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**CLIENT ALERT**

**New York State Prohibits Discrimination Against “Domestic Violence Victims” and Expands Penalties for Violations of the New York State Human Rights Law**

Refusing to hire, discharging or in any other way discriminating against a victim of domestic violence in the workplace now violates New York State law. New York Governor David A. Paterson recently signed into law an amendment to the New York State Human Rights Law prohibiting an employer from discriminating against an individual based on his or her status as a victim of domestic violence. The amendment applies to discriminatory conduct occurring on or after July 7, 2009. The legislation adds an individual’s status as a “victim of domestic violence” to the list of characteristics protected from discrimination, including age, race, creed, color national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics and marital status. The Amendment defines a “domestic violence victim” as an individual who has been subjected to acts addressed under Section 812(1) of the New York Family Court Act. Such acts include disorderly conduct, harassment, stalking, criminal mischief, menacing, reckless endangerment, assault or attempted assault between spouses or former spouses or between parent and child or between members of the same family or household.

\* \* \*

Governor Paterson also signed into law an act expanding the penalties for violations of the employment discrimination provisions of the New York State Human Rights Law. The Human Rights Law now provides that any individual or employer found to have committed an unlawful discriminatory act may be ordered to pay a \$50,000 civil penalty to the state. If the discrimination is found to be “willful, wanton or malicious,” the penalty that may be imposed is \$100,000. These penalties are in addition to the remedies available to victims of discrimination, such as compensatory damages, including back pay and benefits, and injunctive relief.

If you should have any questions regarding these changes to the New York State Human Rights Law, please contact us.

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