

STATE OF NEW YORK

8182--A

Cal. No. 542

IN SENATE

January 31, 2022

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the civil service law, in relation to irreparable injury, loss or damage and injunctive relief

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

1 Section 1. Paragraph (a) of subdivision 4 of section 209-a of the
2 civil service law, as added by chapter 695 of the laws of 1994, is
3 amended to read as follows:

4 (a) A party filing an improper practice charge under this section may
5 petition the board to obtain injunctive relief, pending a decision on
6 the merits of said charge by an administrative law judge, upon a showing
7 that: (i) there is reasonable cause to believe an improper practice has
8 occurred, and (ii) where it appears that immediate and irreparable inju-
9 ry, loss or damage will result thereby rendering a resulting judgment on
10 the merits ineffectual necessitating the maintenance of, or return to,
11 the status quo to provide meaningful relief. For the purposes of this
12 subdivision, "irreparable injury, loss or damage" shall include, but not
13 be limited to loss of employment, actions that adversely affect the
14 health or welfare, or permanent loss of an employee right or privilege
15 established pursuant to a collective bargaining agreement to the extent
16 and in the same manner that such "irreparable injury, loss or damage"
17 would be the ground for a preliminary injunction under section sixty-
18 three hundred one of the civil practice law and rules.

19 § 2. This act shall take effect immediately; provided, however, that
20 the amendments to paragraph (a) of subdivision 4 of section 209-a of the
21 civil service law made by section one of this act shall not affect the
22 repeal of such subdivision and shall be deemed repealed therewith.

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

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