

STATE OF NEW YORK

10425

IN ASSEMBLY

May 18, 2022

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 Assem-
bly, 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.

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

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