

STATE OF NEW YORK

5436--B

2025-2026 Regular Sessions

IN ASSEMBLY

February 14, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law and the labor law, in relation to preventing discrimination and increasing awareness of rights for employees with menstrual-related conditions, perimenopausal-related conditions and menopausal-related conditions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraphs (a) and (d) of subdivision 3 of section 296 of
2 the executive law, as amended by chapter 369 of the laws of 2015 and
3 paragraph (d) as relettered by chapter 748 of the laws of 2022, are
4 amended to read as follows:

5 (a) It shall be an unlawful discriminatory practice for an employer,
6 licensing agency, employment agency or labor organization to refuse to
7 provide reasonable accommodations to the known disabilities, [~~ex~~] preg-
8 nancy-related conditions, menstrual-related conditions, perimenopau-
9 sal-related conditions, or menopausal-related conditions of an employee,
10 prospective employee or member in connection with a job or occupation
11 sought or held or participation in a training program.

12 (d) The employee must cooperate in providing medical or other informa-
13 tion that is necessary to verify the existence of the disability or
14 pregnancy-related condition, menstrual-related conditions, perimenopau-
15 sal-related conditions, or menopausal-related conditions or that is
16 necessary for consideration of the accommodation. The employee has a
17 right to have such medical information kept confidential.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 § 2. The labor law is amended by adding a new section 201-j to read as
2 follows:

3 § 201-j. Informational materials relating to the rights of employees
4 for menstrual-related conditions, perimenopausal-related conditions, and
5 menopausal-related conditions. 1. Every employer shall provide each
6 employee an informational pamphlet on any regulations promulgated pursu-
7 ant to section two hundred ninety-six of the executive law relating to
8 the rights of employees for menstrual-related conditions, perimenopau-
9 sual-related conditions, and menopausal-related conditions, including the
10 duty of such employer to provide reasonable accommodations. Such
11 pamphlet shall be prepared by the New York state division of human
12 rights and include resources for employees who may have been discrimi-
13 nated against.

14 2. Every employer shall conspicuously post a notice in an area acces-
15 sible to employees, notifying them of their right to reasonable accommo-
16 dations for menstrual-related conditions, perimenopausal-related condi-
17 tions, and menopausal-related conditions and resources for employees who
18 may have been discriminated against.

19 § 3. Section 292 of the executive law is amended by adding a new
20 subdivision 21-g to read as follows:

21 21-g. The term "menstrual-related conditions, perimenopausal-related
22 conditions, and menopausal-related conditions" shall include, but not be
23 limited to, irregular or heavy menstrual periods or vasomotor symptoms,
24 including temporary cognitive changes related to menopause transition,
25 hot flashes, mood changes, weight gain, vaginal or bladder symptoms,
26 decrease in fertility, loss of bone, increase in low-density lipoprotein
27 cholesterol levels, and sleep disruption including night sweats.

28 § 4. This act shall take effect immediately; provided, however, that
29 section two of this act shall take effect on the ninetieth day after it
30 shall have become a law.