Legislation Details (With Text)

File #:	Int 0811-2022 **Version:** *	**Name:**	Voiding no-rehire provisions in settlement agreements for persons aggrieved by unlawful discriminatory practices.
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Title:	A Local Law to amend the administrative code of the city of New York, in relation to voiding no-rehire provisions in settlement agreements for persons aggrieved by unlawful discriminatory practices		
Sponsors:			
Indexes:			
Attachments:	1. Summary of Int. No. 811, 2. Int. No. 811, 3. November 3, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 11-3-22, 5. Minutes of the Stated Meeting - November 3, 2022, 6. Committee Report 6/26/23, 7. Hearing Testimony 6/26/23, 8. Hearing Transcript 6/26/23		

Date	Ver.	Action By	Action	Result
11/3/2022	*	City Council	Introduced by Council	
11/3/2022	*	City Council	Referred to Comm by Council	
6/26/2023	*	Committee on Civil and Human Rights	Hearing Held by Committee	
6/26/2023	*	Committee on Civil and Human Rights	Laid Over by Committee	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 811

By Council Members Gennaro, Louis and Riley

A Local Law to amend the administrative code of the city of New York, in relation to voiding no-rehire provisions in settlement agreements for persons aggrieved by unlawful discriminatory practices

Be it enacted by the Council as follows:

Section 1. Section 8-115 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Any agreement resulting from a method of dispute resolution prescribed by rule of the commission shall not prohibit, prevent, or otherwise restrict the complainant from working for the respondent or any parent company, subsidiary, division, or affiliate of the respondent. Any such agreement entered into prior to the

effective date of this subdivision shall be deemed to expire five years after the date on which it was entered. Any provision of an agreement that is inconsistent with this subdivision shall be void as contrary to public policy. Nothing in this subdivision shall be construed to prohibit an agreement to end an existing agency or employment relationship or to require a respondent to continue to employ or rehire a person if there is a legitimate non-discriminatory or non-retaliatory reason for terminating the agency or employment relationship or refusing to rehire the person.

§ 2. Section 8-502 of the administrative code of the city of New York is amended by adding a new subdivision i to read as follows:

i. Any agreement to settle a claim brought under this section shall not prohibit, prevent, or otherwise restrict the person aggrieved from working for the covered entity or any parent company, subsidiary, division, or affiliate of the covered entity. Any such agreement entered into prior to the effective date of this subdivision shall be deemed to expire five years after the date on which it was entered. Any provision of an agreement that is inconsistent with this subdivision shall be void as contrary to public policy. Nothing in this subdivision shall be construed to prohibit an agreement to end an existing agency or employment relationship or to require an employer or principal to continue to employ or rehire a person if there is a legitimate non-discriminatory or non-retaliatory reason for terminating the agency or employment relationship or refusing to rehire the person.

§ 3. This local law takes effect immediately.

RL
LS #10383
10/13/2022