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GRIST

NY STATE BANS DISCRIMINATION BASED ON REPRODUCTIVE HEALTH DECISION-MAKING

*By Mercer's Fiona Webster and Stephanie Rosseau
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New York State employees cannot face discrimination based on their own or a dependent's "reproductive health decision-making" under [Senate Bill S660](#) that adds a new section to the labor law. The law took effect 8 Nov 2019.

HIGHLIGHTS

- Reproductive health decisions include but are not limited to "the decision to use or access a particular drug, device or medical service."
- Employers can't access personal information about the reproductive health decisions of employees or their dependents without the employee's informed and written consent.
- Employees can't be discriminated against with regard to their compensation, terms and conditions of employment, or be required to sign any document that waives their right to make their own reproductive health decisions.
- Remedies include, but aren't limited to, back pay, benefits, reasonable legal costs, injunctive relief and reinstatement. Civil penalties could be imposed on employers that retaliate against an employee for bringing a complaint.
- Employee handbooks must include a notice of employee rights and remedies.

RELATED RESOURCE

- [Senate Bill 660 \(Act to Amend the Labor Law in Relation to Discrimination Based on an Employee's or a Dependent's Reproductive Health Decision-Making\)](#) (New York State Senate, 8 Nov 2019)

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