



FILED
STATE RECORDS

MAR 11 2025

DEPARTMENT OF STATE

State of New York

Executive Chamber

No. 47.3

EXECUTIVE ORDER

DECLARING A DISASTER EMERGENCY IN THE STATE OF NEW YORK AND ORDERING INTO ACTIVE SERVICE THE NEW YORK NATIONAL GUARD TO ASSIST AUTHORITIES IN GUARANTEEING PUBLIC PROPERTY AT VARIOUS CORRECTIONAL FACILITIES

WHEREAS, on February 19, 2025, I issued Executive Order 47 declaring a State Disaster Emergency in the State of New York arising from an illegal and unlawful strike by correction officers that began on February 17, 2025, and has continued thereafter;

WHEREAS, New York State Civil Service Law Section 210, known as the Taylor Law, strictly prohibits strikes by public employees and deems any such strike illegal. This prohibition safeguards the continuity of vital public services and upholds public trust in government operations. Those correction officers participating in this strike are willfully violating New York State law as well as a temporary restraining order of the Supreme Court of the State of New York, issued on February 19, 2025;

WHEREAS, Subdivision 4 of Section 50 of New York State Civil Service Law authorizes the disqualification of applicants for civil service employment who have previously been dismissed from public service for misconduct, or otherwise separated under circumstances demonstrating misconduct;

WHEREAS, New York State is committed to the fair and merit-based hiring of public employees, and to ensuring that all individuals appointed to State Service uphold the law and their oath of public office. Individuals participating in illegal strikes have willfully violated the Taylor Law and an order of the Supreme Court of the State of New York by engaging in misconduct that undermines the public trust, demonstrates disregard for the law, disrupts public services, and is inconsistent with suitability for public service roles; and

WHEREAS, it is therefore necessary to establish a State policy barring the hiring of individuals participating in this illegal and unlawful strike and recommending their separation from State service be reported as a removal for cause, consistent with State law and applicable regulations;

NOW THEREFORE, I, Kathy Hochul, by virtue of the authority vested in me by the Constitution and laws of the State of New York, do here by direct as follows:

- The Department of Corrections and Community Supervision shall, upon the separation of any employee: (i) immediately investigate such employee's involvement in the illegal and unlawful strike; (ii) pursuant to Executive Law 845(2)(b) and 9 NYCRR 6056, promptly report to the New York State Central Registry of Police and Peace Officers maintained by the Division of Criminal Justice Services the separation from service of any individual employed by the Department of Corrections and Community Supervision as a peace officer who is found to have participated in the illegal and unlawful strike as a removal for cause; and (iii) report any employee who is found to have participated in the illegal and unlawful strike to the Office of Employee Relations;
- All New York State agencies shall, as a part of their process to determine if an applicant is eligible to be hired, determine whether an applicant was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such applicant's participation in the illegal and unlawful strike;
- All New York State agencies shall, as part of any background investigation, determine whether the individual being investigated was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike;

- No New York State agency shall hire or appoint any individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike. This prohibition applies to all appointments in the classified service of the State, as well as any hires in the unclassified service where Civil Service Law provisions apply; and
- Within three days of this directive, where applicable, the Office of Employee Relations, in consultation with the Department of Civil Service, shall issue guidance to all New York State agencies on how to integrate the above requirements into their hiring practices; and

FURTHER, by virtue of the authority vested in me by Section 29-a of the Executive Law, I hereby extend and continue the suspensions and modifications contained in Executive Orders 47 through 47.2 and hereby temporarily suspend or modify the following laws, for the period from the date of this Executive Order through April 9, 2025:

- Subdivisions one and four of section 70 of the Civil Service Law are suspended and modified to the extent necessary to prohibit the transfer and change of title of any permanent employee who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike;
- Articles 5, 17, and section 450 of the County Law, and any ordinances, local laws, resolutions, rules and regulations adopted to implement such statutes are suspended and modified to the extent necessary to prohibit the appointment, transfer, and promotion of any individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike;
- Articles 2, 3, and 4 of the Municipal Home Rule Law, and any local laws, resolutions, rules and regulations adopted to implement such statutes, are suspended and modified to the extent necessary to prohibit the appointment, transfer, and promotion of any individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike;
- Articles 6 and 20 of the Correction Law, and any ordinances, local laws, resolutions, rules and regulations adopted to implement such statutes are suspended and modified to the extent necessary to prohibit the appointment, transfer, and promotion of any individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike; and
- Section 2.30(6) of the Criminal Procedure Law is suspended and modified to the extent necessary to prohibit a certificate attesting to satisfactory completion of training requirements to continue to remain valid after the interruption of service of an individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike.



GIVEN under my hand and the Privy Seal of
the State in the City of Albany this
10th day of March in the year two
thousand twenty-five.

Ruth Hochul

BY THE GOVERNOR

[Signature]

Secretary to the Governor