



**A victim of abuse should never be
a victim of discrimination
in housing or employment**

In New York City, the Human Rights Law protects victims of domestic violence, sex offenses, or stalking against discrimination

Examples of housing discrimination

- *"I had an Order of Protection and the landlord refused to rent to me."*
- *"My landlord is threatening to evict me because he says he doesn't want the police being called to his building."*
- *"My landlord refused to accept my LINC voucher because she says she doesn't want troublemakers in the building."*

Examples of employment discrimination

- *"My employer fired me because he didn't want 'drama' in the office."*
- *"I asked for a transfer to a different office so my abuser couldn't find me, but my company said no."*
- *"My manager ended my internship because she said I was 'endangering' her staff."*

NYC Commission on Human Rights

Bill de Blasio, Mayor
Carmelyn P. Malalis, Commissioner/Chair

To learn more about your rights and responsibilities under the NYC Human Rights Law, visit NYC.gov/HumanRights. If you have questions or want to report discrimination, call **311** and ask for the NYC Commission on Human Rights or call our Infoline at **718-722-3131**.

    @NYCCHR #NYCProtectsDVSurvivors



NOTICE

Pregnancy Accommodations at Work

The NYC Human Rights Law requires all employers with four or more employees to provide reasonable accommodations to employees related to pregnancy, childbirth, and related medical conditions to enable them to continue working and/or return to work promptly while maintaining a healthy pregnancy. Employers are required to provide written notice of employees' rights under the Law, and can use this document to satisfy that requirement. As such, it should be posted in the workplace.



EMPLOYERS

Provide a clear policy and protocol for employees to request a reasonable accommodation. Work with your pregnant employee to promptly agree on a reasonable accommodation that:

- Values your employee's contributions to the workplace
- Helps your employee satisfy the essential requisites of her job
- Keeps them in the workplace for as long as they are able to continue working
- Is right for your employee and does not cause undue hardship to your business

Ignoring a request for a reasonable accommodation, failing to respond quickly, punishing, or firing your employee after they request one can expose you to damages and civil penalties. Employers are prohibited from asking for proof of pregnancy. Employers may request a doctor's note only when the accommodations requested by the employee involve time away from the workplace and when not otherwise prohibited by city, state, or federal law, including the NYC Earned Sick Time Act.

[NYC.gov/HumanRights](https://www.nyc.gov/HumanRights) or call 212-416-0197

[f](#) [@](#) [v](#) [u](#) [t](#)ube @NYCCHR

EMPLOYEES

If you need a reasonable accommodation to continue working or remain employed, you can request one. Examples include, but are not limited to:

- Breaks (e.g. to use the bathroom, eat or drink, or provide necessary rest)
- Changes to your work environment such as a seat or a fan
- Assistance with physically demanding tasks
- Time off or schedule adjustments
- A private, clean, non-bathroom space and breaks for expressing breast milk
- Light duty or a temporary transfer to a different position
- Time off to recover from childbirth

The type of reasonable accommodation appropriate for an employee should be tailored to the needs of the employee and the employer. If your request for a reasonable accommodation has been ignored or denied without an appropriate alternative, we can help. Call the NYC Commission on Human Rights at 212-416-0197 to report it.

NYC Commission on
Human Rights

Bill de Blasio,
Mayor

Carmelyn P. Malalis,
Chair/Commissioner



CRIMINAL RECORD? YOU CAN WORK WITH THAT.

The Fair Chance Act makes it illegal for employers in New York City to ask about criminal history before making a job offer.

When employers consider qualifications first, more New Yorkers go to work. That makes businesses strong and powers our economy.

Learn your rights and responsibilities under the Human Rights Law.
Visit nyc.gov/humanrights or call 311.

NYC Commission on
Human Rights
#FairChanceNYC

NYNY03E



YOU ARE MORE THAN YOUR CREDIT SCORE

There's no evidence that shows a link between credit reports and job performance. That's why NYC made it illegal to use credit reports in employment decisions. Let's grow New York businesses and workforces with fairness and equal opportunity for all.

Learn how the law affects you at nyc.gov/humanrights or by calling 311.

NYC Commission on
Human Rights

Bill de Blasio, Mayor
Carmelyn P. Malalis, Commissioner/Chair

#CreditCheckLawNYC



NYNY04E

NOTICE OF RIGHTS

This establishment is subject to the New York City Human Rights Law (“NYCHRL”) which is Title 8 of the Administrative Code of the City of New York.

If you wish to file a complaint with the Commission on Human Rights, you must do so within one year of the last alleged act of discrimination. The Commission’s services are provided free of charge. To schedule an appointment, please call **311** or **(212) 416-0197**.

If you wish to file a complaint in State Court, you must do so within three years after the last alleged act of discrimination. You may not file both with the Commission and in State Court.

To request a training, or to learn more about the Commission’s work, visit **NYC.gov/HumanRights**

EMPLOYMENT

It is illegal to discriminate against employees, interns, job seekers, and independent contractors on the basis of:

- 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
- Pre-employment Marijuana Testing
- Race
- Religion/Creed
- Salary History
- Sexual & Reproductive Health Decisions
- Sexual Orientation
- Status as Victim of Domestic Violence, Sexual Violence, or Stalking
- Unemployment Status

HOUSING

It is illegal to discriminate against tenants, apartment seekers, and home buyers on the basis of:

- Age
- Color
- Disability
- Gender
- Gender Identity
- Immigration Status
- Lawful Occupation
- Lawful Source of Income (including housing subsidies)
- Marital or Partnership Status
- Military Service
- National Origin
- Pregnancy
- Presence of Children
- Race
- Religion/Creed
- Sexual Orientation
- Status as Victim of Domestic Violence, Sexual Violence, or Stalking

PUBLIC ACCOMMODATIONS

It is illegal to discriminate in public spaces like stores, restaurants, parks, libraries, or taxis on the basis of:

- Age
- Color
- Disability
- Gender
- Gender Identity
- Immigration Status
- Marital or Partnership Status
- Military Service
- National Origin
- Pregnancy
- Race
- Religion/Creed
- Sexual Orientation

DISCRIMINATORY HARASSMENT

It is illegal to physically threaten or use force against someone or to damage property because of:

- Age
- Color
- Disability
- Gender
- Gender Identity
- Immigration Status
- Marital or Partnership Status
- National Origin
- Pregnancy
- Presence of Children
- Race
- Religion/Creed
- Sexual Orientation

BIAS-BASED PROFILING BY LAW ENFORCEMENT

It is illegal for law enforcement to target someone because of:

- Age
- Color
- Disability
- Gender
- Gender Identity
- Housing Status
- Immigration Status
- National Origin
- Pregnancy
- Race
- Religion/Creed
- Sexual Orientation

LENDING PRACTICES

It is illegal to discriminate in lending practices or terms because of:

- Age
- Color
- Disability
- Gender
- Gender Identity
- Immigration Status
- Marital or Partnership Status
- Military Service
- National Origin
- Pregnancy
- Presence of Children
- Race
- Religion/Creed
- Sexual Orientation

RETALIATION

The law prohibits retaliation for opposing a discriminatory practice, filing a complaint of discrimination, assisting in an investigation of discrimination, or testifying in a proceeding related to a discrimination case.



@NYCCHR

Carmelyn P. Malalis,
Chair/Commissioner

Bill de Blasio,
Mayor





You have the right to use the restroom, locker room, or other single-sex facility consistent with your gender identity or gender expression.

Individuals cannot be asked to show identification, medical documentation, or any other form of proof or verification of gender.

Any person who abuses this policy in order to assault, harass, intimidate, or otherwise interfere with an individual's rights under this policy will be prosecuted to the full extent of the law.

This policy does not provide a right to a member of the public to use a facility that is reserved for the exclusive use of employees.



**Commission on
Human Rights**

**Citywide
Administrative
Services**

Visit nyc.gov/humanrights or call 311 and ask for the Commission on Human Rights. City employees may also learn more by speaking with their EEO Officer.



NYNY06E

YOU HAVE A RIGHT TO A PREDICTABLE WORK SCHEDULE

Under NYC's Fair Workweek Law, certain retail employers must give their employees predictable work schedules. Retailers must post this notice where employees can easily see it at each NYC workplace.*

Retail Employees Covered by the Law

All employees who work at a retail business that primarily sells consumer goods and employs at least 20 workers in NYC.

The law applies regardless of immigration status.

Retail Employees NOT Covered by the Law

Employees covered by certain collective bargaining agreements.



Employers cannot punish, penalize, retaliate, or take any action against employees that might stop or deter them from exercising their rights under the law. Workers should immediately contact OLPS about retaliation. See below.

Your Rights

72

72 Hours' Advance Notice of Work Schedule

Your employer must:

- Give you your written work schedule at least 72 hours before the start of the schedule in the way your employer usually contacts you, which may include text and email.
- Post the schedule at your workplace where all workers can see it.
- Include dates, shift start and end times, and location(s) of all shifts in the work schedule.
- Update and repost the schedule and contact all affected workers if the schedule changes.



No On-call Shifts

Your employer cannot require you to:

- Be ready and available to work at any time the employer demands, regardless of whether you actually work or report to work.
- "Check in" within 72 hours of a scheduled shift to find out if you should report for the shift.



No Shift Additions with Less than 72 Hours' Notice

If your employer wants to add time or shifts to your schedule less than 72 hours before the change, you have the right to accept or decline the change. If you accept an additional shift, you must do so in writing.



No Shift Cancellations with Less than 72 Hours' Notice

Your employer cannot cancel a shift less than 72 hours before the start of the shift.

Exceptions:

Your employer may change your schedule with less than 72 hours' notice due to a closing under the following circumstances:

- Threats to worker safety or employer property
- Public utility failure
- Shutdown of public transportation
- Fire, flood, or other natural disaster
- Government-declared state of emergency

Your employer may also grant you time off at your request or allow you to trade shifts with another retail employee.

File a Complaint

The Department of Consumer Affairs (DCA) Office of Labor Policy & Standards (OLPS) enforces the Fair Workweek Law and other NYC labor laws.

To file a complaint with OLPS, go to nyc.gov/dca or contact 311 (212-NEW-YORK outside NYC) and ask for "Fair Workweek Law." OLPS will conduct an investigation and try to resolve your complaint. OLPS will keep your identity confidential unless disclosure is necessary to complete an investigation or is required by law.

You can also file an action in court. However, you cannot have a complaint with OLPS and a claim in court at the same time.

Contact OLPS

Visit nyc.gov/dca, email FWW@dca.nyc.gov, or contact 311 and ask for "Fair Workweek Law."

NYC FAST FOOD WORKERS' RIGHTS

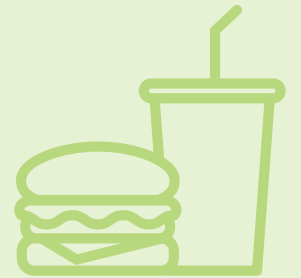
Under NYC's **Fair Workweek Law**, employers must give workers predictable schedules and the chance to work more hours. **The law now prohibits wrongful discharge.** Specifically, employers cannot fire or lay off workers or reduce their hours by more than 15% without just cause or a legitimate economic reason. Employers must post this notice where employees can easily see it at each NYC workplace.

Fast Food Workers Covered by the Law

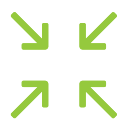
Employees who perform at least one of the following tasks at a fast food establishment in NYC:

- cleaning
- cooking
- customer service
- food or drink preparation
- off-site delivery
- routine maintenance duties
- security
- stocking supplies or equipment

The law applies regardless of immigration status.



Your Rights



No firing or reduction of hours without just cause (Effective 7/4/2021)

Except for illegal or dangerous behavior, employers:

- Must give workers who passed their probation period retraining and an opportunity to improve.
- Can only fire underperforming workers after giving them multiple disciplinary warnings in a year.



No layoffs except for economic reasons (Effective 7/4/2021)

Layoffs must be in reverse order of seniority, with longest-serving workers laid off last.



Priority to laid-off or current workers to work newly available shifts

- Your employer must advertise open shifts on posters in the restaurant and by text or email.
- Your employer may only hire new workers if no laid-off or current NYC workers accept the shifts by the posted deadline.



Written explanation for firing, reduction of hours, or layoff (Effective 7/4/2021)



Written long-term regular schedule

Your regular schedule must be stable week to week so you know when you are expected to work. Your employer must give you an updated regular schedule if there are changes.



2 weeks' advance notice of work schedule

Work schedules must show all shifts for at least 7 calendar days and reflect your regular schedule, unless you requested or agreed to any changes.



\$100 premium to work "clopening" shifts and the right to say no

A clopening involves closing and opening a restaurant on back-to-back shifts. You can agree to work and get premium pay or you can refuse.



Premium pay for schedule changes by employer with less than 14 days' notice and the right to say no to additional hours

Amount of notice	Rate for additional hours	Rate if no impact on hours	Rate for reduced hours
Less than 14 days' notice	\$10 per change	\$10 per change	\$20 per change
Less than 7 days' notice	\$15 per change	\$15 per change	\$45 per change
Less than 24 hours' notice	\$15 per change	\$15 per change	\$75 per change

You do not give up your right to premium pay when you agree to a schedule change.

Premium pay is not required when:

1. Your employer closes due to: threats to worker safety or employer property; public utility failure; shutdown of public transportation; fire, flood, or other natural disaster; government-declared state of emergency.
2. You request a schedule change to a shift in writing.
3. You trade shifts with another employee.
4. Your employer must pay overtime for a changed shift.

No Retaliation

It is illegal to punish or fire employees for exercising their rights under the law. Workers should immediately contact DCWP about retaliation.

File a Complaint

The Department of Consumer and Worker Protection (DCWP) enforces the law. For more information or to file a complaint:

- Visit nyc.gov/workers
- Contact **311** (212-NEW-YORK outside NYC) and ask for "Fair Workweek Law"
- Email OLPS@dca.nyc.gov

DCWP will keep your identity confidential unless disclosure is required by law.

You can also file an action in court. However, you cannot have a complaint with DCWP and a claim in court at the same time.



YOU HAVE A RIGHT TO MAKE CONTRIBUTIONS TO NONPROFITS THROUGH YOUR EMPLOYER

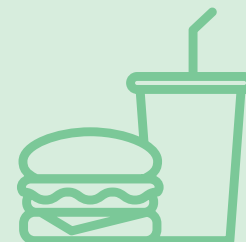
Under NYC's Fast Food Deductions Law, fast food employers must honor employee requests to deduct voluntary payments from their paychecks to send to nonprofits that have a registration letter from the NYC Department of Consumer Affairs (DCA). Employers must post this notice where employees can easily see it at each NYC workplace.

Fast Food Workers Covered by the Law

Employees who perform at least one of the following tasks at a fast food establishment in NYC:

- customer service
- cooking
- food or drink preparation
- off-site delivery
- security
- stocking supplies or equipment
- cleaning
- routine maintenance duties

The law applies regardless of immigration status.



Employers cannot punish, penalize, retaliate, or take any action against employees that might stop or deter them from exercising their rights under the law. Workers should immediately contact OLPS about retaliation. See below.

Your Rights



Authorize Voluntary Deductions and Contributions to a Nonprofit

To ensure your employer makes deductions from your paycheck and submits contributions to a nonprofit, the nonprofit must submit written authorization from you to your employer with:

- Your signature
- Your name and address
- Amount, frequency, and start date of contributions
- Name, address, and contact information for the nonprofit
- Statement that the deductions and contributions are voluntary and revocable

Deductions must begin on or before the first pay period 15 days after your employer received written authorization. Your employer is not required to make deductions of less than \$3 per week or make deductions more than once per pay period.

Your employer must:

- Give the nonprofit a copy of your written authorization within 5 days of receiving it, if you provide the written authorization to the employer.
- Note deductions on your wage statement.

Your employer cannot:

- Make deductions without your authorization.
- Require you to pay a fee for the deductions.



Revoke Authorization

To end voluntary deductions and contributions, you must submit written revocation to the nonprofit, which will send the revocation to your employer. Deductions must end on or before the first pay period 15 days after your employer received written revocation from the nonprofit.



Receive Information about the Nonprofit

The nonprofit must disclose to you its:

- Name, address, email, website (if it has one), phone number, and contact information for person responsible for authorizations and revocations
- Mission, programs, and areas of focus
- List of officers and directors, including individuals earning more than \$100,000 who were or are employees of the nonprofit
- Financial information
- Proof of active not-for-profit status

It is illegal for a nonprofit to make false or misleading statements to you.

Labor organizations may not seek contributions. Any nonprofit that you authorize to receive contributions must inform you of the following:

CONTRIBUTIONS TO LABOR ORGANIZATIONS:

Labor organizations as defined by the National Labor Relations Act, employee organizations as defined by subdivision 5 of section 201 of the civil service law, and labor organizations as defined in subdivision 5 of section 701 of the labor law are not permitted to seek remittances under this chapter pursuant to subdivision b of section 20-1310 (Local Law 98 of 2017).

File a Complaint

DCA's Office of Labor Policy & Standards (OLPS) enforces the Fast Food Deductions Law and other NYC labor laws.

To file a complaint with OLPS, go to nyc.gov/dca or contact 311 (212-NEW-YORK outside NYC) and ask for "Deductions Law." OLPS will conduct an investigation and try to resolve your complaint. OLPS will keep your identity confidential unless disclosure is necessary to complete an investigation or is required by law.

You can also file an action in court. However, you cannot have a complaint with OLPS and a claim in court at the same time.

Contact OLPS

Visit nyc.gov/dca, email FWW@dca.nyc.gov, or contact 311 and ask for "Deductions Law."



Notice of Employee Rights: Safe and Sick Leave

If you work part time or full time at any size business or nonprofit in NYC or if you work in an NYC household as a domestic worker, you have the right to safe and sick leave to care for yourself or anyone you consider family. You have this right regardless of your immigration status. Your employer must give you this notice explaining your rights.

Amount of Safe and Sick Leave:

- All employers must provide up to **40 hours** of safe and sick leave each calendar year.

Beginning January 1, 2021:

- **Employers with 100 or more employees** must provide up to **56 hours** of safe and sick leave each calendar year.

Your employer's calendar year is: _____ to _____
First month Last month

You earn safe and sick leave at a rate of **1 hour for every 30 hours worked**.

You have a right to **PAID** safe and sick leave if:

- Your employer has 5 or more employees.
- Your employer has fewer than 5 employees but a net income of \$1 million or more. (effective January 1, 2021)
- You work in someone's home as a domestic worker; for example, babysitter, housekeeper, or companionship worker. *Note: The law covers 1 or more domestic workers working in a household.*

You have a right to **UNPAID** safe and sick leave if:

- Your employer has fewer than 5 employees and a net income of less than \$1 million.

You can carry over unused safe and sick leave to the next calendar year.

Use of Safe and Sick Leave:

- Use it for your health, including to get medical care or to recover from illness or injury.
- Use it to care for a family member who is sick or has a medical appointment.
- Use it when your job or your child's school closes due to a public health emergency.
- Use it for your safety or for a family member's safety because of domestic violence, unwanted sexual contact, stalking, or human trafficking.

Your employer can require you to give advance notice of a planned use of safe and sick leave; for example, to attend a scheduled doctor's appointment or court hearing. You do not have to give advance notice of an unexpected use of safe and sick leave; for example, a sudden illness or medical emergency.

You have a right to privacy. You do not have to give your employer details about why you used safe or sick leave.

If you use more than three workdays in a row of safe and sick leave, your employer can require documentation. Your employer must reimburse you for any fees you pay for required documentation. Documentation should *not* include the details of your private medical or personal situation.

Required Written Disclosures about Safe and Sick Leave:

Your employer must:

- Give you a written safe and sick leave policy that explains how to use your benefits.
- Tell you how much safe and sick leave you have used and have left each pay period.

No Retaliation:

It is illegal to punish or fire employees for requesting or using safe and sick leave or for reporting violations.



Consumer and
Worker Protection
Lorelei Salas
Commissioner

Contact Consumer and Worker Protection to learn more or to file a complaint.

Visit nyc.gov/workers | Call 311 and ask for "Paid Safe and Sick Leave"

You can also make an ANONYMOUS tip.



Aviso de derechos de los empleados: ausencia laboral debido a seguridad y enfermedad

Si trabaja a tiempo parcial o tiempo completo en una empresa de cualquier tamaño o en una organización sin fines de lucro en la ciudad de Nueva York o si trabaja en una casa de la ciudad de Nueva York como trabajador doméstico, tiene derecho a la ausencia laboral debido a seguridad y enfermedad para cuidar de usted mismo o de cualquier persona que considere parte de su grupo familiar. Tiene este derecho independientemente de su estado migratorio. Su empleador debe darle este aviso explicando sus derechos.

Duración de ausencia laboral debido a seguridad y enfermedad:

- Todos los empleadores deben dar hasta **40 horas** de ausencia laboral debido a seguridad y enfermedad cada año calendario.

A partir del 1 de enero de 2021:

- **Los empleadores con 100 empleados o más** deben dar hasta **56 horas** de ausencia laboral debido a seguridad y enfermedad cada año calendario.

El año calendario de su empleador es: _____ a _____
Primer mes Último mes

Usted gana la ausencia laboral debido a seguridad y enfermedad a razón de **1 hora por cada 30 horas trabajadas**.

Tiene derecho de ausencia laboral debido a seguridad y enfermedad **PAGADA** si:

- Su empleador tiene 5 empleados o más.
- Su empleador tiene menos de 5 empleados pero un ingreso neto de \$1 millón o más.
(Fecha de entrada en vigor 1 de enero de 2021)
- Trabaja en la casa de alguien como empleada doméstica; por ejemplo, niñera, ama de llaves o acompañante.
Nota: La ley cubre a 1 o más trabajadores domésticos que trabajan en una casa.

Tiene derecho de ausencia laboral debido a seguridad y enfermedad **NO PAGADA** si:

- Su empleador tiene menos de 5 empleados y un ingreso neto de menos de \$1 millón.

Puede transferir la ausencia laboral debido a seguridad y enfermedad no usada al próximo año calendario.

Uso de ausencia laboral debido a seguridad y enfermedad:

- Úsela para su salud, incluso para recibir atención médica o para recuperarse de una enfermedad o lesión.
- Úsela para cuidar a un familiar que está enfermo o tiene una cita médica.
- Úsela cuando su trabajo o la escuela de su hijo cierren debido a una emergencia médica pública.
- Úsela para su seguridad o para la seguridad de un familiar por violencia doméstica, contacto sexual no deseado, acecho o trata de personas.

Su empleador puede exigirle que avise con antelación el uso planificado de ausencia laboral debido a seguridad y enfermedad; por ejemplo, para asistir a una cita médica programada o una audiencia judicial. No es necesario que avise con antelación el uso inesperado de ausencia laboral debido a seguridad y enfermedad; por ejemplo, una enfermedad repentina o una emergencia médica.

Tiene derecho a la privacidad. No es necesario que le dé a su empleador información sobre por qué usó la ausencia laboral debido a seguridad o enfermedad.

Si usa más de tres días laborables seguidos de ausencia laboral debido a seguridad y enfermedad, su empleador puede exigir documentación. Su empleador debe reembolsarle las tarifas que pague por la documentación requerida. La documentación *no* debe incluir la información de su situación médica ni personal privada.

Revelaciones exigidas por escrito sobre la ausencia laboral debido a seguridad y enfermedad:

Su empleador debe:

- Darle una política de ausencia laboral debido a seguridad y enfermedad por escrito que explique cómo usar sus beneficios.
- Decirle cuánto de ausencia laboral debido a seguridad y enfermedad usó y cuánto le queda en cada período de pago.

Sin represalias:

Es ilegal castigar o despedir a los empleados por pedir o usar la ausencia laboral debido a seguridad y enfermedad o por denunciar violaciones.



Comuníquese con Protección al Consumidor y al Trabajador para obtener más información o para presentar una queja.

Visite nyc.gov/workers | Llame a 311 y pregunte por la "Ausencia laboral debido a seguridad y enfermedad"

También puede hacer un aviso ANÓNIMO.



You Have a Right to Temporary Changes to Your Work Schedule

Under NYC's Temporary Schedule Change Law, covered employees have a right to temporary changes to their work schedule for certain "personal events." Employers must post this notice where employees can easily see it at each NYC workplace.

Employees Covered by the Law

All employees who work 80+ hours per calendar year in NYC and who have been employed by their employer 120 or more days

The law applies regardless of immigration status.

Employers cannot punish, penalize, retaliate, or take any action against employees that might stop or deter them from exercising their rights under the law. Workers should immediately contact OLPS about retaliation. See below.

Employees NOT Covered by the Law

- Government employees
- Certain employees subject to a collective bargaining agreement
- Certain employees in motion picture, television, and live entertainment industries

Definitions

Personal event

A "personal event" can be any of the following:

- The need to care for a child under the age of 18
- The need to care for a "care recipient," a person with a disability who is a family or household member and relies on you for medical care or to meet the needs of daily living

Temporary change

A "temporary change" means an adjustment to your usual schedule. This can include: using short-term unpaid leave, paid time off, working remotely, or swapping or shifting working hours.

- The need to attend a legal proceeding or hearing for public benefits to which the employee, a family member, or the employee's minor child or care recipient is a party
- Any other reason for which the employee may use leave under NYC's Paid Safe and Sick Leave Law

Your Rights

Temporary change to work schedule on up to two (2) occasions each calendar year



The change must be to accommodate a *personal event*. See Definitions. Your employer must grant requests for up to:

- Two (2) separate occasions, each totaling one (1) business day
- OR
- One (1) occasion for up to two (2) business days

Freedom from retaliation for additional schedule change requests



You can request additional changes to your schedule. Employers are not required to grant additional requests; however, they cannot retaliate against you.

If you need a temporary change to your work schedule:

As soon as you become aware of the need for a temporary schedule change, request one from your employer or direct supervisor either orally or in writing. Your request should include the date of the change, that the change is due to a personal event, and propose the type of temporary change you want (for example, to work from home), unless you would like to use leave without pay.

- Your employer must respond immediately.
- **If you requested the schedule change orally (for example, in person or by phone),** you must submit a written request no later than the second business day after you return to work. Include in the written request the date of the temporary schedule change and that the change was due to a personal event. Your employer must provide a written response within 14 days. *If you do not submit a written request, your employer is not required to provide a written response but cannot deny your request because you did not submit a written request.*
- Make sure to keep all of your schedules and any communications with your employer about scheduling.

Ability to propose type of temporary change

You can propose the type of *temporary change* you would like when you request it. See Definitions.

Your employer must:

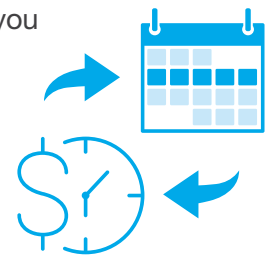
- Approve your proposal.
- OR
- Provide leave without pay.

Your employer may:

- Offer you the ability to use paid time off.
- Note: The law does not require employers to offer paid time off, and you do not need to accept such an offer.

Your employer may NOT:

- Require you to use leave earned under NYC's Paid Safe and Sick Leave Law for a temporary schedule change.



File a Complaint

The Department of Consumer Affairs (DCA) Office of Labor Policy & Standards (OLPS) enforces NYC's Temporary Schedule Change Law and other NYC workplace laws.

To file a complaint with OLPS, go to nyc.gov/dca or **contact 311** (212-NEW-YORK outside NYC) and ask for "Temporary Schedule Change Law." OLPS will conduct an investigation and try to resolve your complaint. **OLPS will keep your identity confidential unless disclosure is necessary to complete an investigation or is required by law.**

You can also file an action in court. However, you cannot have a complaint with OLPS and a claim in court at the same time.

Contact OLPS

Visit nyc.gov/dca, email olps@dca.nyc.gov, or **contact 311** (212-NEW-YORK outside NYC) and ask for "Temporary Schedule Change Law."



Consumer Affairs
Lorelei Salas
Commissioner

You have a right to be given this notice in English and in any language that is the primary language of at least 5 percent of the workers at your workplace if the translation is available on the DCA website.

STOP SEXUAL HARASSMENT ACT NOTICE

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster **and** as an information sheet distributed to individual employees at the time of hire. This document satisfies the poster requirement.

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators 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.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender.

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak

out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 212-416-0197 or visit NYC.gov/HumanRights to learn how to file a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law, where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at **www.dhr.ny.gov**.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at **www.eeoc.gov**.



NYC.gov/HumanRights



BILL DE BLASIO
Mayor

**Commission on
Human Rights**

CARMELYN P. MALALI
Chair/Commissioner



NYNY13E

AVISO SOBRE LA LEY PARA DETENER EL ACOSO SEXUAL

Todos los empleadores deben proporcionar un aviso por escrito sobre los derechos de los empleados de conformidad con la Ley de Derechos Humanos de la Ciudad de Nueva York mediante un afiche exhibido y una hoja de información distribuida a cada empleado en el momento de la contratación. Este documento cumple con el requisito del afiche.

La Ley de Derechos Humanos de la Ciudad de Nueva York

La Ley de Derechos Humanos de la Ciudad de Nueva York, una de las leyes más rigurosas contra la discriminación del país, protege a todas las personas contra la discriminación debido al género, lo que incluye el acoso sexual en el lugar de trabajo, la vivienda y espacios públicos, como tiendas y restaurantes. Quienes infrinjan esta ley pueden ser responsables de sanciones civiles de hasta \$250,000 en el caso de una infracción intencionada. La Comisión también puede evaluar concederle a la víctima una indemnización por daños y perjuicios debido a angustia emocional y otros recursos, exigirle al infractor asistir a una capacitación y ordenar otras medidas, como servicio comunitario.

El Acoso Sexual Según la Ley

El acoso sexual, una forma de discriminación en función del género, es el comportamiento físico o verbal no deseado en relación con el género de una persona.

Algunos Ejemplos de Acoso Sexual

- Tocar a los empleados o clientes de manera inapropiada.
- Amenazar o actuar de manera adversa luego de que una persona rechaza una insinuación sexual.
- Hacer comentarios lascivos o sexuales sobre el aspecto, cuerpo o la forma de vestir de una persona.
- Condicionar ascensos u otras oportunidades en función de favores sexuales.
- Mostrar imágenes, dibujos o grafitis pornográficos en computadoras, correos electrónicos, teléfonos celulares, tableros de anuncios, etc.
- Hacer comentarios sexistas o despectivos en función del género.

La Ley Prohíbe Represalias

Es contrario a la ley que un empleador tome medidas en su contra por oponerse o expresarse en contra del acoso sexual en el lugar de trabajo. La Ley de Derechos Humanos de la Ciudad de Nueva York prohíbe a los empleadores tomar represalias o discriminar “de cualquier forma a una persona” por oponerse a una práctica discriminatoria ilegal. Las represalias pueden manifestarse a través de acciones directas, como descensos o despidos, o a través de comportamientos más sutiles, como un aumento en la carga de trabajo o la transferencia a un lugar menos deseable. La Ley de Derechos Humanos de la Ciudad de Nueva York protege contra las represalias a las personas que creen de buena fe que el comportamiento de su empleador es ilegal, incluso si resultan estar equivocadas.

Denuncie el Acoso Sexual

Si cree que es víctima de acoso sexual, infórmele lo antes posible a un gerente, al representante de igualdad de oportunidades laborales de su lugar de trabajo o al Departamento de Recursos Humanos.

Denuncie el acoso sexual ante la Comisión de Derechos Humanos de la Ciudad de Nueva York. Llame al 212-416-0197 o visite NYC.gov/HumanRights para saber cómo presentar una queja o denunciar un acto de discriminación. Usted puede presentar una queja de forma anónima.

Recursos del Gobierno Estatal y Federal

El acoso sexual también es ilegal en virtud de la ley estatal y federal.

Para presentar una queja ante la División de Derechos Humanos del Estado de Nueva York, visite el sitio web de la División en www.dhr.ny.gov.

Para presentar cargos ante la Comisión para la Igualdad de Oportunidades en el Empleo (EEOC) de los EE. UU., visite el sitio web de la EEOC en www.eeoc.gov.



NYC.gov/DerechosHumanos



BILL DE BLASIO
Alcalde

**Comisión de
Derechos Humanos**

CARMELYN P. MALALIS
Presidenta/Comisionada

