

Division of Human Rights Adopts Regulation Prohibiting Discrimination Based on Relationship or Association

On May 18, the New York State Division of Human Rights [adopted](#) a new regulation prohibiting employment discrimination based on an individual's relationship or association with a member of a protected category covered by the New York Human Rights Law. The [proposed rule](#) was published in the State Register on March 9. The agency did not receive any public comments regarding the proposed rule, and adopted the rule without making any changes.

According to the Division, the purpose of the new regulation is to confirm long-standing precedent supporting anti-discrimination protection for individuals based on their relationship or association with members of a protected class. The new regulation applies to employment discrimination and all other types of discrimination protected under the New York Human Rights Law, including housing, public accommodations, access to educational institutions, and credit. In order to prove a claim of employment discrimination in this context, an individual must prove that he or she was subjected to an adverse employment action based on the individual's known relationship or association with a member of a protected class.

This latest expansion of the protections afforded by the New York Human Rights Law underscores the importance of basing all employment decisions on legitimate reasons that can be supported by objective facts, and documenting the legitimate reasons for those decisions. Supervisors should also be trained to apply workplace policies and standards fairly and uniformly among all employees, to further reduce the risk of discrimination claims.

If you have any questions about this Information Memo, please contact [Alyssa N. Campbell](#), any of the [attorneys](#) in our [Labor and Employment Law Practice](#), or the attorney in the firm with whom you are regularly in contact.



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