

A hand in a dark suit jacket is shown from the wrist up, pointing upwards with the index finger. The years 2021, 2022, 2023, 2024, and 2025 are overlaid on the hand, with 2024 being the largest and most prominent. The background is a blurred outdoor scene with trees and a bright sky.

# BUSINESS IN 2024

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The logo consists of a stylized asterisk or star shape made of six thick, 3D-looking bars radiating from a central point.

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# Your Host



## **Gabriel S. Oberfield**

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# TODAY'S AGENDA

**Gabe Oberfield – (12:00PM-12:10PM)**

- Intros / Agenda / Budget Update

**Seth Gilbertson – (12:10PM-12:20PM)**

- § 224-a and the Interplay Between Class Attendance and Religious Beliefs

**Kate Hajjar – (12:20PM-12:30PM)**

- Article 129-A and 129-B Full Compliance Reporting Deadline: July 1, 2024

**Emily Iannucci – (12:30PM-12:35PM)**

- New Labor Law Increases Personal Account Protection

**Travis Talerico – (12:35PM-12:45PM)**

- 2023 EEO-1 Component 1 Data Collection Opening on April 30, 2024

**G. Oberfield – (12:40PM-12:45PM)**

- Questions / Wrap Up

# Where We Are on the NYS Budget

- Conceptual agreement announced on Monday, April 15
- \$237B budget, per the Governor – approx. \$4B more in spending when contrasted with Gov’s January proposal
- Neither Senate nor Assembly leadership joined the announcement
- Bills have yet to be released – votes expected on or before Friday the 19<sup>th</sup>
- Operations continue with budget extenders
- Managed care ‘tax’ evidently not part of the assumptions, but budget expected to incorporate authorization to pursue it with Federal gov’t

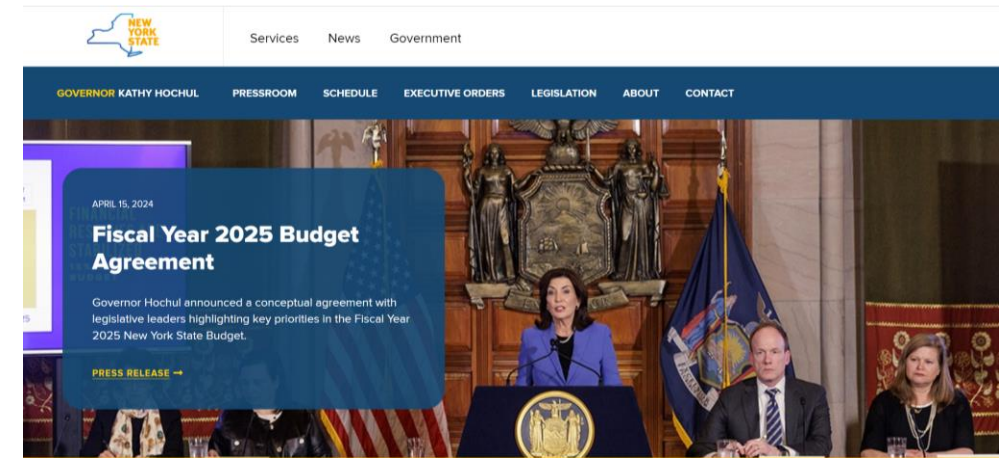


*Credit: Albany.org*

# Where We Are on the NYS Budget

## Content is rumored to include:

- A housing deal (replacement to the 421-a program) and other actions to drive housing development
- Enforcement mechanisms vis-à-vis illegal cannabis sales / storefronts
- Significant consolidation and funding reduction (-\$500M) to the Consumer Directed Personal Assistant Program
- Retail theft and hate crimes language
- Mayoral control of NYC public schools for two more years
- Funding to support services for migrants entering NYS



Credit: [www.governor.ny.gov](http://www.governor.ny.gov)

# § 224-a and the Interplay Between Class Attendance and Religious Beliefs



## Seth F. Gilbertson

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# New York Law Education Law 224-a

## Absences for Religious Observances:

- Students at colleges and universities who miss exam or study requirements due to religious beliefs must be provided with a make-up opportunity.
- Institutions must provide a comparable and convenient make-up examination or work opportunity.

## Advance Notice:

- Students must notify their instructors at least two weeks in advance of any expected absence for religious observances.

# New York Education Law 224-a

## Non-Discrimination:

- IHE are prohibited from refusing admissions, imposing penalties, or reducing grades based on students taking time off for religious reasons.
- Ensures fairness and equality in academic evaluation and progression.

## Implementation:

- Educational institutions are required to officially adopt a policy that incorporates these accommodations.
- Must be well-publicized to all students and faculty to ensure awareness and compliance.



# Title VI

In addition to the requirements of Ed. L. 224-a, IHE must:

- Establish a formal procedure for students to request accommodations and to address grievances if they believe their rights under Title VI have been violated.
- Ensure faculty and staff training on these procedures to promote understanding and respect for diverse religious practices.

# Practical Advice

- Adopt or review your policy in student handbook
- Assign an office to handle requests
- Educate faculty to send student requests through appropriate channels
- Be flexible. The law does not:
  - Distinguish between well-known organized religions and personal beliefs  
or
  - Explicitly provide for a “undue hardship” or “reasonableness” standard

# Article 129-A and 129-B Full Compliance Reporting Deadline: July 1, 2024



## **E. Katherine Hajjar**

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# Article 129-A and 129-B Full Compliance Reporting Deadline

- **Submissions due on:** July 1, 2024 to New York State Education Department, likely via IRS Data Exchange portal accessible via NYSED website.
  - NOTE: this is a different kind of submission than the certificates of compliance forms filed each year.
- **Submissions should include:** documents (written policies, procedures, rules) to demonstrate compliance with Article 129-A and 129-B of the New York Education Law.

# What to Do Now?

- Review existing policies for compliance with Article 129-A and Article 129-B compliance; **AND**
- Start collecting documents, including, but not limited to:
  - Rules for the maintenance of public order;
  - Procedures for investigating hate crimes;
  - Rules governing the advertising, marketing or merchandising of credit cards on campus;
  - Fire safety disclosures for residential students;
  - Definition of affirmative consent;
  - Amnesty provision for drug and alcohol use;
  - Students bill of rights;
  - Notice of rights to victims of sexual violence;
  - A policy on transcript notations;
  - Evidence of biannual climate assessments; and
  - Sexual and interpersonal violence prevention programming for new students.

# New Labor Law Increases Personal Account Protection



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# 2023 EEO-1 Component 1 Data Collection Opening on April 30, 2024



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# 2023 EEO-1 Component 1 Data Collection

- What is the EEO-1?
  - On an annual basis, the EEOC collects workforce data from private sector employers with more than 100 employees (lower thresholds apply to federal contractors (50+ employees)).
    - Per EEOC guidance, to calculate the employee threshold, an employer must take a “snapshot” of a single pay period from October 1 – December 31, 2023 and determine whether it meets the requisite threshold.
  - Employers meeting the reporting thresholds have a legal obligation to provide the data; it is not voluntary.
  - This workforce data is collected through the EEO-1 Component 1 report, and includes workplace demographic data such as sex, race, and ethnicity, broken down by job category.



# 2023 EEO-1 Component 1 Data Collection

- The EEOC has announced that the 2023 EEO-1 Component 1 data collection will open on Tuesday, April 30, 2024. The deadline to file the 2023 EEO-1 Component 1 report is Tuesday, June 4, 2024.
- The 2023 EEO-1 Component 1 Instruction Booklet and 2023 EEO-1 Component 1 Data File Upload Specifications are now available on the EEOC's dedicated EEO-1 Component 1 website ([www.eeocdata.org/eeo1](http://www.eeocdata.org/eeo1)) and any further guidance or instructions relating to the 2023 EEO-1 Component 1 report will be posted to such website.
- The EEOC also offers an online Filer Support Message Center (i.e., filer help desk) which will be made available starting Tuesday, April 30, 2024 to assist filers with any questions they may have regarding the 2023 collection.
- As a best practice, it would be advisable for all employers subject to completing the EEO-1 Component 1 report, begin collecting necessary data to complete the report sooner rather than later.

# Your Questions



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**WORKPLACE 2024**

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### **New York Employment Law: The Essential Guide**

NYS Bar Association Members can buy the book from the bar [here](#).

Non-NYS Bar Association Members can purchase through Amazon [here](#).

# Thank You

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