S T A T E O F N E W Y O R K

3540

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. PERRY -- Multi-Sponsored by -- M. of A. CLARK, COOK, DIAZ, GLICK, HOOPER, McENENY, ORTIZ, J. RIVERA, TOWNS, WRIGHT -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to contracts for employment in law enforcement agencies

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

Section 1. The labor law is amended by adding a new section 211-b to read as follows:

S 211-B. CONTRACTS; LAW ENFORCEMENT AGENCIES; CERTAIN PROVISIONS PROHIBITED. NO CONTRACT, COVENANT, AGREEMENT OR UNDERSTANDING IN, OR IN CONNECTION WITH OR COLLATERAL TO AN AGREEMENT OR CONTRACT FOR EMPLOYMENT IN ANY LAW ENFORCEMENT AGENCY IN THIS STATE SHALL CONTAIN ANY PROVISION OR LANGUAGE WHICH PERMITS ANY EMPLOYEE OF SUCH AGENCY WHO IS INVOLVED IN AN INCIDENT, WHICH IS OR MAY BECOME THE SUBJECT OF A DEPARTMENTAL OR AGENCY INVESTIGATION OR DISCIPLINARY PROCESS, TO REFUSE TO COOPERATE WITH OR SPEAK TO AGENCY OR DEPARTMENT OFFICIALS FOR A DESIGNATED PERIOD OF TIME FOLLOWING SUCH INCIDENT. ANY SUCH LANGUAGE OR PROVISION WHICH PURPORTS TO CREATE SUCH A PERIOD OF TIME DURING WHICH AN EMPLOYEE IS NOT REQUIRED TO REPORT AN INCIDENT OR DURING WHICH SUCH EMPLOYEE MAY NOT BE SUBJECT TO QUESTIONING BY AGENCY OFFICIALS SHALL BE DEEMED VOID AS AGAINST PUBLIC POLICY.

S 2. This act shall take effect immediately and shall apply to all contracts entered into, renewed, modified or amended on or after such date.

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

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