STATE OF NEW YORK

8929

IN ASSEMBLY

January 8, 2018

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

AN ACT to amend the civil service law, in relation to requiring the president of the civil service commission to prepare and deliver a triennial report relating to current programs within each state agency that allow for alternative work schedules or flexible work hours

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 7 of section 7 of the civil service law, as added by a chapter of the laws of 2017, amending the civil service law, relating to requiring the president of the civil service commission to prepare and deliver a biennial report relating to current programs within each state agency that allow for alternative work schedules or flexible work hours, as proposed in legislative bills numbers S. 5811A and A. 7634A, is amended to read as follows:

7. The president, [~~in coordination~~] with the **assistance of the** office of information technology services **as needed**, shall prepare a [~~biennial~~] report on or before the first day of [~~September beginning~~] September two thousand eighteen **and every three years thereafter** to be issued to **the governor,** the speaker of the assembly, the temporary president of the senate, the minority leader of the assembly, and the minority leader of the senate. Such report shall detail current programs within state agencies that allow for alternative work schedules or flexible work hours, the positive and negative experiences for agencies in utilizing alternative work schedules or flexible work hours, whether legal or practical reasons affect the ability to offer such schedules, and any existing plans agencies may have for [~~expanding or contracting~~] **altering schedule** options available to employees. The president shall compile input from agencies **selected** pursuant to this subdivision, and each agency shall provide all available information upon request to the president. [~~However, no plan regarding alternative work schedules or flexible work hours shall be implemented and cannot be enforced with regard to employees represented by a bargaining unit unless and until such plan is implemented through a collective bargaining agreement.~~] The president

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

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[~~shall~~] **may** also include [~~an analysis on any findings of~~] **information about** best practices among **selected** agencies [~~and whether agencies can adopt additional practices to provide alternative schedules or flexible work hours~~]. **Nothing set forth in this section shall be construed to impede, infringe or diminish the rights and benefits that accrue to employees and employers through collective bargaining agreements, or otherwise diminish the integrity of the collective bargaining relationship.** For purposes of this subdivision, "alternative work schedules or flexible work hours" shall mean an ongoing schedule modification that applies to more than one employee in a described business unit[~~; alternative~~]**. Alternative** work schedules **or flexible work hours** shall not include voluntary reduction in work schedule agreements and individualized work schedules.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2017, amending the civil service law, relating to requiring the president of the civil service commission to prepare and deliver a biennial report relating to current programs within each state agency that allow for alternative work schedules or flexible work hours, as proposed in legislative bills numbers S. 5811A and A. 7634A, takes effect.