

PROTECTIONS AGAINST DISCRIMINATION FOR MEMBERS OF THE MILITARY ARMED FORCES

Starting November 19, 2017, the NYC Human Rights Law will provide new protections for current and former members of the military armed forces against discrimination in employment, housing, and places of public accommodation.

Q. Who is protected?

A. The law protects people who are currently serving or previously served in the uniformed services. This includes the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard, Army National Guard, Air National Guard, NOAA Commissioned Corps, Commissioned Corps of the U.S. Public Health Service, the organized militia of any U.S. state or territory, or U.S. or state military reserves.

Q. Who must comply with this law?

A. This new law applies to, among others:

- Employers or prospective employers in NYC, if they have four or more employees (owners, part-time and full-time workers, interns, and most independent contractors count as employees).
- Almost anyone involved in selling or renting most housing units in NYC, including brokers, real estate agents, management companies, landlords, and owners.
- All businesses and facilities that are open to the public.

Q. What is prohibited?

A. Covered entities cannot, among other things:

- Discriminate in the terms or conditions of employment or communicate any limitation on employment in job advertisements or other statements because of a person's military service.
 - For example, an employer cannot refuse to hire an otherwise qualified applicant who is a National Guard reservist because of assumptions that his commitment will cause disruption to the workplace; or refuse to hire someone based on stereotypes that a former active duty service member may have mental health problems as a result of his service.
- Discriminate against a person in the sale, rental, or lease of a housing accommodation or communicate any such discrimination in advertising because of a person's military service.
 - For example, a landlord cannot refuse to rent to an active duty service member because of concerns that she may be assigned elsewhere and will have to quit her lease.
- Deny a person the full and equal enjoyment of any accommodations, services, facilities or privileges of a public place because of their military service.
 - For example, a restaurant manager may not refuse to serve a military service member in uniform because he has concerns it will make other patrons uncomfortable.

Q. What is not prohibited?

A. Employers, housing providers, and business owners may offer privileges or preferences because of a person's military service without violating the law. For example, a movie theater may provide a discount to former or active military service members.

Q. What are the consequences for violating the law?

A. Those who violate the law may be required to pay damages, a fine, and/or be required to attend training or post a notice of rights.

If you have experienced discrimination because of your military service, we can help. Contact the NYC Commission on Human Rights by calling 311 or call the Commission's Infoline directly at 212-416-0197. To learn more about the NYC Human Rights Law, visit NYC.gov/HumanRights. To learn more about the Law, you can sign up to attend a training and access materials with helpful information.