



Commission on Human Rights

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HEIGHT AND WEIGHT DISCRIMINATION IS PROHIBITED IN NEW YORK CITY STARTING NOVEMBER 26, 2023

NYC Commission on Human Rights launches education campaign on protections against height and weight discrimination.

NEW YORK, NY— Starting Sunday November 26, the New York City Human Rights Law (“NYCHRL”) protects New Yorkers from discrimination based on height and weight in employment, housing, and public accommodations. As with most forms of prejudice, size discrimination impedes economic prosperity, housing stability, and the ability to enjoy public spaces. [Signed into Law by Mayor Eric Adams on May 26, 2023](#), this amendment aims to root out bias and foster a city in which everyone can live, work, and thrive free from discrimination in all its forms. The height and weight provisions join the 25 protected categories enshrined in the NYCHRL, which already prohibits discrimination on the basis of race, age, disability, religion, gender, and sexuality, among others.

“As the mayor stated when this law was enacted, it shouldn’t matter how tall you are or how much you weigh when you’re looking for a job, are out on the town, or trying to rent an apartment,” said **Chief Counsel to the Mayor and City Hall Lisa Zornberg**.

“For far too long, size discrimination has remained unchecked, but not any longer” said **Commissioner and Chair of CCHR, Annabel Palma**. “Starting November 26th, New York City will once again set the standard for inclusivity and equity. Everybody, no matter their height, weight, or body size, will be protected by the expansive city Human Rights Law, and they will be able to find vindication at CCHR if their rights have been violated.”

The New York City Commission on Human Rights (“CCHR”) is the agency responsible for enforcing the NYCHRL and preventing discrimination through education and outreach. Today, CCHR launches “[Different Bodies Same Rights](#),” a public education campaign communicating the expansion of the NYCHRL and informing all stakeholders of their rights and responsibilities.

The NYCHRL prohibits discrimination by housing providers, including landlords, property managers, realtors, or brokers and employers with four or more employees or one or more domestic worker. Providers of public accommodation, such as hospitals, gyms, restaurants, and

theaters must also comply with the NYCHRL. The following scenarios are examples of what could be considered illegal discrimination if based on an individual's height and/or weight:

- Turning a patron away because of their height or weight.
- Only hiring employees of a certain body size for public facing roles.
- Using harassing or offensive language.
- Creating a hostile work environment
- Refusing to lease or rent to a housing applicant.

In some situations, public accommodations and employers are required take practical steps to ensure an individual's ability to perform core job functions or to enjoy the services or space regardless of their height or weight. There are also limited circumstances in which employers and public accommodations may take height and/or weight into account, but there are no exemptions for housing providers. For more information regarding exemptions and examples of practical step please visit CCHR's website: <https://www.nyc.gov/site/cchr/media/height-and-weight.page>

The public awareness campaign will launch on CCHR's social media including "X," formerly known as "Twitter," Instagram, Facebook, and YouTube. The campaign also includes a dedicated website explaining the amendment and answers frequently asked questions about the new height and/or weight protections: <https://www.nyc.gov/site/cchr/media/height-and-weight.page>.

Campaign graphics with a QR code linking to the campaign website will be displayed on LinkNYC kiosk, at bus shelters, and in convenience stores throughout the five boroughs. TaxiTV will also run a public service announcement about height and weight protections featuring Commissioner Palma. An audio recording of Commissioner Palma's public service announcement will also run on 311 on-hold reel and the NYC radio networks.



"Size discrimination has no place in our city. Prejudice against someone's physical characteristics cuts against everything we stand for as New Yorkers, and it is long overdue that we have legal protections in place to prevent the mistreatment of those who don't fit somebody else's body standards," said **New York City Council Member Shaun Abreu**. "No one should be shamed, harassed, or denied opportunities because of how they look. It's that simple. All bodies deserve equal protection under the law."

"Safeguarding the well-being of our community requires not just legal measures but also a concerted effort towards public awareness," said **New York City Council Member Nantasha Williams**. "This is an inclusive responsibility, ensuring that everyone is informed and empowered to uphold these protections. Protecting height and weight is a commitment to fostering a society that values diversity, prioritizes health, and upholds the principles of equality and justice, creating an environment where everyone can thrive free from biased judgments."

"It is impossible to overstate the significance of New York City's new law to prohibit height and weight discrimination," said **Executive Director, National Association to Advance Fat Acceptance, Tigress Osborn**. "We know how much this means to New Yorkers, and we've heard from people all over the world about what it means to them for NYC to have set this example by ensuring equality at every size is a civil rights priority in the city. Our goal as fat rights activists is to expand opportunity and access, and this kind of effort is exactly what it's going to take to make sure that all of us, in every kind of body, are welcomed and accommodated in our communities. "

"The RWDSU stands in support of ending all forms of discrimination in the workplace" said **President of the Retail, Wholesale and Department Store Union, Stuart Appelbaum**. "We are thrilled that on November 26th, 2023, the NYC Commission on Human Rights will begin enforcing protections against height and weight discrimination in the workplace. This law will change countless workers' lives for the better. As a union that represents thousands of workers in the fashion retail industry, we are acutely aware of how size discrimination impacts workers' job opportunities, as well as their earning potential and career advancement opportunities. Workers come in all shapes and sizes and that is a good thing. Every single New Yorker deserves the right to a workplace free of all forms of prejudice and discrimination."

Anyone in New York City who feels they have experienced or witnessed discrimination can reach out to the Commission by calling 212-416-0197, [filling out the online form](#), or visiting one of the Commission's offices.

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The New York City Commission on Human Rights seeks to prevent discrimination and enforces the New York City Human Rights Law—one of the most comprehensive civil rights laws in the

nation. The Law includes more than 25 protected classes in housing, employment, and public spaces.