STATE OF NEW YORK

10425

IN ASSEMBLY

May 18, 2022
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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Abbate) -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law and the labor law, in relation to clarifying the vesting of retiree health insurance within collective bargaining agreements

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

1   Section 1. The civil service law is amended by adding a new section
2 157-a to read as follows:
3   *§ 157-a. Admissibility of extrinsic evidence in cases related to reti-*
4 *ree health insurance. Whenever a collective bargaining agreement between*
5 *an employee organization and a public employer, as those terms are used*
6 *in this chapter, refers to a health insurance benefit for retired*
7 *employees, extrinsic evidence shall be admissible and the court or other*
8 *forum may consider such evidence to determine whether the parties to*
9 *that agreement intended for that retiree health insurance benefit to*
10 *vest in the retirees beyond the durational term of the collective*
11 *bargaining agreement and, if so, to what extent and scope.*
12   § 2. The labor law is amended by adding a new section 702-c to read as
13 follows:
14   *§ 702-c. Admissibility of extrinsic evidence in cases related to*
15 *retiree health insurance. Whenever a collective bargaining agreement*
16 *between a labor organization and an employer refers to a health insur-*
17 *ance benefit for retired employees, extrinsic evidence shall be admissi-*
18 *ble and the court or other forum may consider such evidence to determine*
19 *whether the parties to that agreement intended for that retiree health*
20 *insurance benefit to vest in the retirees beyond the durational term of*
21 *the collective bargaining agreement and, if so, to what extent and*
22 *scope.*
23   § 3. This act shall take effect immediately.