



## Legislation Text

**File #:** Res 0983-2003, **Version:** \*

Res. No. 983

Resolution calling upon the New York State Department of Labor and the New York State Occupational Safety and Health Hazard Abatement Board to promptly implement meaningful and enforceable safety standards in order to prevent violence in the workplace.

By Council Members Comrie, Rivera, Katz, de Blasio, Quinn, Sears, Perkins, Espada, Jr., Reed, Avella, Fidler, Serrano, Jackson, Seabrook, Clarke, Sanders, Dilan, Monserrate, Gentile, Gerson, Jennings, Gonzalez, Recchia, Baez and The Speaker (Council Member Miller), Council Members Addabbo, Gioia, Koppell, Liu, Martinez, McMahon, Nelson, Stewart and Weprin (in memory of Council Member Davis)

Whereas, Public sector workers of the City of New York may be at risk of violence in the workplace as a result of hazardous working conditions and the failure to properly protect workers from unnecessary and preventable incidents of violence at work; and  
Whereas, Working conditions in many agencies of the City of New York may be unsafe due to a number of factors, including lack of security, isolated work environments, an absence of a clear policy regarding the handling of violent clients, poor reporting systems, inadequate or non-existent alarm systems and fear of possible retribution by management for reporting incidents; and  
Whereas, The lack of a legal definition of what constitutes workplace violence results in finding fault with respect to the parties involved, instead of addressing the incident as an occupational hazard; and  
Whereas, Strengthening policies regarding workplace violence would help to better inform employers and employees about maintaining a secure worksite, thereby improving compliance with appropriate standards to help ensure the safety of hundreds of thousands of public sector workers in New York City; and  
Whereas, Furthermore, implementing a cohesive policy regarding workplace violence, rather than following a patchwork of policies that may vary depending on a particular agency or administration, would increase worker safety; and  
Whereas, Previous steps to prevent workplace violence through collective bargaining, joint labor management committees and voluntary security policies, although resulting in some improvements at certain worksites, have not fully achieved adequate safety in New York City workplaces; and  
Whereas, New York State Labor Law gives the Commissioner of the State Department of Labor the authority to adopt safety and health standards to provide reasonable and adequate protection of the lives, safety and health of public employees; and  
Whereas, The New York State Department of Labor and the Public Employee Safety and Health Bureau should adopt security measure reforms applicable to all City agencies and include mandated responsibilities for employers, centralized reporting of incidents and strengthened remedies and penalties; and  
Whereas, The New York State Occupational Safety and Health Hazard Abatement Board, which may recommend safety and health standards in accordance with State Labor Law, recently held a public hearing on the need for a proposed standard to address workplace violence, and should promptly set a date for the follow-up set of hearings to discuss the content of such a standard; and  
Whereas, Since the Triangle Shirtwaist fire at the beginning of the last century, New York City and New York State has had a proud bipartisan tradition of being at the forefront of improving worker safety, and this legacy must continue; and  
Whereas, Council Member James E. Davis, our friend, colleague and the proud representative of District 35 in Brooklyn, stood for peace, fought to eradicate violence in New York City and supported the passage of this Resolution he planned to introduce on July 23, 2003, but did not due to his untimely passing, which would address the issue of workplace violence; now, therefore, be it  
Resolved, That the Council of the City of New York calls upon the New York State Department of Labor and the New York State Occupational and Hazard Abatement Board to promptly implement a meaningful and enforceable safety standard in order to prevent violence in the workplace.

LS#2730  
LP/DB