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

2433

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

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

AN ACT to amend the civil service law, in relation to the resolution of disputes in the course of collective negotiations for employees of the Triborough Bridge and Tunnel Authority who are employed as bridge and tunnel officers

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

Section 1. Paragraph (d) of subdivision 5 of section 209 of the civil service law, as added by chapter 929 of the laws of 1986, is amended to read as follows:

(d) Such panel shall make a just and reasonable determination of matters in dispute. In arriving at such determination, the panel shall specify the basis for its findings, taking into consideration, in addition to any other relevant factors, the following:

(i) comparison of the wages, hours, fringe benefits, conditions and characteristics of employment of the public employees involved in the impasse proceeding with the wages, hours, fringe benefits, conditions and characteristics of employment of other employees performing similar work and other employees generally in public or private employment in New York city or comparable communities;

(ii) the overall compensation paid to the employees involved in the impasse proceeding, including direct wage compensation, overtime and premium pay, vacations, holidays and other excused time, insurance, pensions, medical and hospitalization benefits, food and apparel furnished, and all other benefits received;

(iii) the impact of the panel's award on the financial ability of the public employer to pay, on the present fares and on the continued provision of services to the public;

(iv) changes in the average consumer prices for goods and services, commonly known as the cost of living;

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

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(v) the interest and welfare of the public; [and]

(vi) FOR EMPLOYEES OF THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY WHO ARE EMPLOYED AS BRIDGE AND TUNNEL OFFICERS AND ARE DESIGNATED AS PEACE OFFICERS PURSUANT TO SUBDIVISION TWENTY OF SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW, SHALL USE COMPARISON OF PECULIARITIES IN REGARD TO OTHER TRADES OR PROFESSIONS, INCLUDING SPECIFICALLY, (1) HAZARDS OF EMPLOYMENT; (2) PHYSICAL QUALIFICATIONS; (3) EDUCATIONAL QUALIFICATIONS; (4) MENTAL QUALIFICATIONS; AND (5) JOB TRAINING AND SKILLS; AND

(VII) such other factors as are normally and customarily considered in the determination of wages, hours, fringe benefits and other working conditions in collective negotiations or impasse panel proceedings.

S 2. This act shall take effect immediately; provided that the amendments to paragraph (d) of subdivision 5 of section 209 of the civil service law made by section one of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.