STATE OF NEW YORK

6866

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to court confirmation of arbitration awards for public sector arbitrations

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

Section 1. Section 7510 of the civil practice law and rules is amended to read as follows:

§ 7510. Confirmation of award. The court shall confirm an award upon application of a party made within one year after its delivery to [~~him~~] **them**, unless the award is vacated or modified upon a ground specified in section [~~7511~~] **seventy-five hundred eleven of this article**.

§ 2. The civil practice law and rules is amended by adding a new section 7510-a to read as follows:

§ 7510-a. Confirmation of award for public sector arbitrations. (a) The court shall confirm an award in a public sector arbitration proceeding upon application of a party made within one year after its delivery to the party, unless an application to vacate or modify the award upon a ground specified in section seventy-five hundred eleven of this article is made within ninety days after the delivery of the award to the party seeking to modify or vacate.

(b) This section shall only apply to awards from an arbitration between a public employer and an employee of the public employer.

(c) For the purposes of this section, "public employer" means (i) the state of New York, (ii) a county, city, town, village or any other political subdivision or civil division of the state, (iii) a school district or any governmental entity operating a public school, college or university, (iv) a public improvement or special district, (v) a public authority, commission, or public benefit corporation, (vi) any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the state, or

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

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(vii) in the case of a county sheriff's office in those counties where the office of sheriff is an elected position, both the county and the sheriff, shall be designated as a joint public employer for all purposes of this article.

§ 3. This act shall take effect immediately.