



State of New York

Executive Chamber

No. 31

EXECUTIVE ORDER

COMMITTING NEW YORK STATE TO BECOMING A MODEL EMPLOYER FOR PEOPLE WITH DISABILITIES

WHEREAS, New York has 2,359,842 people with disabilities, 1,137,516 are between the ages of 18-64, only 419,234 of them are employed;

WHEREAS, nearly one-third of people with disabilities live in poverty in New York State, versus 13% for those without a disability;

WHEREAS, the number of people with disabilities living in the community who are employed is 36.9%, versus 73.8% of their non-disabled peers;

WHEREAS, in February 2022, I established the Office of the Chief Disability Officer to advocate on behalf of persons with disabilities;

WHEREAS, it is critical that New York State serve as a model employer that is committed to increasing the participation of people with disabilities in state service and ensuring equal access to opportunities;

WHEREAS, the State of New York has a vested interest in eliminating barriers to employment for all New Yorkers;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York, do hereby commit New York State to become a model employer for people with disabilities and do hereby direct as follows:

A. Definitions

1. "State Agency" shall have the same meaning as that term in Section 74 of Public Officers Law.
2. "State officers and employees" shall have the meaning given to "officer or employee of a state agency" in Section 74 of the Public Officers Law.

B. Policy Statement

1. The State of New York shall establish best practices to reduce, and eventually eliminate, the gap between working people with disabilities and working people without disabilities, as well as endeavor to increase recruitment, hiring, retention, and the career advancement of people with disabilities in the State workforce.

C. Responsibilities

1. Each State agency within the State of New York shall, in collaboration with the Office of the Chief Disability Officer (CDO), develop an annual plan at the agency. The plan shall detail the steps the agency will take to improve the hiring of people with disabilities and disability inclusiveness, as well as improve the percentage of people with disabilities hired at each agency. These plans shall be submitted to the CDO six months from the effective date of this order, and updated annually thereafter.
2. The CDO shall collect data from each state agency on an annual basis, based on voluntary self-disclosure, and shall also report, to the best of its ability, an initial baseline number of employees with disabilities within the state workforce. The CDO shall report and evaluate the state's progress on improving the employment rate of State employees with disabilities annually, beginning 18 months after the issuance of this order.
3. The CDO, in collaboration with the Division of Human Rights, the Office of Employee Relations, and the Department of Civil Service, shall advise all agencies on disability policy and compliance with state and federal disability rights laws to support all agencies related to recruitment, hiring, advancement and

retention of employees with disabilities, and training of state employees and managers on disability-related issues.

4. Each state agency shall utilize best efforts and practices, with the support of the CDO, to recruit, hire, retain, and promote career advancement of individuals with disabilities, and to adopt best practices and strategies that will promote the recruitment, hiring, advancement and retention of employees with the most significant disabilities including the use of supported employment, individual placement with support services, customized employment, the civil service sections 55/b and 55/c programs, internships, and job shadowing.
5. The CDO, in cooperation with the Office of Information Technology Services, Office of Employee Relations, and Department of Civil Service shall review the State's web-based hiring portal for accessibility for applicants with disabilities.
6. The CDO, in cooperation with ACCES-VR and the Commission for the Blind, shall seek opportunities to partner with their private sector partners to match individuals with disabilities to private sector jobs.

D. Training

1. The CDO, in collaboration with the Division of Human Rights, the Office of Language Access, the Office of Employee Relations, and the Department of Civil Service, shall develop a disability awareness training to build and sustain a culture of inclusion in the workplace; said training shall include discussion of rights to reasonable accommodation in the workplace. The CDO and these agencies shall develop and implement training to ensure that human resources and hiring managers are provided training in disability rights, hiring, and workplace policies, and best practices that promote a diverse and inclusive workforce and issue clear, written directives prohibiting discrimination against qualified individuals with disabilities. The Office of Employee Relations shall ensure that such training is made available to State agencies covered by this EO.
2. All officers and employees of a state agency who are new to state service shall participate in a training within sixty days of commencing their employment, effective immediately upon completion of training materials. Every officer and employee of a state agency shall participate in this training every three years following their initial training session pursuant to this order, however, officers and employees of a state agency who work in the Executive Chamber shall participate in a training every two years following their initial training session pursuant to this order.

E. Agency Disability Contacts

1. The Director or Commissioner of each state agency shall, within 30 days of this order, designate an employee or employees who will be responsible for overseeing the development, implementation, monitoring, and evaluation of strategies to recruit, hire, retain, and promote career advancement of people with disabilities, and who will serve as a contact person for the Office of the Chief Disability Officer, ACCES-VR, the Commission for the Blind, and other organizations that represent job seekers with disabilities.
2. Each agency's disability contact shall make best efforts to utilize the resources, services, and funding available through ACCES-VR and the Commission for the Blind for work-based learning experiences, internships, and trainings for high school and college students with disabilities including youth with significant disabilities.

F. Consultation

1. The CDO shall ensure continued development and implementation of policies adopted to meet the goals of this Executive Order in consultation with the Office for People with Developmental Disabilities, the Office of Mental Health, the Department of Labor, the Department of Civil Service, ACCES-VR, the Commission for the Blind and other organizations that represent job seekers with disabilities.

G. Construction

1. This Executive Order shall not be construed to require any state employee or candidate for state employment to disclose disability status involuntarily. This order shall not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of New York, its departments, agencies, or entities, its officers, employees or agents, or any other person.



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

Kathy Hochul

BY THE GOVERNOR

[Signature]
Secretary to the Governor