

STATE OF NEW YORK
DIVISION OF HUMAN RIGHTS
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**NEW YORK STATE DIVISION OF HUMAN RIGHTS RULES IN
FAVOR OF EMPLOYEES IN AGE DISCRIMINATION AND
SEXUAL HARASSMENT CASES**

*Human Rights Commissioner Issues Two Orders Awarding
Damages to Employees Discriminated Against and Requiring
Corrective Action*

This week, Kumiki Gibson, the Commissioner of the New York State Division of Human Rights, issued two orders finding for employees in discrimination cases.

The first involved an assistant dean at Iona College, who was replaced by a younger, less qualified individual, after receiving positive evaluations for her job performance for over two years. At the time of her termination, the assistant dean was escorted out by two security guards who supervised her packing and accompanied her to the parking lot. The Commissioner signed an order, finding that Iona College discriminated against the assistant dean based on her age, and awarded over \$250,000 in lost wages and mental anguish suffering.

In the second case, a woman working jointly for the YWCA and the Jamestown Police Department was subjected to hostile work environment for over two years, which consisted of, among other things, sexually offensive language and engaging in inappropriate behavior with clients and other female employees. After complaining about the situation, both verbally and in writing, the female employee was terminated. The Commissioner found the Jamestown Police Department liable for back pay and compensatory damages. In addition, the Commissioner ordered the Jamestown Police Department to cease and desist from further discrimination against employees and to establish policies regarding the prevention of unlawful discrimination, subject to the review and approval of the Division of Human Rights.

When publishing these final orders, the Commissioner stated that "every individual in the State of New York is entitled to benefit from a work environment free of discrimination and sexual harassment, so that they have the opportunity to thrive and grow in their careers. These cases show the importance of the Division's work and its commitment to its mission to ensure that all workers are afforded their full rights under the law."

The New York State Human Rights Law prohibits discrimination and retaliation in employment based on age and sex, among other protected classes. And, the Division is empowered to enforce this law by, among other ways, the investigation and adjudication of individual complaints of discrimination.

The full decisions are available on the Division of Human Rights' website at www.dhr.state.ny.us.

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New York has the proud distinction of being the first state in the nation to enact a Human Rights Law, which affords every citizen "an equal opportunity to enjoy a full and productive life." The New York State Division of Human Rights was created to enforce this important law and does so through, among other things, the vigorous prosecution of unlawful discriminatory practices and the receipt, investigation, and resolution of complaints of discrimination. Please visit the Division's website at www.dhr.state.ny.us for additional information about the agency and its work.