STATE OF NEW YORK

3755

2023-2024 Regular Sessions

IN ASSEMBLY

February 7, 2023

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

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

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

Section 1. The civil service law is amended by adding a new section 54-a to read as follows:

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

§ 2. This act shall take effect immediately and shall be deemed to 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.

LBD07881-01-3