

STATE OF NEW YORK

7355

2021-2022 Regular Sessions

IN SENATE

August 30, 2021

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the civil service law, in relation to prohibiting public employers from taking disciplinary action against public employees in certain cases

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

1 Section 1. Subdivision 2 of section 75-b of the civil service law is
2 amended by adding a new paragraph (b) to read as follows:

3 (b) A public employer shall not dismiss or take other disciplinary or
4 other adverse personnel action against a public employee if such public
5 employee is elected or appointed to represent the employee organization
6 or its members or communicates or offers commentary on matters of public
7 concern or matters affecting the employee organization or its members.

8 § 2. Section 75-b of the civil service law is amended by adding a new
9 subdivision 3-a to read as follows:

10 3-a. It shall be an affirmative defense in any disciplinary or other
11 adverse personnel action against a public employee if such public
12 employee is elected or appointed to represent the employee organization
13 or its members, communicates or offers commentary on matters of public
14 concern or matters affecting the employee organization or its members.

15 § 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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