

# STATE OF NEW YORK

2264

2025-2026 Regular Sessions

## IN SENATE

January 16, 2025

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to resolution of disputes in the course of collective negotiations

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

1 Section 1. Paragraph (a) of subdivision 5 of section 209 of the civil  
2 service law, as amended by chapter 814 of the laws of 2021, is amended  
3 to read as follows:

4 (a) In the event that the board certifies that a voluntary resolution  
5 of the contract negotiations between either (i) the New York city trans-  
6 it authority (hereinafter referred to as TA-public employer) and the  
7 public employee organization certified or recognized to represent the  
8 majority of employees of such TA-public employer, or (ii) the metropol-  
9 itan transportation authority, including its subsidiaries, the New York  
10 city transit authority, including its subsidiary, and the Triborough  
11 bridge and tunnel authority (all hereinafter referred to as MTA-public  
12 employer) and a public employee organization certified or recognized to  
13 represent employees of such MTA-public employer not subject to the  
14 jurisdiction of the Federal Railway Labor Act and not subject to the  
15 provisions of subparagraph (i) of this paragraph, which has made an  
16 election pursuant to paragraph (f) of this subdivision, or (iii) the  
17 Niagara Frontier transportation authority, including its subsidiaries,  
18 the Rochester-Genesee regional transportation authority, including its  
19 subsidiaries, the capital district transportation authority, including  
20 its subsidiaries, and the central New York regional transportation  
21 authority, including its subsidiaries, (all hereinafter referred to as  
22 upstate TA-public employer) and the public employee organization certi-  
23 fied or recognized to represent the employees of such upstate TA-public  
24 employer, cannot be effected, or upon the joint request of the TA-public  
25 employer, the MTA-public employer (hereinafter jointly referred to as

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

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1 public employer) or the upstate TA-public employer and any such affected  
2 employee organization, such board shall refer the dispute to a public  
3 arbitration panel, consisting of one member appointed by the public  
4 employer, one member appointed by the employee organization and one  
5 public member appointed jointly by the public employer and employee  
6 organization who shall be selected within ten days after receipt by the  
7 board of a petition for creation of the arbitration panel. If either  
8 party fails to designate its member to the public arbitration panel, the  
9 board shall promptly, upon receipt of a request by either party, desig-  
10 nate a member associated in interest with the public employer or employ-  
11 ee organization [~~he~~] such member is to represent. Each of the respective  
12 parties is to bear the cost of its member appointed or designated to the  
13 arbitration panel and each of the respective parties is to share equally  
14 the cost of the public member. If, within seven days after the mailing  
15 date, the parties are unable to agree upon the one public member, the  
16 board shall submit to the parties a list of qualified, disinterested  
17 persons for the selection of the public member. Each party shall alter-  
18 nately strike from the list one of the names with the order of striking  
19 determined by lot, until the remaining one person shall be designated as  
20 public member. This process shall be completed within five days of  
21 receipt of this list. The parties shall notify the board of the desig-  
22 nated public member. The public member shall be chosen as [~~chairman~~]  
23 chair.

24 § 2. This act shall take effect immediately; provided, however, that  
25 the amendments to paragraph (a) of subdivision 5 of section 209 of the  
26 civil service law made by section one of this act shall not affect the  
27 expiration of such subdivision and shall be deemed to expire therewith.