

5152

2009-2010 Regular Sessions

I N   S E N A T E

April 27, 2009

---

Introduced by Sen. MORAHAN -- read twice and ordered printed, and when printed to be committed 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:

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

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

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

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

13    7. NOTIFICATION OF ACTIONS OF CRIME PERPETRATORS. THE PROPER AUTHORI-  
14    TIES HAVING JURISDICTION OF A PERSON WHO HAS COMMITTED A CRIME IN A  
15    WORKPLACE SHALL NOTIFY THE FORMER EMPLOYER OF SAID PERSON OR THE WORK-  
16    PLACE WHERE HE OR SHE WAS EMPLOYED IF SAID PERSON IS RELEASED FROM  
17    INCARCERATION OR HAS VIOLATED THE PROVISIONS OF HIS OR HER PROBATION OR  
18    PAROLE. A WORKPLACE SHALL BE NOTIFIED ABOVE ONLY IF THE CRIME WAS  
19    COMMITTED IN THE WORKPLACE AND THE EMPLOYER WAS RESPONSIBLE FOR NOTIFY-  
20    ING THE PROPER POLICE AGENCY OF THE COMMISSION OF SAID CRIME. THIS  
21    SECTION SHALL APPLY TO THE RELEASE OF OR VIOLATION BY, AS STATED PREVI-  
22    OUSLY, AN EMPLOYEE OR A VISITOR TO THE WORKPLACE WHERE SAID CRIME WAS  
23    COMMITTED AND SAID PERSON COMMITTED SAID CRIME.

24    S 4. This act shall take effect immediately.

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

LBD05786-01-9