

New York City Human Rights Law: Businesses' Obligations to Patrons

The New York City Commission on Human Rights is a resource to help NYC businesses be inclusive and comply with the NYC Human Rights Law (“NYCHRL”). This document summarizes the obligations that businesses, whether small or large, have under the NYCHRL because they are places of public accommodation. State and federal laws, such as the Americans with Disabilities Act, also prohibit discrimination by public accommodations. The NYCHRL is generally more expansive than state and federal laws and has additional obligations for public accommodations.

“Public accommodations” refers to the providers of goods, services, and facilities of any kind and the places that offer, sell, or make goods, services, and facilities available to the public.

- Stores, parks, restaurants, hospitals, gyms, taxis, libraries, shopping centers, hair salons, and educational institutions, theaters, cinemas, and city agencies are all public accommodations.

Public accommodations with four or more employees are employers under NYCHRL. See [here](#) to learn about NYCHRL provisions that employers must comply with.

What Businesses Should Know:

The NYCHRL Requires Businesses to Provide Full and Equal Enjoyment of Goods, Services, and Facilities to Patrons.

It is illegal for a business to discriminate against patrons based on protected categories, including: Age; Color; Disability; Gender; Gender Identity and Expression; Height & Weight; Immigration or Citizen Status; Marital or

Partnership Status; Military Service; National Origin; Pregnancy; Race; Religion/Creed; and Sexual Orientation.

Discrimination includes denying goods, services, and facilities or making patronage feel unwelcome based on a protected category. Making statements or posting advertisements that directly or indirectly suggest any limitation based on a protected category or otherwise discriminates, is also unlawful.

The NYCHRL Requires Reasonable Accommodations for Patrons with Disabilities

Businesses must provide reasonable accommodations for patrons with disabilities, and cover the cost, unless doing so causes an undue hardship.

Reasonable accommodations are modifications or changes to policies, practices, or physical space so that persons with disabilities patrons have full and equal enjoyment of good, services, and facilities on equal terms and conditions.

Examples:

- Allowing a patron to keep their service animal with them, even if there is a “no pets” policy.
- Installing ramps or lifts to ensure equal access for persons using canes or wheelchairs.
- Providing tables at a height for wheelchair users.
- Installing signage that describes how patrons that can't enter or navigate stores can use services – where space modifications present an undue hardship.
- Ensuring ATMs are available patrons using assistive devices.

The NYCHRL Requires Alternative Actions for Patrons Based on Body Size

An alternative action is a practicable measure which allows an individual to use or enjoy the goods, services and facilities offered, but does not require structural modification, material change to operations or impose a significant cost on the covered entity.

What is practicable depends on the circumstances of a business, which can include the entity's size, operations, and the timing of the request. For example, most full-service restaurants can provide alternative seating to serve patrons of various sizes.

Enforcement:

- Public accommodations in NYC must adhere to the Human Rights Law and the Commission's rules and procedures. The Commission may choose to initiate an investigation to ensure that employers are complying with the Law.
- Public accommodations 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, require the violator to undergo training, and 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://www.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://www.nyc.gov/site/cchr/media/publications.page>