



# 5 Things You Should Know About Protections from Discrimination or Harassment in Public Accommodations Based on Gender Identity or Expression

- 1** The New Jersey Law Against Discrimination (LAD) prohibits discrimination and harassment in places of public accommodation (which are places open to the public, such as businesses, restaurants, schools, summer camps, hospitals, doctors' offices, and government agencies) based on actual or perceived gender identity or expression, including being or being perceived to be transgender, non-binary, or gender non-conforming.
- 2** The LAD prohibits a public accommodation from denying full or equal accommodations, advantages, facilities, privileges, or services based on gender identity or expression. In other words, a public accommodation may not treat someone differently or refuse to admit, treat, or serve a person because they are transgender, non-binary, or gender non-conforming. A hospital or doctor's office, for example, cannot deny care to, or delay treatment of, a prospective patient simply because they are transgender. In addition, a hospital that assigns rooms based on gender must do so consistent with a person's gender identity or expression.
- 3** The LAD also prohibits places of public accommodation from allowing customers, students, patrons, or patients to be harassed based on their gender identity or expression in a way that creates a hostile environment. For example, school leadership cannot refuse to take action if they know or should have known that a student is being repeatedly harassed, insulted, or name-called by classmates for being transgender.
- 4** The LAD requires that individuals be treated consistent with their gender identity. Among other things, transgender people must be permitted to use the bathroom or changing room consistent with their gender identity or expression. They also have the right to be addressed with their chosen name, title, or pronoun. They do not need to show any particular "proof" of gender to exercise these rights.
- 5** A place of public accommodation cannot retaliate against a person for exercising or attempting to exercise these or any other rights under the LAD.

To find out more or to file a complaint, go to [NJCivilRights.gov](https://www.njcivilrights.gov) or call **973-648-2700**

