“NO PEOPLE COME INTO POSSESSION OF A CULTURE WITHOUT HAVING PAID A HEAVY PRICE FOR IT.”

JAMES BALDWIN
NOVELIST, PLAYWRIGHT, ACTIVIST

“AFTER YEARS OF REPRESSION, PAIN, AND BLOOD, SOMETHING IS FREE TO BE ITSELF IN THAT MOST IMPORTANT OF ALL HUMAN ACTIVITIES — THE EXPRESSION OF LOVE — THEN LIFE ITSELF LOSES ITS MEANING.”

HARVEY MILK
POLITICIAN

“IF YOU ARE NOT PERSONALLY FREE TO BE YOURSELF IN THAT MOST IMPORTANT OF ALL HUMAN ACTIVITIES — THE EXPRESSION OF LOVE — THEN LIFE ITSELF LOSES ITS MEANING.”

HARVEY MILK ARCHIVES-SCOTT SMITH COLLECTION, HORMEL GAY & LESBIAN CENTER, SAN FRANCISCO PUBLIC LIBRARY

“I BELIEVE THAT TELLING OUR STORIES, FIRST TO OURSELVES, AND THEN TO ONE ANOTHER, IS A REVOLUTIONARY ACT.”

JANET MOCOL
WRITER, DIRECTOR, AND ACTIVIST

“I BELIEVE THAT TELLING OUR STORIES, FIRST TO OURSELVES, AND THEN TO ONE ANOTHER, IS A REVOLUTIONARY ACT.”

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“IT’S NOT OUR DIFFERENCES THAT DIVIDE US. IT IS OUR INABILITY TO RECOGNIZE, ACCEPT, AND CELEBRATE THOSE DIFFERENCES.”

AUDRE LORDE
WRITER, FEMINIST, AND CIVIL RIGHTS ACTIVIST

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“I’VE NEVER BEEN INTERESTED IN BEING INVISIBLE AND ERASED.”

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“IF WE DESIRE A SOCIETY IN WHICH MEN ARE BROTHERS, THEN WE MUST ACT TOWARDS ONE ANOTHER WITH BROTHERHOOD. IF WE CAN BUILD SUCH A SOCIETY, THEN WE WOULD HAVE ACHIEVED THE ULTIMATE GOAL OF HUMAN FREEDOM.”

BAYARD RUSTIN
CIVIL RIGHTS ACTIVIST

“I’VE NEVER BEEN INTERESTED IN BEING INVISIBLE AND ERASED.”

LAVERN COX
ACTIVIST AND ACTRESS

“We HAVE TO BE VISIBLE. WE SHOULD NOT BE ASHAMED OF WHO WE ARE. WE HAVE TO SHOW THE WORLD THAT WE ARE NUMEROUS. THERE ARE MANY OF US OUT THERE.”

SYLVEA RIVERA
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The New York State Division of Human Rights (DHR) was created to enforce the state’s Human Rights Law. The mission of the agency is to ensure that "every individual . . . has an equal opportunity to participate fully in the economic, cultural, and intellectual life of the State."

DHR protects New Yorkers against discrimination in employment, housing accommodations, nonreligious educational institutions, places of public accommodation, commercial spaces, and credit transactions. DHR takes legal action in response to complaints about discrimination, initiates investigations of individual and systemic cases of discrimination, and conducts outreach to communities throughout the State of New York.
The New York State Human Rights Law prohibits discrimination based upon actual or perceived sexual orientation. The term sexual orientation is defined in the Human Rights Law as “heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived.”

**Example of discrimination:** Jessie is a lesbian. Jessie and her girlfriend locate an apartment they would like to rent. When they go to view the apartment, the broker makes negative comments about their relationship. A few days later, the broker informs them that the apartment has been rented to someone else. However, Jessie learns that the apartment is actually available and the broker continues to show it to prospective tenants.

If the landlord and/or the real estate broker made the decision not to rent the apartment based upon sexual orientation it is against the law, and a complaint can be filed with DHR.
Human Rights Law Protections: Gender Identity or Expression

Since the passage of the Gender Expression Non-Discrimination Act (GENDA) in 2019, the Human Rights Law defines “gender identity or expression” as a person's actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.

Example of discrimination: A transgender woman, Anna Jones, has a medical appointment. She told the receptionist she uses the title “Ms.” and filled out her intake paperwork accordingly. The receptionist and nurse disregard this all and repeatedly call her “Mr. Jones” throughout her appointment.

Deliberately failing or refusing to include and use a patient’s requested name and self-reported gender by staff in a medical office/facility is unlawful even if a patient’s sex assigned at birth or gender transition may be recorded for the purpose of providing medical care. If this has happened to you, you can file a complaint with DHR.
People who are living with HIV or AIDS are protected under the disability provision of the New York State Human Rights Law. The law also covers any HIV or AIDS related illness. Employers, housing providers, nonreligious educational institutions, and places of public accommodations are required to offer reasonable accommodation to people who are living with HIV or AIDS as necessary.

**Example of discrimination:** John is a person living with HIV. He's been in his position for three years and always received positive reviews and raises. John decides to disclose his HIV status to his boss and begins receiving negative reviews and is put on probation. His job performance has not changed. He believes these negative reviews are a result of his disclosure of his HIV status and reports the situation to the personnel office. Two weeks later, he is laid off.

People who are living with HIV or AIDS are protected under the disability provisions of the Human Rights Law. It is also a violation of the Human Rights Law to retaliate against a person for making a complaint of discrimination.
Sexual orientation, gender identity or expression, and HIV or AIDS status as a disability are protected classes under the law in the following areas:

- **Employment:** Refusal to hire, or a decision to fire, demote, lay-off, or in any way harass an employee, based upon a protected class is prohibited.

- **Housing:** Refusal to sell or rent, or decisions to evict, and harassment based upon a protected class are prohibited.

- **Places of Public Accommodation:** Denial of access to, or enjoyment of, public places, such as restaurants, movie theaters, and retail stores based upon a protected class is prohibited. Discrimination in the provision of medical care in hospitals, medical clinics, dental offices, is also prohibited.

- **Nonreligious Education Institutions:** Denial of access or admittance to public or private nonreligious schools, colleges, and universities based upon a protected class is prohibited. Harassment or discrimination at educational institutions is also prohibited.

- **Credit and Lending:** Decisions on the terms of loans, including the length of the term or interest rate, based upon a protected class are prohibited.

The Human Rights Law also protects individuals from unlawful discrimination based on age, creed, race, color, sex, national origin, marital status, domestic violence victim status (in employment only), disability, pregnancy-related condition, military status, favorably resolved arrest record, conviction record, predisposing genetic characteristics, familial status, and lawful source of income (in housing only). **Retaliation for complaining about or opposing discrimination is also against the law.**
DHR Complaint Process

- **Visit dhr.ny.gov/complaint** to file a complaint of discrimination. There is no charge for filing a complaint. DHR will investigate your complaint to determine if there is probable cause to believe that the law may have been violated. If there is no probable cause, the complaint is dismissed and closed.

- **If there is probable cause,** DHR will prosecute your complaint at a public hearing before an administrative law judge.

- **After the public hearing,** DHR’s Commissioner will issue an order with a final decision either dismissing or sustaining the complaint.

- **If the complaint is sustained,** possible remedies may include a change in policies and/or practices; reinstatement to a job; back pay with interest or benefits lost due to the discriminatory practice; the provision of services; equal treatment in an accommodation, institution, or program; and/or compensation for emotional distress. Civil fines may also be assessed.
**DHR Complaint Process**

1. **File a complaint**
   - DHR Investigation

2. **No Probable Cause**
   - Case is dismissed;
   - Can be appealed to NYS Supreme Court.

3. **Probable Cause**

4. **Public Hearing**
   - Recommended Order by an Administrative Law Judge

5. **Final Order**
   - issued by the Commissioner
Under Governor Andrew Cuomo, New York State has been a national leader in championing LGBTQ+ rights. In 2011, Governor Cuomo led the historic charge to make New York State pass marriage equality. Since then, Governor Cuomo has continued to lead the nation in advocating for LGBTQ+ rights – including signing the Gender Expression Non-Discrimination Act (GENDA), banning conversion therapy based on gender identity or sexual orientation, and prohibiting the use of "gay and transgender panic" as a legal defense in courts. Across the country, LGBTQ+ people still face discrimination, harassment, and violence simply for being who they are. New York State refuses to let that stand. Under Governor Cuomo’s leadership, we will continue to fight to ensure that all New Yorkers, regardless of gender identity or sexual orientation, can live with the dignity and equality they deserve.

https://www.governor.ny.gov/programs/advancing-lgbtq-equality
Resources

- **OFFICE OF GOVERNOR ANDREW M. CUOMO**
  Advancing LGBTQ equality:  
  https://www.governor.ny.gov/programs/advancing-lgbtq-equality

- **DEPARTMENT OF FINANCIAL SERVICES (DFS)**
  Health coverage information for transgender New Yorkers:  
  https://www.dfs.ny.gov/consumers/health_insurance/transgender_healthcare
  Discrimination in banking and insurance (health, home, auto, life):  
  https://www.dfs.ny.gov/complaint

- **DEPARTMENT OF HEALTH (DOH)**
  Resources on lesbian, gay and transgender health:  
  https://www.health.ny.gov/diseases/aids/consumers/lgbt/
  The AIDS Institute:  
  https://www.health.ny.gov/diseases/aids/
  Correction of birth certificates and other vital records:  
  Email vr@health.ny.gov or call (855) 322-1022

- **DIVISION OF VETERANS SERVICES (DVS)**
  Restoration of benefits to veterans discharged due to their sexual orientation or gender identity:  
  https://veterans.ny.gov/content/restoration-honor-act

- **OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS)**
  Resources for LGBTQ children and youth:  
  https://ocfs.ny.gov/main/LGBTQ/

- **OFFICE OF ADDICTION SERVICES AND SUPPORTS (OASAS)**
  Affirming care for lesbian, gay, bisexual, transgender and questioning clients:  
If you believe that you have been discriminated against, you can file a complaint with the New York State Division of Human Rights.

Visit DHR's website dhr.ny.gov or call (888) 392-3644.