

STATE OF NEW YORK

6866

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to court confirmation of arbitration awards for public sector arbitrations

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

1 Section 1. Section 7510 of the civil practice law and rules is amended
2 to read as follows:

3 § 7510. Confirmation of award. The court shall confirm an award upon
4 application of a party made within one year after its delivery to [~~him~~]
5 ~~them~~, unless the award is vacated or modified upon a ground specified in
6 section [~~7511~~] seventy-five hundred eleven of this article.

7 § 2. The civil practice law and rules is amended by adding a new
8 section 7510-a to read as follows:

9 § 7510-a. Confirmation of award for public sector arbitrations. (a)
10 The court shall confirm an award in a public sector arbitration proceed-
11 ing upon application of a party made within one year after its delivery
12 to the party, unless an application to vacate or modify the award upon a
13 ground specified in section seventy-five hundred eleven of this article
14 is made within ninety days after the delivery of the award to the party
15 seeking to modify or vacate.

16 (b) This section shall only apply to awards from an arbitration
17 between a public employer and an employee of the public employer.

18 (c) For the purposes of this section, "public employer" means (i) the
19 state of New York, (ii) a county, city, town, village or any other poli-
20 tical subdivision or civil division of the state, (iii) a school
21 district or any governmental entity operating a public school, college
22 or university, (iv) a public improvement or special district, (v) a
23 public authority, commission, or public benefit corporation, (vi) any
24 other public corporation, agency or instrumentality or unit of govern-
25 ment which exercises governmental powers under the laws of the state, or

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

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1 (vii) in the case of a county sheriff's office in those counties where
2 the office of sheriff is an elected position, both the county and the
3 sheriff, shall be designated as a joint public employer for all purposes
4 of this article.

5 § 3. This act shall take effect immediately.