alien worker in violation of the Immigration and Nationality Act.

Now to the disadvantages of enrollment in E-Verify. Employers who fail to properly implement E-Verify run the risk of privacy and discrimination violations. Further, missing E-Verify deadlines and failures to follow E-Verify procedures could result in inspections and fines. It is crucial for employers to properly implement the program and doing so takes both time and resources.

For more information about the E-Verify program, visit <https://www.e-verify.gov/>.

Sexual Harassment Prevention Compliance In New York



In 2018, both New York State and New York City passed a group of laws designed to combat sexual harassment in the workplace. As a result, every employer in the State of New York is now required to adopt a sexual harassment prevention policy that must, at a minimum, satisfy eight specific requirements set out in the law. Employers can adopt the model policy distributed by the New York State Department of Labor or can develop their own policy as long as

such policy meets or exceeds minimum legal requirements. The policy must be distributed to employees at least once annually.

New York City employers must conspicuously post an anti-sexual harassment poster in both English and Spanish and distribute a sexual harassment fact sheet to employees when they are hired.

Further, by October of 2019, New York State law requires all employers to provide employees anti-sexual harassment training. A parallel New York City law requiring New York City employers to provide anti-sexual harassment training went into effect on April 1, 2019. Training must take place annually. The New York State Division of Human Rights partnered with the New York City Commission on Human Rights to provide an online training program. The training materials are available in multiple languages.

For model policies, training programs, posters, etc., visit <https://www.ny.gov/combating-sexual-harassment-workplace/employers>.

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