STATE OF NEW YORK

3767--B

2023-2024 Regular Sessions

IN ASSEMBLY

February 7, 2023

Introduced by M. of A. PHEFFER AMATO, EACHUS -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil service law, in relation to employee representation of state employees designated managerial or confidential

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

Section 1. Section 208 of the civil service law is amended by adding a new subdivision 4-a to read as follows:

4-a. (a) Within thirty days of a public employee who is designated as managerial or confidential pursuant to subdivision seven of section two hundred one of this article first being employed or reemployed by a public employer, or within thirty days of being promoted or transferred within the existing employing agency or a new employing agency, the public employer shall notify an organization that advocates for managerial or confidential employees, as such employees are designated pursuant to subdivision seven of section two hundred one of this article, of such employee's name, address, job title, employing agency, department or other operating unit, and work location; and

(b) Within thirty days of providing notice in paragraph (a) of this subdivision, a public employer shall allow a duly appointed representative of the organization that advocates for managerial or confidential employees, as such employees are designated pursuant to subdivision seven of section two hundred one of this article, to meet with such employee for a reasonable amount of time during such employee's work time without charge to leave credits, unless otherwise specified within

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

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an existing agreement, policy or procedure currently existing for public employees who are designated managerial or confidential, provided, however, that the arrangements for such meeting must be scheduled in consultation with a designated representative of the public employer; and

(c) Upon the request of the organization that advocates for managerial or confidential employees, as such employees are designated pursuant to subdivision seven of section two hundred one of this article, and if the public employer conducts new employee orientations, the public employer shall provide an organization that advocates for managerial or confidential employees, as such employees are designated pursuant to subdivision seven of section two hundred one of this article, mandatory access to such new employee orientations. Such organization shall receive not less than ten days' notice in advance of an orientation, except that a shorter notice may be provided in a specific instance where there is an urgent need critical to the employer's operations that was not reasonably foreseeable to provide such notice. The structure, time, and manner of exclusive representative access shall be determined through mutual agreement between such organization and the employer.

§ 2. This act shall take effect immediately.