



MEMORANDUM

March 13, 2025

TO: Directors of Human Resources

FROM: Michael N. Volforte   
Director

SUBJECT: OER Memorandum 2025-05  
Executive Order 47.3 Implementation

On March 10, 2025, Governor Hochul issued Executive Order 47.3 directing the establishment of a State policy barring New York State agencies from hiring any individual who was previously employed by the Department of Corrections and Community Supervision (DOCCS) and thereafter separated from such employment in connection with their participation in the illegal 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. The purpose of this memorandum is to detail the process by which employers subject to Executive Order 47.3 will verify whether individuals previously employed by the Department of Corrections and Community Supervision separated from employment as a result of their participation in the illegal strike.

Pursuant to Executive Order 47.3, all New York State agencies shall, as part of their process to determine if an applicant is eligible to be hired and as part of any background investigation, determine whether the individual was separated as a result of their participation in the illegal strike. Therefore:

- Agencies must determine whether an applicant was a Correction Officer or Correction Sergeant employed by DOCCS at any point during the period February 17, 2025 through March 10, 2025.
- Should it be determined that the applicant was a Correction Officer or Correction Sergeant at any point during the period above, your agency must contact DOCCS for a determination as to whether the applicant separated from employment as a result of their participation in the illegal strike. Please send such inquiries via email to [LaborRelations@doccs.ny.gov](mailto:LaborRelations@doccs.ny.gov). Please use the subject line “job action employment check” followed by the name of the applicant. DOCCS will furnish the required determination promptly.
- Agencies shall not make an offer of employment to an individual deemed to have separated as a result of their participation in the illegal strike. Ideally, agencies should request this

determination from DOCCS prior to scheduling interviews with applicants who were a Correction Officer or Correction Sergeant during the period February 17, 2025 through March 10, 2025.

Future updates to this process will be provided as necessary.

MNV/td

cc: Directors of Labor Relations