

STATE OF NEW YORK

6759

2025-2026 Regular Sessions

IN ASSEMBLY

March 12, 2025

Introduced by M. of A. WOERNER, PHEFFER AMATO, BRONSON, LUNSFORD, McMAHON -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to establishing a correctional employee protective labor practices board

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

1 Section 1. The labor law is amended by adding a new article 37 to read
2 as follows:

ARTICLE 37

PROTECTIVE LABOR PRACTICES FOR STATE CORRECTIONAL EMPLOYEES

3
4 Section 1045. Correctional employee protective labor practices board.

5 § 1045. Correctional employee protective labor practices board. 1.
6 Establishment. The commissioner shall hereby convene a state correction-
7 al employee protective labor practices board, hereinafter "board". The
8 board shall be comprised of thirteen members, the commissioner of labor
9 or their designee who shall act as chairperson, the commissioner of the
10 department of corrections and community supervision or their designee, a
11 representative of the labor union representing correctional officers, a
12 representative of the labor union representing correctional lieutenants,
13 a representative of the labor union representing correctional profes-
14 sional employees, a representative of the labor union representing
15 correctional administrative and nonprofessional staff, a representative
16 of the correctional association of New York, two members appointed by
17 the state senate majority, one member appointed by the state senate
18 minority, two members appointed by the state assembly majority and one
19 member appointed by the state assembly minority. Members appointed by
20 the legislature shall have relevant professional or lived experience.
21 The members of the board shall not receive a salary or other compen-
22 sation but shall be paid actual and necessary traveling expenses while
23 engaged in the performance of their duties.

24
25 2. Organization. Three-quarters of the members of the board shall
26 constitute a quorum. The chairperson may from time to time formulate
27 rules governing the manner in which the board shall function and perform
28 its duties under this article.

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

LBD10465-01-5

1 3. Functions, powers and duties. (a) Within forty-five days of the
2 appointment of the board, the board shall conduct public hearings. The
3 board shall only meet within the state and must hold at least three
4 hearings at which the public will be afforded an opportunity to provide
5 comments. At least one Spanish language interpreter shall be present at
6 each public hearing to interpret oral testimony delivered in Spanish.
7 Any materials advertising such hearings shall be bilingual in English
8 and Spanish.

9 (b) The board shall have the power to administer oaths and to require
10 by subpoena the attendance and testimony of witnesses, and the
11 production of all books, records, and other evidence relative to any
12 matters under inquiry. Such subpoenas shall be signed and issued by the
13 chairperson of the board and shall be served and have the same effect as
14 if issued out of the supreme court. The board shall have power to cause
15 depositions of witnesses residing within or without the state to be
16 taken in the manner prescribed for like depositions in civil actions in
17 the supreme court. The board shall not be bound by common law or statu-
18 tory rules of procedure or evidence.

19 (c) The board shall consult with correctional employees and their
20 respective representatives, with incarcerated individuals, and with such
21 other persons, including the commissioners of health, mental health, and
22 office of addiction services and support, as it shall determine.
23 Notwithstanding any inconsistent provision of law, members of the board
24 may enter any state correctional facility to tour the facility and
25 interview correctional employees and incarcerated individuals, with at
26 least three days' advance notice to the department of corrections and
27 community services.

28 (d) The board shall review regulations, policies and procedures of the
29 department of corrections and community supervision and evaluate levels
30 of staffing, overtime practices, the effect of recent correctional
31 facility closures on the correctional workforce, and any other aspect of
32 the operation of correctional facilities relating to labor practices,
33 working conditions and institutional safety of both correctional employ-
34 ees and incarcerated individuals.

35 (e) The board shall consider evidence-based best practices utilized in
36 correctional facilities of other states and countries in making its
37 recommendations pursuant to this section.

38 (f) Nothing contained in the board's report or recommendations made
39 pursuant to this section shall diminish or limit any rights,
40 protections, benefits or entitlements currently available to any correc-
41 tional employee.

42 4. Report. The board shall make a report to the governor and the
43 legislature, including its recommendations regarding labor practices and
44 working conditions for correctional employees, and institutional safety
45 of both correctional employees and incarcerated individuals. The report
46 and recommendations of the board shall be submitted only after a vote of
47 not less than a majority of all its members in support of such report
48 and recommendations. Such report shall be submitted no later than
49 September thirtieth, two thousand twenty-six.

50 5. Regulations. The commissioner of the department of corrections and
51 community supervision shall issue new regulations, policies and proce-
52 dures in keeping with the recommendations of the board to the extent
53 practicable by March thirty-first, two thousand twenty-seven.

54 § 2. This act shall take effect immediately.