

# STATE OF NEW YORK

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9823

## IN ASSEMBLY

April 19, 2022

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

AN ACT to amend the civil service law, in relation to prohibiting retro-  
active minimum conditions of employment

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 54-a to read as follows:

3 § 54-a. Retroactive minimum conditions of employment. Notwithstanding  
4 any provision of law to the contrary, the state or any political subdi-  
5 vision or authority thereof shall not retroactively apply new minimum  
6 qualifications or conditions of employment for any civil service posi-  
7 tion. The employment of an employee who met the minimum qualifications  
8 or conditions for employment at the time of appointment may not be  
9 terminated or separated from service based on any new qualifications or  
10 conditions of employment enacted after the date of appointment to such  
11 civil service position. Any employee terminated or separated from  
12 service in violation of this section shall be reinstated to service and  
13 deemed to have been in continuous service for all purposes.

14 § 2. This act shall take effect immediately and shall be deemed to  
15 have been in effect on and after March 16, 2020.

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

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