

The NYC Human Rights Law protects domestic workers in NYC from discrimination, harassment, and retaliation, and entitles them to reasonable accommodations.

### Who has rights under the law?

#### People who work full time or part time in a home in NYC, including:

- Nannies
- Home care workers
- House cleaners
- Anyone providing paid childcare, eldercare, companionship, or housekeeping services in a home

#### The law does not cover:

- Workers who work on a casual basis
- Workers who are related to the employer or person receiving care
- Workers providing companionship services who are also employed by an outside agency



### What rights do domestic workers have under the NYC Human Rights Law?

- 1. Domestic workers have the right to be free from discrimination based on their actual or perceived gender, national origin, race, immigration status, religion, or any other category protected by the law.** Employers cannot fire, refuse to hire, or treat a domestic worker less well on these bases.
- 2. Domestic workers have the right to reasonable accommodations, or changes to their schedule or duties to enable them to perform essential job functions, unless it causes an undue hardship for their employer.** Employers should provide reasonable accommodations related to disability, pregnancy or related medical conditions, childbirth, lactation, religious practices or observances, and status as a victim of domestic violence, sexual violence, or stalking.

**3. When hiring,** employers cannot ask domestic workers about their salary history, inquire into their credit history, or ask them to take a pre-hire drug test to detect marijuana/THC.

- 4. Domestic workers have the right to notice and trainings on sexual harassment protections.** Employers must provide written notice of these rights, post a notice, and ensure workers receive training on gender-based harassment.
- 5. Domestic workers have the right to be free from retaliation** for opposing discrimination, requesting a reasonable accommodation, or filing a claim under the NYC Human Rights Law.

### What rights do domestic workers have under other laws?

#### Many domestic workers also have the right to:

- Paid safe and sick leave
- Minimum wage and overtime pay
- 1 day of rest per week and at least 3 paid days off per year
- Workers' compensation, paid family leave, and disability benefits

For more information about these and other rights beyond the NYC Human Rights Law, contact the Paid Care Division of the NYC Department of Consumer and Worker Protection at **311** or **OLPS@dca.nyc.gov**.

## Who has obligations under the law?

Anyone who employs a domestic worker in New York City. This includes individual employers as well as companies.

Employment agencies and people who help workers find jobs are also covered by the NYC Human Rights Law.

*A person or agency who employs or places even one domestic worker has obligations under the NYC Human Rights Law.*

## What does a violation of the law look like?

- An employee asks for time off for prenatal appointments and the employer fires them instead, saying, “It’s safer if you stay home until the baby comes.”
- An employee asks for pay he is owed and his employer refuses to pay and threatens to call ICE if the employee complains again.
- A patient repeatedly touches a home care worker’s breasts and watches pornography while she is working in his home.



To learn more about your rights and obligations under the NYC Human Rights Law, call the NYC Commission on Human Rights at **(212) 416-0197** or visit **NYC.gov/HumanRights**.

You can file a complaint, leave an anonymous tip, learn more, or sign up for a free workshop.

Scan for more about domestic worker protections:



To access sexual harassment training and materials:



**NYC** Commission on Human Rights

# DOMESTIC WORKERS: NYC HAS YOU COVERED

Protections for Domestic Workers Under the New York City Human Rights Law



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