

Anti-Black Racism and Protections Against Racial Discrimination Under the NYC Human Rights Law

The New York City Commission on Human Rights works to ensure that New Yorkers can live, work, and thrive in our city free from discrimination based on actual or perceived race. The New York City Human Rights Law prohibits racial discrimination in employment, housing, and public places. It is illegal for employers, housing providers, and providers of public accommodations in New York City to treat you differently or deny you opportunities because of your race or assumptions or stereotypes about your racial identity. The New York City Human Rights Law also prohibits retaliation for reporting discriminatory behavior.

The Commission combats discrimination in several ways. The Law Enforcement Bureau investigates allegations of discrimination and prosecutes violations of the NYC Human Rights Law. The Community Relations Bureau, through borough-based Community Service Centers in all five boroughs, and through the work of specialized Lead Advisors and Liaisons, cultivates understanding and respect among the City's many diverse communities through organized workshops, trainings, and events. The Office of the Chair tackles systemic discrimination through legislation, policy, and communication initiatives.

What do Violations of the New York City Human Rights Law Look Like?

- When an employer prohibits natural hair, hairstyles, or head coverings closely associated with Black people or bars people with such hairstyles from having public-facing roles.
- When a landlord or broker requires more financial documentation from Black applicants than they do from applicants of other races that are otherwise similarly situated.
- When a school suspends Black students but white students who engage in similar conduct are just given detention.
- When a retail store advises staff to closely monitor Black customers and not others.

How does the Commission Tackle Anti-Black Racism?

Policy Development, Awareness-Raising, Building Solidarity, and Documentation

- Legal Enforcement Guidance and Public Education Materials
 - In 2019, the Commission released landmark legal enforcement guidance recognizing policies, practices, and harassment on the basis of natural hair and hairstyles commonly associated with Black people as unlawful race discrimination. The agency also continues to develop new materials on how housing providers, employers, and the general public can ensure that they avoid discrimination and bias.
- Restorative Justice
 - The Commission continues to engage in dialogue with Black New Yorkers on ways to address individual and community harms after incidents of anti-Black racism. In 2020, the Commission's youth team facilitated safe Black affinity spaces for young people to convene in virtual talking circles as a part of their healing journey. Our Racial and Restorative Justice Specialist regularly offers Community Building Circles to both build community and respond to harm.
- Training on Racial Discrimination
 - The Commission regularly promotes understanding and respect among New Yorkers and educates New Yorkers on their rights and obligations under the NYC Human Rights Law by

providing free trainings and workshops. The Human Rights Law and Protections Against Anti-Black Racism & Other Forms of Discrimination Based on Race and Color training specifically

- Bystander Intervention Training
 - The Commission offers bystander training to empower community members with intervention and de-escalation strategies to disrupt manifestations of hate non-violently, explore the meaning of safety and how identity impacts interventions. Bystander intervention is built on the idea that we all play a role in creating safe public spaces when we see our neighbors and community members facing bias, discrimination, or harassment and seek to interrupt anti-Black racism along with other forms of bias and hate.
- Response to Bias Events
 - In collaboration and solidarity with community groups and other city agencies, the Commission engages in targeted outreach in response to bias events that take place in the city. In October 2021, the Commission participated in a Day of Visibility in response to the defacing of a George Floyd statue in Union Square. During the event, Commission staff engaged with community members and distributed materials containing information about protections under the New York City Human Rights Law.
- Using Art for Social Change
 - Through the NYC Public Artist in Residence program, the Commission partners with artists to explore the intersection of race and gender in the lives of New Yorkers. In 2018, a collaboration with visual artist Tatyana Fazlalizadeh showcased the street art project, [Stop Telling Women To Smile](#) tackling gender-based harassment. In 2021, a partnership with photographer Andre D. Wagner featured [You Do it With Your Heart](#), depicting the economic power of Black-owned businesses.
- Black New Yorkers on their Experiences with Anti-Black Racism Report
 - In June 2020, the Commission released a [report](#) that examined the roots of anti-Black racism in New York City. The information gained from the report informs the Commission's strategy for addressing anti-Black racism.

Investigations and Enforcement Actions

- In a 2019 Commission-initiated complaint alleging race discrimination at a major hair styling studio, the studio agreed to pay a civil penalty of \$70,000 for grooming policies that deemed natural hair and hairstyles “unprofessional” and established an internship program for the purpose of creating a pipeline for employment of stylists of color.
- In response to concerns from advocacy groups, the Commission launched an investigation into drug testing practices of parents and their newborns at hospital systems with facilities across New York City. This investigation represents the first action by a local law enforcement agency seeking to address discriminatory drug testing practices and anti-Black racism in medical settings.

For more information or to file a complaint, call **212-416-0197**, or visit our website at **[NYC.gov/ReportDiscrimination](https://nyc.gov/ReportDiscrimination)**.