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Update: NYC Protections for Reproductive Health Decisions Now in Effect

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Effective since May 20, 2019, New York City Human Rights Law prohibits discrimination relating to an employee's "sexual and reproductive health decisions." As reported in our January 2019 [alert](#), employers may not discriminate on the basis of "any decision by the employee to receive services which are arranged for or offered or provided to individuals relating to the reproductive system and its functions."

Examples of sexual and reproductive health decisions identified in the law are:

- Fertility-related medical procedures
- Family planning services and counseling
- Access to all medically approved birth control drugs and supplies
- Emergency contraception
- Sterilization procedures
- Pregnancy testing
- Sexually transmitted disease testing and treatment
- Abortion procedures
- HIV testing and counseling

Our initial alert reported that employers would need to provide a written notice to all employees informing them of these protections. However, there is no longer a separate notice requirement for sexual and

reproductive health decisions as this stipulation was removed prior to the law's enactment. Employers should still ensure that handbooks, anti-discrimination policies and other relevant policies are updated to include sexual and reproductive health decisions as protected.

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