

Social Services

BOL Meeting Minutes - Final



Committee Chair: Christopher Johnson

800 Michaelan Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Tuesday, June 29, 2021

10:00 AM

Committee Room

CALL TO ORDER

Joint with the Committee on Legislation

Legislator Catherine Borgia will be attending remote from:
Clear View School and Day Treatment Center
480 Albany Post Road
Briarcliff NY 10510

With a quorum present, Chair Johnson called the meeting to order at 10:12 AM.

Others in Attendance: BOL: Legislator Colin Smith, Legislator Terry Clements, Melanie Montalto, Jill Axelrod, Amy Vele and Dayana Gómez; LAW: Stacey Dolgin-Kmetz and Jason Whitehead; GUESTS: David Immamura and Marjorie Hsu

Present: Committee Chair Johnson, Committee Vice-Chair Covill, Legislator Barr, Legislator Shimsky and Legislator Boykin

Absent: Legislator Borgia, Legislator Tubiolo and Legislator Williams

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

Guests: County Attorney John Nonna, Chief Deputy County Attorney Stacey Dolgin-Kmetz and Senior Assistant County Attorney Jason Whitehead; and Marjorie Hsu and David Imamura, Co-Chairs Asian American Advisory Board

1 [RES-2021-130](#) **PH-Discriminatory Harassment Law**

A Public Hearing on "A LOCAL LAW amending Chapter 700 of the Laws of Westchester County relating to Discriminatory Harassment." [Public Hearing set for September 20, 2021 at 7:30 p.m.]. LOCAL LAW INTRO: 2021-373.

Submitted by COMMITTEES ON LEGISLATION AND SOCIAL SERVICES

Ms. Dolgin-Kmetz said that this law amends the current Human Rights Law to make it unlawful to engage in discriminatory harassment.

Legislator Covill asked why victims of domestic violence were included as a protected class. Ms. Dolgin-Kmetz said they used the New York City Human Rights Law as a model.

Chairman Boykin asked if this language is in the New York City Law, and Mr. Whitehead said it was. Legislators Covill and Smith asked for more explanation, and questioned whether there

was something in the New York City bill to clarify why that particular group was included. Ms. Dolgin-Kmetz said this would be a question for Tejash Sanchala, Executive Director of the Human Rights Commission. Legislator Covill asked Mr. Whitehead to provide a copy of New York City law and any legislative memos for that law.

Ms. Dolgin-Kmetz noted that they also amended the current law to add a penalty that if a respondent has been found to have committed an act of harassment, he or she must undertake remedial action, including training or community service, as well as pay financial penalties to the County and the victim.

Legislator Smith questioned whether the law should also specifically address harassment that takes place in a commercial setting outside of the employer/employee relationship. Mr. Whitehead clarified that it was intended more so to protect an individual that is being harassed and if this happened in an establishment then they should be protected as well.

Legislator Shimsky asked if there was another part of the Human Rights Law that would bring in a corporate body such as a management company. Legislator Covill suggested to include it and Ms Dolgin-Kmetz clarified that there are laws protecting employees.

Chair Johnson provided examples to help clarify how this protection would be considered in a corporation or establishment.

Legislator Covill noted that Section 8 of the law reads "requiring the respondent to report of the manner of compliance", and should be changed to remove the word "of" after "report."

Ms. Dolgin-Kmetz noted that the law also eliminated the \$10,000 limit for punitive damages.

Overall both committees agreed to have a follow up meeting on July 12, 2021 to continue the discussion and vote on these items.

This RESOLUTION - Public Hearing was tabled

2 [LL-2021-9](#) **LOCAL LAW-Discriminatory Harassment Law**

A LOCAL LAW amending Chapter 700 to the Laws of Westchester County relating to Discriminatory Harassment.

Submitted by COMMITTEES ON LEGISLATION AND SOCIAL SERVICES

See discussion of Item #1 above.

This LOCAL LAW - Amendment to Local Law was tabled

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Shimsky, seconded by Committee Vice-Chair Covill, the Committee adjourned at 10:54am.