

STATE OF NEW YORK

1484

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

Introduced by M. of A. PERRY -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to ordering a temporary cost of living increase to employees after a court grants an injunction in response to a strike

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision (d) of section 213 of the civil service law, as
2 amended by chapter 503 of the laws of 1971, is amended to read as
3 follows:

4 (d) In a proceeding to enforce or review an order of the board, the
5 court shall have power to grant such temporary relief or restraining
6 order as it deems just and proper, and to make and enter a judgment or
7 decree enforcing, modifying and enforcing as so modified, or setting
8 aside in whole or in part the order of the board. If such court orders
9 injunctive relief at the request of the employer, such court shall also
10 order a temporary cost of living increase in salary to be paid by the
11 employer to the employees until an employment contract is finalized. For
12 purposes of this subdivision, such temporary cost of living increase
13 shall be calculated as the greater of either the current rate of
14 inflation as determined by the consumer price index as computed by the
15 federal bureau of labor statistics or the average rate of inflation
16 during the employees' most recent contract period; or, in the alterna-
17 tive, at a rate determined by such court. Such cost of living increase
18 shall not be binding on the final negotiated contract.

19 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD04879-01-1