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

8040

I N S E N A T E

June 7, 2016

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the civil practice law and rules, in relation to arbitration awards in consumer and employment disputes

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

Section 1. Section 7507 of the civil practice law and rules, as amended by chapter 952 of the laws of 1981, is amended to read as follows:

S 7507. Award; form; time; delivery. (A) Except as provided in section 7508, the award shall be in writing, signed and affirmed by the arbitrator making it within the time fixed by the agreement, or, if the time is not fixed, within such time as the court orders.

(B) IN A MATTER INVOLVING A CONSUMER DISPUTE, PURSUANT TO SECTION THREE HUNDRED NINETY-NINE-C OF THE GENERAL BUSINESS LAW, OR AN EMPLOYMENT DISPUTE BETWEEN AN EMPLOYER AND EMPLOYEE, AS DEFINED IN SECTION THREE OF THE FAIR LABOR STANDARDS ACT OF 1938 (29 U.S.C. S 203), WHERE ARBITRATION WAS HELD PURSUANT TO A CONTRACT, THE AWARD SHALL STATE THE ISSUES IN DISPUTE AND SHALL CONTAIN THE ARBITRATOR'S FINDINGS OF FACT AND CONCLUSIONS OF LAW. SUCH AWARD SHALL CONTAIN A DECISION ON ALL ISSUES SUBMITTED TO THE ARBITRATOR. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY TO AGREEMENTS NEGOTIATED WITH ANY LABOR UNION THROUGH COLLECTIVE BARGAINING.

(C) The parties may in writing extend the time either before or after its expiration. A party waives the objection that an award was not made within the time required unless he OR SHE notifies the arbitrator in writing of his OR HER objection prior to the delivery of the award to him OR HER.

(D) The arbitrator shall deliver a copy of the award to each party in the manner provided in the agreement, or, if no provision is so made, personally or by registered or certified mail, return receipt requested.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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