

New York City Human Rights Law: Employment Obligations for Businesses

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 serves as a reminder of the obligation's employers have under the City’s Human Rights Law, which in many instances is more protective than state and federal laws.**

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.
- Most provisions of the NYCHRL apply to workplaces with four or more employees or one or more domestic worker. 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 actual or perceived protected category in hiring, during employment, and during termination, and the right to be free from retaliation.

- Post the Commission’s [Notice of Rights](#).
- Provide a Written [Description of Sexual Harassment Protections](#) & [Post the Legal Notice](#) in the Workplace in English and Spanish (required for all employers).
- Post [the Pregnancy Accommodations Notice](#) (Required for employers with 4 or more employees or one or more domestic workers).
- Ensure Employees Receive [Training on Gender-Based Harassment](#) annually (required for all employers with 15 or more employees).

Take an Inclusive Approach to Hiring

- Avoid asking 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.

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 protected 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.

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.

Include a [Salary 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. (This will be required for all covered employers as of November 1, 2022).

Enforcement:

- Employers under the jurisdiction of the Commission must adhere to the Commission 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: You can file a complaint, leave an anonymous tip, learn more about your 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 provide protections against discrimination in the workplace.