

3684

2013-2014 Regular Sessions

I N S E N A T E

February 11, 2013

Introduced by Sen. SAVINO -- 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 amended by chapter 504 of the laws of 2011, is amended to read as
5 follows:

6 a. "Employer" means: (1) ANY PRIVATE OR NON-MUNICIPAL INDUSTRY, TRADE,
7 OCCUPATION OR PROCESS; (2) the state; [(2)] (3) a political subdivision
8 of the state, provided, however that this subdivision shall not mean any
9 employer as defined in section twenty-eight hundred one-a of the educa-
10 tion law; [(3)] (4) a public authority, a public benefit corporation, or
11 any other governmental agency or instrumentality thereof; and [(4)] (5)
12 an authorized agency as defined in paragraph (a) of subdivision ten of
13 section three hundred seventy-one of the social services law that
14 accepts children adjudicated delinquent under article three of the fami-
15 ly court act.

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

18 7. NOTIFICATION OF ACTIONS OF CRIME PERPETRATORS. THE PROPER AUTHORI-
19 TIES HAVING JURISDICTION OF A PERSON WHO HAS COMMITTED A CRIME IN A
20 WORKPLACE SHALL NOTIFY THE FORMER EMPLOYER OF SAID PERSON OR THE WORK-
21 PLACE WHERE HE OR SHE WAS EMPLOYED IF SAID PERSON IS RELEASED FROM
22 INCARCERATION OR HAS VIOLATED THE PROVISIONS OF HIS OR HER PROBATION OR
23 PAROLE. A WORKPLACE SHALL BE NOTIFIED ABOVE ONLY IF THE CRIME WAS
24 COMMITTED IN THE WORKPLACE AND THE EMPLOYER WAS RESPONSIBLE FOR NOTIFY-
25 ING THE PROPER POLICE AGENCY OF THE COMMISSION OF SAID CRIME. THIS

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

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1 SECTION SHALL APPLY TO THE RELEASE OF OR VIOLATION BY, AS STATED PREVI-
2 OUSLY, AN EMPLOYEE OR A VISITOR TO THE WORKPLACE WHERE SAID CRIME WAS
3 COMMITTED AND SAID PERSON COMMITTED SAID CRIME.
4 S 4. This act shall take effect immediately.