

**New York State Attorney General
Eric T. Schneiderman**

Dear New Yorkers:

Upstate and downstate, in cities, suburbs and rural communities, domestic violence is a state-wide crisis. Victims of domestic violence often face difficulties in seeking or maintaining housing and employment due to the violence in their lives.



Fortunately, New York State laws protect the rights of victims of domestic violence so they can continue to house and care for their families without facing discrimination. This brochure explains some of those laws and includes information about what to do if you believe an employer has discriminated against you because of your victim status.

My office is committed to providing opportunities to all New Yorkers seeking to better their futures. If you have any questions or concerns, please contact my office.

Sincerely,

A handwritten signature in black ink that reads "Eric Schneiderman". The signature is fluid and cursive.

Eric T. Schneiderman



New York State Attorney General
The State Capitol
Albany, New York 12224
1-800-771-7755
www.ny.gov

Resources

**NYS Office of the Attorney General
Civil Rights Bureau**

212-416-8250

Labor Bureau

212-416-8700

120 Broadway, 23rd Floor
New York, New York 10271

800-788-9898 (TTY)

www.ag.ny.gov

New York State
Division of Human Rights

<http://www.dhr.ny.gov>

1-888-392-3644 (voice)

718-741-8300 (TTY)

New York State Office for the Prevention
of Domestic Violence

(518) 457-5800

www.opdv.ny.gov

opdvworkplace@opdv.ny.gov

New York City Mayor's Office to
Combat Domestic Violence

311

(212)-504-4115 TTY

www.nyc.gov/html/ocdv/html/home/home.shtml

U.S. Department of Housing and
Urban Development

Fair Housing Enforcement Center

26 Federal Plaza, Room 3532

New York, NY 10278-0068

212-264-1290

212-264-0927 (TTY)

For a full list of resources across the state
please visit:

www.opdv.ny.gov/whatisdv/dvlinks.html

NEW YORK STATE OFFICE

of the

ATTORNEY GENERAL



VICTIMS OF DOMESTIC VIOLENCE: Know Your Rights!



Social Justice Division

Fair Treatment In The Workplace

Under New York State's Human Rights Law, it is unlawful to discriminate against someone because that person is a victim of domestic violence.

- It is unlawful to discriminate against a domestic violence victim in hiring or firing, conditions of employment, job advancement, requests for use of leave time, or in retaliation for filing a complaint of discrimination.
- Under New York Labor Law a domestic violence victim may be eligible to receive unemployment insurance benefits if the victim is able to provide documentation of the abuse and reasonably believes that continued employment would jeopardize safety.
- Domestic violence victims who need time off for medical or mental health care are protected under the disability and reasonable accommodation provisions of the New York Human Rights Law and the Family Medical Leave Act if the leave is due to their own serious health condition or the serious health condition of a qualifying family member that resulted from domestic violence.

New York City and Westchester laws also provide protection to victims of domestic violence.

The New York City Human Rights Law and Westchester Human Rights Law prohibit employers from firing or discriminating against a person because the individual is or is perceived to be a victim of domestic violence, sex offenses or stalking. These laws also require employers to make reasonable accommodations to actual or perceived victims of domestic violence, sex offenses, or stalking, as long as such accommodations do not cause undue hardship for the employer.

Your Right To Fair Housing

It is illegal for landlords to refuse to rent to domestic violence victims or to refuse their federally subsidized housing vouchers.

- New York State law protects victims of domestic violence from discrimination when they attempt to rent or lease housing. It also provides victims with a defense in eviction proceedings and a private right of action.
- Under the federal Violence Against Women Act, it is illegal for a landlord participating in a federally subsidized housing program, such as Section 8 housing, to deny or terminate voucher assistance based on victim status.

New York City's *Living in Communities* program provides rental assistance for victims of domestic violence.

New York City's *Living In Communities* program provides housing vouchers for eligible domestic violence victims. Landlords in New York City are prohibited from discriminating against tenants because they receive Living In Communities housing vouchers or any other lawful governmental rental assistance.

The following municipalities also prohibit governmental rental assistance discrimination: Buffalo, Hamburg, West Seneca, and Nassau, Westchester and Suffolk counties.

There are laws to protect those who leave their home to escape violence.

- New York State law allows tenants who have existing orders of protection to get the court to terminate their leases, despite their landlord's refusal.
- New York City law protects a victim who flees a primary residence temporarily due to violence. If the tenant expresses intent to return to the dwelling, the landlord must give the tenant 30 days' notice before attempting to retake the premises.

Other Protections

Under New York State law, you can get temporary orders of protection electronically and have them translated.

A new pilot program allows domestic violence victims to seek temporary orders of protection through electronic means rather than having to appear in person. Additionally, they can be translated into the victim's language when necessary.

Westchester County provides additional protections for domestic violence victims.

- Places of public accommodation are prohibited from discriminating against victims of domestic violence.
- Landlords are prohibited from denying housing, and from refusing leases or lease renewals to victims under certain circumstances. Victims seeking protection may be asked to present documentation of their abuse, which landlords are required to keep strictly confidential. **Note:** these provisions do not apply to single-family homes or owner occupied buildings with four units or less.

Filing a Complaint

New York State Division of Human Rights

Agency Building 1, 2nd Floor
Empire State Plaza
Albany, New York 1222
1-888-392-3644 (voice)
718-741-8300 (TTY)

Office of the Attorney General

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New York, New York 10271
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In the case of a life-threatening situation always remember to call 911 first.