

Inter-County Association of Western New York

% Steuben County Legislature, 3 East Pulteney Square, Bath, New York 14810

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Representing the Counties of Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming, and Yates

RESOLUTION NO. 009-25

CALLING FOR THE IMMEDIATE RESCINDING AND REVERSAL OF THE NEW YORK STATE GOVERNOR’S EXECUTIVE ORDER NO. 47.3 PROHIBITING COUNTIES FROM HIRING TERMINATED NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION (NYS DOCCS) INDIVIDUALS

WHEREAS, counties throughout New York State have experienced significant staffing shortages for county employees; and

WHEREAS, on February 17, 2025, Corrections Officers employed by the State of New York Department of Corrections and Community Supervision engaged in labor strikes, contending that conditions in New York State prisons were unsafe for such employees; and

WHEREAS, the Governor of the State of New York has fired thousands of New York State Corrections Officers and other employees, contending that the labor strikes are unlawful; and

WHEREAS, counties through New York State have received several applications for employment from current and former New York State Corrections Officers who, among other reasons for applying, seek to continue to serve and protect the community in an environment appreciative of their sacrifice and commitment to public safety and welfare; and

WHEREAS, on March 10, 2025, the Governor of the State of New York issued an Executive Order, No. 47.3 (“Executive Order 47.3”), which seeks to punish striking New York Department of Corrections and Community Supervision employees—and to chill such labor strikes—by imposing strict, punitive, and arbitrary barriers on their ability to obtain future employment, without affording such employees due process of law and in violation of the New York State Constitution and statutes, such barriers including, in relevant part: (a) asserting *ipse dixit* that employees who have separated from service under the foregoing circumstances have been removed “for cause,” and requiring such “for cause” status to be reported to the New York State Central Registry of Police and Peace Officers, hindering their ability to be hired in the future in law enforcement, corrections, and related fields; (b) suspending and modifying County Law Articles 5 (General Powers of Boards of County Supervisors), 17 (County Sheriffs), and Section 450 (Powers of the Chairmen of the Boards of Supervisors) to prohibit the appointment, transfer, and promotion in County positions of persons separated from State employment under the above-described circumstances; (c) suspending and modifying the Municipal Home Rule Law to bar the appointment, transfer and promotion by local governments of persons separated from State employment under the above-described circumstances; and (d) suspending and modifying other statutes in order to prohibit and bar future employment of persons separated from State employment under the above-described circumstances; and

WHEREAS, Executive Order 47.3 is an abuse of authority and discretion, and unlawfully intrudes upon the County’s powers of Home Rule secured by Article IX of the New York State Constitution, and illegally impacts the hiring efforts on all levels of government; and

WHEREAS, this overreaching executive order unjustly punishes Corrections Officers by wrongfully preventing them from gaining future employment. These former Corrections Officers are members of our community and counties should be able to decide who they hire and the reasons for said hire.

NOW THEREFORE, BE IT

RESOLVED, the Inter-County Association of Western New York, representing 2.9 million citizens in the State of New York, hereby calls for the immediate rescinding and reversal of the New York State Governor's Executive Order No. 47.3 Prohibiting Counties From Hiring Terminated New York State Department Of Corrections and Community Supervision (NYS DOCCS) Individuals; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Honorable Kathy Hochul, New York State Governor; all members of the NYS Senate; all members of the NYS Assembly; and the New York State Association of Counties.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted by the Inter-County Association of Western New York while in session in Genesee County on the 21st day of March 2025.

Dated: April 2, 2025
Bath, New York



Amanda L. Chapman, Secretary
Inter-County Association of Western New York