Division of Labor Standards

Harriman State Office Campus

Building 12, Albany, NY 12226

§ 740. Retaliatory action by employers; prohibition.

(d) "Public body" includes the following:

1. Definitions. For purposes of this section, unless the context specifically indicates otherwise:

NEW YORK

LABOR LAW

POSTINGS

WHISTLEBLOWER PROTECTION LAW

WE ARE YOUR DOL

Notice of Employee Rights, Protections, and Obligations

Under Labor Law Section 740

Prohibited Retaliatory Personnel Action by Employers Effective January 26, 2022

(a) "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration, including former

(b) "Employer" means any person, firm, partnership, institution, corporation, or association that employs one or more employees.

(i) the United States Congress, any state legislature, or any elected local governmental body, or any member or employee thereof;

to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order.

(ii) any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;

(iv) any federal, state, or local law enforcement agency, prosecutorial office, or police or peace officer;

(v) any federal, state or local department of an executive branch of government; or

(c) objects to, or refuses to participate in any such activity, policy or practice.

(a) there is an imminent and serious danger to the public health or safety;

(c) such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;

forth in subdivision five of this section within two years after the alleged retaliatory action was taken.

Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:

notification shall not be required where:

rights protected by this section.

(a) an injunction to restrain continued violation of this section;

(c) the reinstatement of full fringe benefits and seniority rights;

collective bargaining agreement or employment contract.

SICK LEAVE:

VACATION TIME:

PERSONAL LEAVE:

HOLIDAYS:

HOURS:

(d) the compensation for lost wages, benefits and other remuneration;

(f) a civil penalty of an amount not to exceed ten thousand dollars; and/or

(e) the payment by the employer of reasonable costs, disbursements, and attorney's fees;

(g) the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.

determines that an action brought by an employee under this section was without basis in law or in fact.

conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

(iii) any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;

managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains

law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;

(d) the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or

or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.

(b) the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;

6. Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court

Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any

Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted

To Be Posted Conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment

FRINGE BENEFITS AND HOURS

FRINGE BENEFITS AND HOURS

The Following Information Constitutes Employer's Policy on Fringe Benefits.

employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves

(c) "Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant

(vi) any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.

(e) "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge, threaten, penalize, or in any other manner discriminate against any

employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions

against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions

otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's

(f) "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has

that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or

2. **Prohibitions.** An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee

(a) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of

(b) provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or

Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or

practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer

(b) the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;

(a) An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set

(b) Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides,

(c) It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any

(e) the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency.

NEW YORK Department Of Labor

ARTICLE 23-A LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY

CONVICTED OF ONE OR MORE CRIMINAL OFFENSES Section 750. Definitions

> (1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or

held by the individual; or

(2) The issuance or continuation of the license or the granting or continuation of the 754. Written statement upon denial of license or

section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors: (a) The public policy of this state,

licensure and employment of persons previously convicted of one or more criminal offenses. (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

(c) The bearing, if any, the criminal previously convicted will have on his fitness or

(e) The age of the person at the time of

occurrence of the criminal offense or offenses. (f) The seriousness of the offense or

(h) The legitimate interest of the public property, and the safety and welfare of specific

give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein. §754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal

offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

1. In relation to actions by public agencies, enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law

employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

ATENCIÓN A TODOS ATTENTION ALL EMPLOYEES LOS EMPLEADOS

La Sección 3-110 de la Ley Electoral del

Estado de Nueva York establece que:

§ 3-110. Tiempo permitido para que los

1. Si un votante inscrito no tiene suficiente tiempo fuera

de sus horas laborables señaladas, para ir a votar

en cualquier día en el que él o ella puede ir a votar,

en cualquier momento durante las elecciones, él o

ella, tiene hasta dos (2) horas sin la pérdida de

sueldo para tomar tiempo de ir a votar, aparte de

tiempo adicional que pueda tomar de su trabajo,

que corre por su cuenta, o fuera de sus horas de

consecutivas, bien sea antes de la apertura de

las urnas electorales y el inicio de su turno de

trabajo, o entre el final de su turno de trabajo y

el cierre de las urnas electorales, se entiende

que él o ella tiene suficiente tiempo fuera de sus

horas de trabajo para ir a votar. Si él o ella tiene

menos de cuatro (4) horas consecutivas para ir

conforme a su voluntad, pero no más de las dos

a votar, puede tomar el tiempo de su trabajo.

(2) horas permitidas sin la pérdida de sueldo,

siempre y cuando se le pueda permitir tomar

inicio de su turno de trabajo o al finalizar su

turno de trabajo, conforme lo que designe el

3. Si el empleado requiere tomar tiempo del

trabajo para ir a votar, debe avisar a su

empleador con no más de diez días de

antelación, ni menos de dos días laborables

antes de la fecha de ir a votar, conforme a lo

4. Cada empleador conlleva la responsabilidad

de publicar este aviso donde se dispone de

las estipulaciones en esta sección, en un lugar

fácilmente visible en el área de trabajo, con no

menos de diez días laborables antes de cada

elección. Dicho aviso permanecerá publicado

hasta el momento del cierre de las urnas

electorales en el día de las elecciones.

en algún otro arreglo.

dispuesto en esta sección.

empleador; salvo que mutuamente concuerden

ese tiempo para ir a votar solamente antes del

trabajo que le permite ir a votar.

2. Si un empleado tiene cuatro (4) horas

empleados vayan a votar

New York State Election Law Section 3-110 states that:

§ 3-110. Time allowed employees to vote

1. If a registered voter does not have sufficient

time outside of his or her scheduled working

- hours, within which to vote on any day at which he or she may vote, at any election, he or she may, without loss of pay for up to two hours, take off so much working time as will, when added to his or her voting time outside his or her working hours, enable him or her to vote.
- 2. If an employee has four consecutive hours either between the opening of the polls and the beginning of his or her working shift, or between the end of his or her working shift and the closing of the polls, he or she shall be deemed to have sufficient time outside his or her working hours within which to vote. If he or she has less than four consecutive hours he or she may take off so much working time as will. when added to his or her voting time outside his or her working hours enable him or her to vote, but not more than two hours of which shall be without loss of pay, provided that he or she shall be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate, unless otherwise mutually agreed.
- 3. If the employee requires working time off to vote the employee shall notify his or her employer not more than ten nor less than two working days before the day of the election that he or she requires time off to vote in accordance with the provisions of this section.
- 4. Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice shall be kept posted until the close of the polls on

RIGHT TO KNOW

YOU HAVE A RIGHT TO KNOW!

Your employer must inform you of the health effects and hazards of toxic substances at your worksite.

Learn all you can about toxic substances on your job.

For more information. contact:

ocation & Phone Number

THE RIGHT TO KNOW LAW WORKS FOR YOU.

FAIR EMPLOYMENT

NEW PORK STATE Human Rights

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15

Discrimination based upon age, race, creed, color, national origin, sexual orientation, military status, sex, pregnancy, gender identity or expression, citizenship or immigration status, disability, domestic violence victim status, familial status, or marital status is prohibited by the New York State Human Rights Law. Sexual harassment or harassment based upon any of these protected classes also is prohibited.

ALL EMPLOYERS, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS Also prohibited: discrimination in employment on the basis of

Sabbath observance or religious practices; hairstyles associated with

race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; pregnancy-related Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required.

A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. Also covered domestic workers: interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above

ESTATE BROKERS AND SALES PEOPLE Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support): familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or

RENTAL, LEASE OR SALE OF HOUSING, LAND AND

COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL

Reasonable accommodations and modifications for persons with disabilities may also be required.

(1) rental of an apartment in an owner-occupied two-family house

(2) restrictions of all rooms in a housing accommodation to individuals of the same sex (3) rental of a room by the occupant of a house or apartment (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES Age is not a covered classification relative to public accommodations Reasonable accommodations for persons with disabilities may also

be required. **EDUCATION INSTITUTIONS** All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations; also for-profit colleges, universities, licensed private career schools or certified

English as a second language schools. ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

A complaint must be filed with the Division within one year for alleged acts of discrimination that occurred on or before 2/14/2024. Complaints for acts of discrimination that occur on or after 2/15/2024 may be filed within three years of the alleged act. A complaint alleging sexual harassment in employment that occurred on or after 08/12/2020 may be filed with three years of the alleged act. The Division's services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against. FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

1-888-392-3644

dhr.ny.gov STE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS

HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15 La ley de derechos humanos del estado de nueva york prohíbe la discriminación por edad, raza, credo, color, origen nacional, orientación sexual, estatus militar, sexo, embarazo, identidad o expresión de género, ciudadanía o estatus migratorio, discapacidad, estado como víctima de violencia doméstica, estado familiar, o estado civil. También

TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO. ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza

está prohibido el acoso sexual o el acoso por cualquiera de estas clases

(también se aplica a las áreas enumeradas a continuación) arresto previo o antecedentes penales; las características genéticas predisponentes; las condiciones relacionadas con el embarazo. Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo

lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable. También están cubiertos: trabajadores domésticos; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda discriminación descrita arriba.

BIENES RAICES Y VENDEDORES También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario.

ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O

ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE

razonables para personas con discapacidades. Excepciones (1) alquiler de un apartamento en una casa para dos familias ocupada por el

También es posible que sea necesario realizar modificaciones y arreglos

(2) restricciones de todas las habitaciones en una vivienda para individuos del

(3) alquiler de una habitación por parte del ocupante de una casa o apartamento (4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas personas

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA LA COMPRA. MANTENIMIENTO Y REPARACION DE VIVIENDAS LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL GOBIERNO.

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con **INSTITUCIONES EDUCATIVAS**

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están cubiertos: escuelas profesionales autorizadas o escuelas

certificadas de inglés como segundo idioma. PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO. LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS

TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO Para actos que ocurran el 14/02/2024 o antes, debe presentar su querella en un plazo de un año a partir del acto más reciente de presunta discriminación.

Para actos realizados a partir del 15/02/2024, debe presentar su querella en un plazo de tres años posterior al acto más reciente de presunta discriminación. Una denuncia que alega acoso sexual en el empleo que ocurrió a partir del 12/08/2020 puede presentarse con tres años del presunto acto. Los servicios de la División se ofrecen sin cargo. Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro

de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal. Se prohíben las represalias por presentar una demanda u oponerse a

prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias. PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL:

ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY 10458

VETERAN BENEFITS AND SERVICE

The following resources and hotlines are available at no-cost to help veterans understand their rights, protections, benefits, and accommodations:

dol.ny.gov/veteran-benefits-and-services

MENTAL HEALTH AND SUBSTANCE **ABUSE RESOURCES**

All calls and texts are free and confidential U.S. Department of Veterans Affairs Veterans Crisis **Line:** www.veteranscrisisline.net

Call: 988 **Crisis Textline:**

NYS Office of Mental Health (OMH): **NYS Office of Addiction Services and Supports**

(OASAS): www.oasas.ny.gov/hopeline Call: 1-877-8-HOPENY (467469) Text: HOPENY (467369)

Veterans Treatment Courts (VTC): ww2.nycourts.gov/ courts/problem_solving/vet/courts.shtml Email: ProblemSolving@courts.state.ny.us **NYS Defenders Association Veteran Defense Program:** https://www.nysda.org/page/VDP

Call: 800-942-6906 Text: 844-997-2121 Call: 1-800-HARASS-3

NYS Department of Motor Vehicles: Veteran Status Designation Photo Document: dmv.ny.gov/more-info/veteran-statusdesignation-photo-document

teran License Plate: dmv.ny.gov/plates/military-and-veterans

NEW YORK STATE DEPARTMENT OF VETERANS' SERVICES

Website: veterans.ny.gov Help Line: 1-888-838-7697

Services: Legal, education, employment and volunteer, financial, health care, and more.

NEW YORK STATE Veterans' Services

NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM Website: dol.ny.gov/services-veterans

Help Line: 1-888-469-7365 Email: Ask.Vets@labor.ny.gov

Services: Workforce and training resources, unemployment insurance, the Experience Counts

WE ARE YOUR DOL

NEW YORK Of Labor

The New York State Department of Labor is an Equal Opportunity Employer/Program. vices are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886.

WE ARE YOUR DOL

Tipped workers

Industry Employees

Minimum Wage hourly rates effective 1/1/2025 – 12/31/2025

Large Employers (11 or more employees)

Minimum Wage \$16.50

\$16.50

Overtime after 40 hours \$24.75

\$16.50

Long Island and **Westchester County**

Overtime after 40 hours \$24.75

Overtime after 40 hours \$24.75

Minimum Wage **\$16.50**

Overtime after 40 hours \$24.75 Tipped workers

\$16.50

Overtime after 40 hours \$24.75

Overtime after 40 hours \$23.25

\$15.50 Tipped workers Overtime after 40 hours \$23.25

If you have questions, need more information or want to file a complaint, please visit www.labor.ny.gov/minimumwage or call: 1-888-469-7365.

Credits and Allowances that may reduce your

pay below the minimum wage rates shown • **Tips** – Beginning December 31, 2020, your

employer must pay the full applicable minimum wage rate, and cannot take any tip credit.

• Meals and lodging – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

Extra Pay you may be owed in addition to the minimum wage rates shown above:

• Overtime – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or

44 for residential employees). Exceptions: Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is

• Call-in pay – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.

you may be entitled to extra daily pay. The daily rate is equal to

be entitled to additional weekly pay. The weekly rates are available

Minimum Wage Poster

Post in Plain View

LS 207 (12/24)

©2025 ComplyRight

Pursuant to N.Y. State Consolidated Laws Chapter 31, Article 6, Sec. 195.5

This notice must be posted in a conspicuous place where notices to employees are customarily posted.

employment would involve an unreasonable risk to property or to the safety or welfare of specific

individuals or the general public. §753. Factors to be considered concerning a previous criminal conviction; presumption.

as expressed in this act, to encourage the

offense or offenses for which the person was

(d) The time which has elapsed since the

or produced on his behalf, in regard to his rehabilitation and good conduct. agency or private employer in protecting

the public agency or private employer shall also

VETERAN BENEFITS AND SERVICES

Call: 988, press 1 Text: 838255

Text: 741741 Chat: crisistextline.org

Email: DVSInfo@veterans.ny.gov

Attention Miscellaneous

Small Employers (10 or less employees)

Remainder of **New York State**

more than 75 times the minimum wage rate.

one hour of pay at the minimum wage rate.

online.

the provisions of this article shall be

2. In relation to actions by private

Suicide and Crisis Lifeline: www.veteranscrisisline.net

LEGAL SERVICES

MINIMUM WAGE

New York City

Tipped workers Overtime after 40 hours \$24.75

| Minimum Wage \$15.50

Spread of hours – If your workday lasts longer than ten hours,

• Uniform maintenance – If you clean your own uniform, you may

(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun,

or other firearm. (5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

751. Applicability.

offenses prohibited.

755. Enforcement.

following meanings:

752. Unfair discrimination against persons

753. Factors to be considered concerning a

previous criminal conviction; presumption.

§750. Definitions. For the purposes of this

article, the following terms shall have the

department, agency, board or commission.

(1) "Public agency" means the state or any

local subdivision thereof, or any state or local

(2) "Private employer" means any person,

association which employs ten or more persons.

(3) "Direct relationship" means that the

nature of criminal conduct for which the person

was convicted has a direct bearing on his fitness

or ability to perform one or more of the duties

or responsibilities necessarily related to the

license, opportunity, or job in question.

company, corporation, labor organization or

previously convicted of one or more criminal

§751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment

made by a prospective employee or previously made by a current employee. §752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the

ability to perform one or more such duties or

occurrence of the criminal offense or offenses.

(g) Any information produced by the person,

individuals or the general public. 2. In making a determination pursuant to section seven hundred fifty-two of this chapter,

TAX BENEFITS NYS Department of Tax and Finance • Information for military personnel and veterans:

tax.ny.gov/pit/file/military_page.htm

Property tax exemptions:

EDUCATION, WORKFORCE, AND TRAINING RESOURCES Veteran Readiness and Employment

tax.ny.gov/pit/property/exemption/vetexempt.htm

New York State Civil Service Credits for Veterans Program: www.cs.ny.gov

ADDITIONAL RESOURCES

(VR&E) Program: www.benefits.va.gov/vocrehab

NYS Domestic and Sexual Violence Hotline: NYS Workplace Sexual Harassment Hotline:

program, and more.

Minimum Wage **\$16.50**

individual has previously been convicted of one

1. In making a determination pursuant to

ESIS10NYL