

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

1948--A

Cal. No. 486

2009-2010 Regular Sessions

I N S E N A T E

February 10, 2009

Introduced by Sen. STACHOWSKI -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT in relation to authorizing and directing the department of labor to study workplace abuse and harassment

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

- 1 Section 1. Legislative findings. The legislature finds that the social
2 and economic well-being of the state is dependent upon healthy and
3 productive employees. Research on hostile workplace behaviors indicates
4 that a significant percent of employees will experience health-endanger-
5 ing workplace abuse and harassment at some point in their working
6 careers. In addition to harming the target of such abuse, this behavior
7 also has consequences for employers, including reduced employee produc-
8 tivity and morale, higher turnover and absenteeism rates, and signif-
9 icant increases in medical and workers' compensation claims.
- 10 S 2. The department of labor is hereby authorized and directed to
11 study hostile workplace behavior, including psychological and emotional
12 abuse, and its consequences, including but not limited to costs incurred
13 by the workers' compensation system, and shall develop recommendations
14 to reduce workplace abuse and harassment; and report its findings to the
15 legislature and the governor within one year of the effective date of
16 this act.
- 17 S 3. This act shall take effect immediately.
- FISCAL NOTE.--The bill directs the Department of Labor to study work-
place abuse and harassment and to report to the Legislature and the
Governor, within one year, its findings and recommendations for reducing
such abuse and harassment.

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

LBD03104-02-9

If this bill passes, as proposed, our Research and Statistics Division and Safety and Health Division would expect to see a significant workload increase. We estimate we would need three additional positions at an estimated annual cost of \$366,000.

In addition, DOL is already participating in a 5-year National Institute for Occupational Safety and Health (NIOSH) study. The NIOSH study seems to address the request for a study of hostile workplace behavior for psychological and emotional abuse and some of its consequences. The report to the agencies, we believe, will highlight what was found and could include recommendations to reduce the workplace abuse and harassment.

This fiscal note was prepared for the 2009 legislative session and was prepared by Roger Bailie of the department of labor.