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May 21, 2018

**Update to New York City's Human Rights Law:
"Sexual Orientation" and "Gender Identity"**

Effective May 10, definitions of "sexual orientation" and "gender" under New York City's Human Rights Law (NYCHRL) are amended to make them broader and more inclusive. These definitions are important to not-for-profit organizations because NYCHRL provides certain protections to individuals that fall within these categories as the law works to eliminate and prevent discrimination in employment, public accommodations, and housing and other real estate, as well as to take action against prejudice, intolerance, bigotry, discrimination, and bias-related violence or harassment.

Gender

The term "gender" previously only encompassed "actual or perceived sex" as well as the person's "gender identity, self-image, appearance, behavior or expression," whether or not it aligned with the legal sex assigned to the person at birth. In addition to "actual or perceived sex," NYCHRL has been broadened to include "gender identity, and gender expression including a person's actual or perceived gender-related self-image, appearance, behavior, expression, or other gender-related characteristic," regardless of the sex assigned to that person at birth.

Sexual Orientation

The definition of "sexual orientation" has also been broadened beyond just homosexuality, bisexuality, and heterosexuality. It now includes an "individual's actual or perceived romantic, physical or sexual attraction to other persons, or lack thereof, on the basis of gender." In addition, the definition now includes an acknowledgement that "[a] continuum of sexual orientation exists and includes, but is not limited to, heterosexuality, homosexuality, bisexuality, asexuality, and pansexuality."

Timing

The amendment to NYCHRL went into effect on May 10, 2018.

To Do's

Not-for-profit organizations should update their equal opportunity employment statements or other related discrimination, harassment and retaliation policies they may have to reflect these expanded definitions. The full amendment can be read [here](#).

This alert is meant to provide general information only, not legal advice. If you have questions about NYC Human Rights Law, please contact Judith Moldover at (212) 219-1800 ext. 250 or visit our website at www.lawyersalliance.org for further information.

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