

5 Things You Should Know About Discrimination Based on Disability

- 1 The New Jersey Law Against Discrimination (LAD) prohibits discrimination or harassment based upon your actual or perceived disability in housing, employment, and places of public accommodation.** You can [file a complaint](#) with the Division on Civil Rights (“DCR”) if you have faced discrimination or harassment from housing providers, employers, coworkers, police officers, shopkeepers, and more.
- 2 The LAD defines disability more broadly than the Americans with Disabilities Act (ADA).** A disability under the LAD includes any physical disability or ailment caused by illness, injury, or birth defect, and any mental, psychological, or developmental disability that prevents typical exercise of any function and can be confirmed by a medical professional. The LAD does not require a condition to significantly limit one or more major life activities to be considered a disability. Disabilities can be permanent, temporary, or minor.
- 3 The LAD prohibits discrimination based on actual or perceived disability.** This means that you are protected even if others wrongfully assume you are disabled or you face discrimination based on a past disability. For example, a hotel cannot refuse to host you because they believe you are disabled.
- 4 You cannot be harassed because of your disability.** Disability harassment may include being insulted, mocked, touched, or treated differently because of your disability. Supervisors, whether in the context of employment, housing, or places open to the public, must take action to address such harassment.
- 5 The LAD’s protections for disability apply to people with a substance or alcohol use disorder.** This means that an employer may not discriminate against you or fire you solely because you previously received treatment for addiction or are currently in a recovery program. However, casual or social use of controlled substances and alcohol are not considered a disability and are not protected under the LAD.

To find out more or to file a complaint, go to NJCivilRights.gov or call 1.833.NJDCR4U. The Division on Civil Rights (DCR) enforces the LAD, which protects all people from discrimination in NJ regardless of immigration status. To learn more, click [here](#).

The LAD protects you against retaliation. No one can retaliate against you for reporting possible LAD violations; filing a discrimination complaint internally, with DCR, or in court; or exercising any other rights under the LAD.

Available in other languages on the [Resources section](#) of DCR’s website.

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NJ Office of the Attorney General
NJCivilRights.gov

