

Joint Statement on Artificial Intelligence, Algorithmic Tools, and Automated Systems, and New Yorkers' Rights

The New York City Department of Consumer and Worker Protection (DCWP), Commission on Human Rights (CCHR), and Taxi and Limousine Commission (TLC) issue the following joint Enforcement Policy Statement regarding city-regulated entities use of artificial intelligence (AI), algorithmic tools, and automated systems, and the protections afforded to New Yorkers under the laws and rules we proudly enforce.

New York City has some of the strongest protections in the nation which protect many aspects of daily life, including work, housing, public spaces, and consumer transactions. As businesses increasingly use artificial intelligence, algorithms, and other automated technologies to make decisions and deliver services, our agencies are united on a fundamental principle: New Yorkers do not lose their rights when a decision is made or facilitated by technology.

The laws enforced by DCWP, CCHR, and TLC apply regardless of whether a decision or action is made with the assistance of artificial intelligence, algorithms, or other technology. These technologies can reproduce or amplify discrimination, make decisions based on inaccurate information, facilitate deceptive practices and affect workers' opportunities and livelihoods. Those who choose to use these technologies are required by existing laws to ensure that their use does not result in unlawful conduct or outcomes.

New York City's Laws and Protections

An entity cannot avoid responsibility for violations of law because of reliance on an algorithm, AI, or other technology. A non-exhaustive list of local laws that apply are as follows:

- DCWP enforces the **New York City Consumer Protection Law**, which prohibits deceptive and unconscionable practices and applies to claims about the capabilities, performance, accuracy, outcomes, or uses of AI systems; representations made by chatbots and other agentic systems; and the design, marketing, sale, or deployment of AI-enabled products and services. DCWP also enforces New York City's local worker protection laws, including, for example, protected time off, fair scheduling, and job security rights for contracted delivery workers.
- CCHR enforces the **New York City Human Rights Law**, one of the strongest anti-discrimination laws in the nation. The law prohibits discrimination, harassment, and retaliation in employment, housing, and public spaces. Employers, housing providers, businesses and other covered entities are responsible for ensuring that technologies they use do not result in unlawful discrimination.
- TLC enforces the **New York City Minimum Driver Pay Requirements**, which mandates a minimum pay rate for High Volume For-Hire Vehicle (HVFHV) drivers. TLC rules also require that wheelchair accessible vehicles are dispatched within certain timeframes to ensure that all New Yorkers have access to for-hire vehicle service and that

a certain percentage of HVFHV trips must be performed by wheelchair accessible vehicles and electric vehicles.

Protections Apply When Technology is Used

New York City’s protections for workers, tenants, small businesses and consumers apply when and other covered entities use technology to make or inform decisions.

For workers, including employees, freelancers, for-hire vehicle drivers and contracted delivery workers, these protections apply when technology is used to record compensable work time; calculate or adjust pay, create schedules; approve or deny time off requests or accommodations; select candidates to interview or hire; evaluate, discipline, or fire workers; or otherwise affect the terms and conditions of work. Employers and other covered entities remain responsible for complying with the city’s anti-discrimination and worker protection laws when managing workers, determining pay, and other workplace decisions.

For tenants and people seeking housing, protections apply when technology is used to advertise housing, screen or rank applicants, determine eligibility, approve or deny applications, or make decisions affecting access to housing. Housing providers and their agents remain responsible for ensuring that the use of automated systems does not result in unlawful discrimination, including on the basis of disability, lawful source of income, race, national origin, or other characteristics protected by the New York City Human Rights Law.

For consumers and members of the public, protections apply when technology is used to advertise or market goods and services, determine or present prices, assess eligibility or access, facilitate transactions, provide customer service, or otherwise engage with consumers. Businesses and covered entities cannot use technology to engage in deceptive, unfair, discriminatory, or otherwise unlawful practices that would violate New York City Law.

These examples are illustrative, not exhaustive.

Our Commitment

New York City welcomes responsible innovation that improves the lives of New Yorkers. Technological advancement and strong legal protections for workers, tenants, and consumers are not competing goals -- they must exist in tandem.

While this statement does not announce any new legal standards or requirements, we are committed to protecting New Yorkers with the laws of this city, emerging technology may change how business is conducted and decisions are made, but it does not change the legal standards or obligations that apply to conducting business in or with New York City – and it does not change the rights that New Yorkers are entitled to. Covered entities cannot avoid responsibility for a deceptive representation because it was generated by a chatbot, for a harm caused by a transaction made by an AI agent, for unlawful pay or scheduling practices carried

out by an algorithm, or for discrimination from an opaque automated system. Legal responsibility exists regardless of whether a human being or a machine carried out the actions.