

# New York City Human Rights Law: Businesses' Obligations as Employers

The New York City Commission on Human Rights is a resource to help NYC businesses be inclusive employers and comply with the NYC Human Rights Law ("NYCHRL"). **This document summarizes the obligations that employers have under the NYCHRL, which is more expansive than state and federal laws in many instances.**

## What Employers Should Know: The NYCHRL Prohibits Discrimination

- It is illegal to discriminate against employees, interns, job seekers, and independent contractors based on: Age; Arrest or Conviction Record; Caregiver Status; Color; Credit History; Disability; Gender; Gender Identity; Immigration Status; Marital or Partnership Status; Military Service; National Origin; Pregnancy; Race; Religion/Creed; Salary History; Sexual and Reproductive Health Decisions; Sexual Orientation; Status as Victim of Domestic Violence, Sexual Violence, or Stalking; Unemployment Status; Weight and Height (starting November 22, 2023).
- Most provisions of the NYCHRL apply to workplaces with four or more employees or one or more domestic worker NYCHRL. All workplaces must be free from sexual harassment.
- Employees who are full-time, part-time, as well as interns (paid or unpaid), are protected.

## Employer Obligations Under the NYCHRL:\*

**Educate Employees about their Rights and Protections**, including the right to be free from discrimination based on an actual or perceived protected category in hiring, during employment, and during termination, and the right to be free from retaliation.

- Provide a Written [Description of Sexual Harassment Protections](#) & [Post the Legal Notice](#) in the Workplace in English and Spanish (required for all employers) & Ensure Employees Receive [Training on Sexual Harassment](#) annually (required for all employers with 15 or more employees).
- Post [the Pregnancy Accommodations Notice](#) (Required for employers with 4 or more employees or one or more domestic workers).
- **Have a [Lactation Policy](#) and a Space Appropriate for Lactation.** Employees have the right to a private space to lactate that is clean, accessible, and has access to running water.
- It is a best practice to **Post the Commission's [Notice of Rights](#).**

**Include a [Pay Range](#) in Job Advertisements.** Employers should indicate the minimum and maximum salary that they believe they will pay at the time of listing any position.

## Take an Inclusive Approach to Hiring

- Do not ask about [Salary History](#) or [Credit History](#) at any time in the application process (these questions are prohibited at any time).
- Do not inquire into [Criminal History](#) (these questions are prohibited prior to a conditional offer for most jobs) or take adverse action at any time based on a past conviction without following the process in the NYCHRL. Positions supervising or caring for children.

**Provide Reasonable Accommodations to Employees.** This can include a change to work schedule, or duties, or physical modifications or supportive software to enable an individual to perform essential job functions, unless it causes an undue hardship for the business.

- Reasonable accommodations are required for the following protected categories:
  - Disability; pregnancy, childbirth or related medical condition; religious observance; status as victim of domestic violence, sexual violence, or stalking; and lactation.

## Enforcement:

- Employers with obligations under the NYCHRL must adhere to the Law and the Commission on Human Rights' rules and procedures. The Commission may choose to initiate an investigation in order to ensure that employers are complying with the law. Employers must be responsive to Commission correspondence and advisory letters.
- Employers who violate the Human Rights law can be held accountable with civil penalties of up to \$250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, can require the violator to undergo training, and can mandate other remedies such as community service.

## How to Contact the NYC Commission on Human Rights:

- By Phone: (212) 416-0197.
- Online: Anyone can report discrimination, leave an anonymous tip, learn more about their Human Rights Law rights and responsibilities, or sign up for a free workshop at [NYC.gov/HumanRights](https://www1.nyc.gov/HumanRights).

***\*Legal Notices, Fact Sheets, and FAQs on the City Human Rights Law are available in multiple languages on the Commission's website: <https://www1.nyc.gov/site/cchr/media/publications.page>.***

**State and Federal Laws also prohibit discrimination in the workplace.**