S T A T E O F N E W Y O R K

2725

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. RABBITT, ERRIGO, MOLINARO, TOWNSEND -- Multi-Sponsored by -- M. of A. CROUCH, DUPREY, GIGLIO, HAWLEY, OAKS, WEISENBERG -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to preventing workplace violence

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited as "Joanne's law".

S 2. Paragraph a of subdivision 2 of section 27-b of the labor law, as added by chapter 82 of the laws of 2006, is amended to read as follows:

a. "Employer" means: (1) ANY PRIVATE OR NON-MUNICIPAL INDUSTRY, TRADE, OCCUPATION OR PROCESS; (2) the state; [(2)] (3) a political subdivision of the state, provided, however that this subdivision shall not mean any employer as defined in section twenty-eight hundred one-a of the education law; and [(3)] (4) a public authority, a public benefit corporation, or any other governmental agency or instrumentality thereof.

S 3. Section 27-b of the labor law is amended by adding a new subdivision 7 to read as follows:

7. NOTIFICATION OF ACTIONS OF CRIME PERPETRATORS. THE PROPER AUTHORITIES HAVING JURISDICTION OF A PERSON WHO HAS COMMITTED A CRIME IN A WORKPLACE SHALL NOTIFY THE FORMER EMPLOYER OF SAID PERSON OR THE WORKPLACE WHERE HE OR SHE WAS EMPLOYED IF SAID PERSON IS RELEASED FROM INCARCERATION OR HAS VIOLATED THE PROVISIONS OF HIS OR HER PROBATION OR PAROLE. A WORKPLACE SHALL BE NOTIFIED ABOVE ONLY IF THE CRIME WAS COMMITTED IN THE WORKPLACE AND THE EMPLOYER WAS RESPONSIBLE FOR NOTIFYING THE PROPER POLICE AGENCY OF THE COMMISSION OF SAID CRIME. THIS SECTION SHALL APPLY TO THE RELEASE OF OR VIOLATION BY, AS STATED PREVIOUSLY, AN EMPLOYEE OR A VISITOR TO THE WORKPLACE WHERE SAID CRIME WAS COMMITTED AND SAID PERSON COMMITTED SAID CRIME.

S 4. This act shall take effect immediately.

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

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