



# State of New York

## Executive Chamber

No. 183

### EXECUTIVE ORDER

#### PROTECTING THE PERSONAL PRIVACY OF PUBLIC SECTOR WORKERS

**WHEREAS**, the labor movement was born in New York State more than a century ago, when, in the wake of the Triangle Shirtwaist Factory fire New York became the first state to enact laws protecting workers; and

**WHEREAS**, the labor movement continues to thrive in New York, which today boasts the highest rate of union membership in the country — more than double the national rate;

**WHEREAS**, as the voice of working people, labor built the middle class and advanced the great progressive achievements that we take for granted today — victories such as the Social Security Act, the Fair Labor Standards Act establishing the 40-hour work week, setting a minimum wage and prohibiting child labor, the Equal Pay Act banning gender wage discrimination, and the Occupational Safety and Health Act; and

**WHEREAS**, across New York State and this country, workers' personal information such as their home addresses and cell phone numbers, are being used to attack, harass, and intimidate them; and

**WHEREAS**, although today's decision by the United States Supreme Court in *Janus v AFSCME* attempts to undermine worker safety and privacy, New York State will not subject public sector workers to the abuse of their personal information as part of a campaign to harass and intimate workers for any reason, including engaging in union activities or looking to unionize.

**NOW, THEREFORE, I, ANDREW M. CUOMO**, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and laws of the State of New York, do hereby order as follows:

#### A. Definitions

"State entity" shall mean (i) all agencies and departments over which the Governor has executive authority, and (ii) all public benefit corporations, public authorities, boards, and commissions, for which the Governor appoints the Chair, the Chief Executive, or the majority of Board members, except for the Port Authority of New York and New Jersey.

B. Responsibilities of State Entities

No State entity, including any of its officers or employees, shall disclose: (a) the home address(es), personal telephone number(s), personal cell phone number(s), personal e-mail address(es) of a public employee, as the term "public employee" is defined in Article 14 of the Civil Service Law, except (i) to an employee organization that, in accordance with Article 14 of the Civil Service Law, is the certified or recognized bargaining representative of a unit of public employees; (ii) to a bona fide employee organization that, in accordance with Article 14 of the Civil Service Law, is legitimately seeking to be certified or recognized as bargaining representative of a unit of public employees solely for purposes of aiding such employee organization in obtaining certification or recognition; or (iii) to the extent compelled to do so by lawful service of process, subpoena, court order, or as otherwise required by law. This order shall not apply to work-related, publicly available information such as title, salary, and dates of employment.



GIVEN under my hand and the Privy Seal of the  
State in the City of Albany this twenty-  
seventh day of June in the year two  
thousand eighteen.

BY THE GOVERNOR

*M. C.*  
Secretary to the Governor

*Adrian*