

2954

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 22, 2009

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

AN ACT to amend the administrative code of the city of New York, in  
relation to the composition of the board of trustees of the New York  
city employees' retirement system

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph 5 of subdivision b of section 13-103 of the  
2 administrative code of the city of New York is amended to read as  
3 follows:  
4     5. (a) [Three] FOUR employee representatives, who shall each be enti-  
5 tled to cast one vote. The chief executive officer of each of the  
6 [three] FOUR employee organizations designated as [herein] provided IN  
7 THIS SUBDIVISION shall be one of such representatives.  
8     (b) On or before July first of the year in which this subparagraph  
9 shall take effect, the director of labor relations of the city (or other  
10 officer performing the same or similar functions under another title)  
11 shall, by instrument in writing filed in his or her office and with the  
12 board, designate (I) the three employee organizations which represent,  
13 for the purposes of collective bargaining on pension matters, the larg-  
14 est number of employees who are members of the retirement system, AND  
15 (II) THE EMPLOYEE ORGANIZATION WHICH REPRESENTS, FOR THE PURPOSES OF  
16 COLLECTIVE BARGAINING ON PENSION MATTERS, THE LARGEST NUMBER OF  
17 UNIFORMED EMPLOYEES WHO ARE MEMBERS OF THE RETIREMENT SYSTEM. Such  
18 designation shall be reviewed annually by such director or other offi-  
19 cer, and if such review discloses a change in the standing of the  
20 employee organizations concerned, such designation shall thereupon be  
21 revised by him or her to specify the [three] FOUR such organizations  
22 having the leading representational status as [hereinabove] prescribed  
23 IN THIS SUBPARAGRAPH.

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

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1 (c) Any such employee representative may, by written authorization  
2 filed with the board, designate one or more persons to act in the place  
3 of such member on such board in the event of the absence of such member,  
4 provided, however, that the by-laws or constitution of the organization  
5 of which he or she is chief executive officer authorize such desig-  
6 nation.

7 (d) Each act of such board shall be by a resolution adopted by at  
8 least [three] FOUR and [three-fifths] ONE-FIFTH votes. The concurrence  
9 of one employee representative and one non-employee representative  
10 member or members entitled to one vote shall be necessary for an act of  
11 such board. A quorum of such board shall consist of members entitled to  
12 cast at least [three] FOUR and [three-fifths] ONE-FIFTH votes.

13 S 2. This act shall take effect immediately.