

6867

2013-2014 Regular Sessions

I N   A S S E M B L Y

April 23, 2013

---

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

AN ACT to amend the state finance law, in relation to establishing  
employee representative participation on the city of New York deferred  
compensation plan board

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

1     Section 1. Subdivision 5 of section 5 of the state finance law, as  
2     amended by chapter 768 of the laws of 1984, is amended as follows:  
3     5. Should a public employer elect to provide or elect to participate  
4     in a deferred compensation plan for employees otherwise eligible to  
5     participate in the plan, employees in a negotiating unit represented by  
6     an employee organization which negotiates pursuant to article fourteen  
7     of the civil service law shall not be permitted to participate under the  
8     provisions of this section until such time as such participation is  
9     authorized pursuant to a collectively negotiated agreement between the  
10    public employer and the employee organization; provided, however, that  
11    the public employer need only negotiate whether or not such employees  
12    shall be included in such plan. NOTWITHSTANDING THE OTHER PROVISIONS OF  
13    THIS SECTION, THE BOARD OF ANY DEFERRED COMPENSATION PLAN ESTABLISHED BY  
14    THE CITY OF NEW YORK SHALL INCLUDE AN EQUAL NUMBER OF EMPLOYER AND UNION  
15    REPRESENTATIVES. THE UNION REPRESENTATIVES SHALL BE SELECTED BY THE  
16    CHAIR OF THE MUNICIPAL LABOR COMMITTEE AS THAT TERM IS DEFINED BY SUBDI-  
17    VISION K OF SECTION 12-303 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW  
18    YORK. ANY ACT OF THE BOARD SHALL BE APPROVED BY A MAJORITY OF MEMBERS.  
19    THE CONCURRENCE OF ONE UNION REPRESENTATIVE AND ONE EMPLOYER REPRESENTATIVE SHALL BE NECESSARY FOR ANY ACT OF SUCH BOARD.  
20    S 2. This act shall take effect immediately.

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

LBD10427-02-3