



State of New York

Executive Chamber

No. 19

EXECUTIVE ORDER

REQUIRING THE ADOPTION OF DOMESTIC VIOLENCE AND THE WORKPLACE POLICIES

WHEREAS, domestic violence is a serious public policy concern for the State of New York, requiring the State's participation in the coordinated community response to support victims and hold abusers accountable; and

WHEREAS, domestic violence permeates the lives and compromises the safety of thousands of New Yorkers each day, with tragic, destructive, and sometimes fatal results; and

WHEREAS, domestic violence occurs within a wide spectrum of intimate relationships, including married and formerly married couples, couples with children in common, couples who live together or have lived together, and couples who are or have been in a dating or sexual relationship, including same gender couples; and

WHEREAS, domestic violence is a widespread community problem that affects thousands of New York families, and that extends beyond the family into all areas of society, including the workplace; and

WHEREAS, the State of New York, as an employer, is additionally affected by domestic violence, which compromises the safety of both victims and co-workers, and results in lost productivity, increased health care costs, increased absenteeism and increased employee turnover; and

WHEREAS, a proactive response to domestic violence by the State of New York can also serve as a model for other employers in the state; and

WHEREAS, the Office for the Prevention of Domestic Violence (OPDV) formulated a model workplace policy for state agencies to address domestic violence (the "Model Domestic Violence and the Workplace Policy"), and released that policy in July 2000, but many state agencies have not yet adopted such a policy;

NOW, THEREFORE, I, Eliot Spitzer, Governor of the State of New York, by virtue of the authority invested in me by the Constitution and the laws of the State of New York, do hereby order as follows:

1. OPDV shall review the Model Domestic Violence and the Workplace Policy released in July 2000 and formulate any appropriate revisions to that policy. OPDV shall also formulate sample written procedures for the implementation of the revised Model Domestic Violence and the Workplace Policy.

2. OPDV shall distribute the revised Model Domestic Violence and the Workplace Policy, along with the sample implementation procedures, to each state agency no later than February 1, 2008. For the purposes of this order, "state agency" shall mean: (1) any state agency, department, office, board, commission or other instrumentality of the state; and (2) any public authority or public benefit corporation created by or existing under any State law, at least one of whose members is appointed by the Governor (including any subsidiaries of such public authority or public benefit corporation), other than an interstate or international authority or public benefit corporation.

3. Each state agency, no later than August 1, 2008, shall formulate and issue a Domestic Violence and the Workplace policy for that agency. In formulating such policy, the state agency (a) shall refer to the revised Model Domestic Violence and the Workplace Policy distributed by OPDV, and use it for guidance as appropriate; (b) may contact OPDV for assistance; and (c) should collaborate appropriately with interested parties, including union representatives at the statewide and local levels.

4. Each state agency, in formulating its Domestic Violence and the Workplace policy, shall give due regard to the importance of increasing awareness of domestic violence and informing employees of available resources for assistance; ensuring that personnel policies and procedures are fair to domestic violence victims and responsive to their needs; developing workplace safety response plans; complying with State and federal law including restrictions of possession of firearms by a person convicted of a domestic violence related crime or subject to an order of protection; encouraging and promoting domestic violence education and training for employees; and holding accountable employees who misuse state resources or authority or violate their job duties in committing an act of domestic violence.

5. Each state agency, when it issues its Domestic Violence and the Workplace policy, shall provide a copy of that policy to OPDV, and shall notify OPDV of any subsequent modifications of the policy.

6. OPDV shall:

a. provide consultation and technical assistance to each state agency in the development and implementation of its Domestic Violence and the Workplace policy, either upon the agency's request or at the initiative of OPDV upon review of the policy as submitted by the agency;

b. receive and maintain copies of the Domestic Violence and the Workplace policies as issued and modified by the various state agencies;

c. collaborate with supervisory personnel, employee assistance professionals, human resources personnel, law enforcement agencies, unions, and security staff in the design and development of training and materials; and

d. prepare and submit to the Governor, no later than October 1, 2009, a report regarding the implementation of this order.

7. Every state agency shall cooperate with OPDV and furnish such information and assistance as OPDV determines is reasonably necessary to accomplish the purposes of this order.



BY THE GOVERNOR

A handwritten signature in cursive script, appearing to read "Richard B. Ryan".

Secretary to the Governor

G I V E N under my hand and the
Privy Seal of the
State in the City of
Albany this twenty-
second day of October
in the year two
thousand seven.

A handwritten signature in cursive script, appearing to read "Christ".