

STATE OF NEW YORK

6055

2025-2026 Regular Sessions

IN SENATE

March 5, 2025

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to implementing equal employment opportunity and affirmative action for classified civil service positions in the service of the state

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

1 Section 1. Article 2 of the civil service law is amended by adding a
2 new title A-1 to read as follows:

3 TITLE A-1

4 STATE EQUAL EMPLOYMENT OPPORTUNITY

5 Section 13. Statement of policy.

6 13-a. Definitions.

7 13-b. Equal employment opportunity; duties of president.

8 13-c. Executive committee for affirmative action.

9 13-d. Development and implementation of affirmative action
10 programs.

11 13-e. Affirmative action advisory council.

12 § 13. Statement of policy. It shall be the policy of this state that
13 equal employment opportunity be afforded to all persons in and seeking
14 to enter state service, and that affirmative action be provided in the
15 administration of this chapter, in accordance with the requirements of
16 the human rights law (article fifteen of the executive law) and the
17 mandates of Title VII of the federal Civil Rights Act. Accordingly, it
18 shall be the responsibility of the department to enforce the state's
19 policy of ensuring full and equal employment for minorities, women,
20 persons with disabilities and veterans at all classified positions of
21 state service.

22 § 13-a. Definitions. For the purposes of this title:

23 1. "Advisory council" shall mean the affirmative action advisory coun-
24 cil established by section thirteen-e of this title.

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

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1 2. "Executive committee" shall mean the executive committee for affir-
2 mativ e action established by section thirteen-c of this title.

3 3. "State agency" shall have the same meaning as is ascribed to such
4 term by subdivision eleven of section three hundred ten of the executive
5 law, and any public authority or public benefit corporation established
6 pursuant to statute.

7 4. "Veteran" shall have the same meaning as is ascribed to such term
8 pursuant to section one of the veterans' services law.

9 § 13-b. Equal employment opportunity; duties of president. The presi-
10 dent shall:

11 1. issue rules and regulations for the preparation of annual state
12 agency affirmative action plans, and annual statewide goals and objec-
13 tives for the employment of minorities, women, persons with disabilities
14 and veterans. In addition, the department shall provide staff and
15 personnel for the development of comprehensive statewide affirmative
16 action rules, regulations, policies, goals, objectives and implementa-
17 tion strategies;

18 2. in consultation with the executive committee, monitor the implemen-
19 tation of the written affirmative action plans of state agencies on a
20 continuing basis, including the need for revising or amending such
21 plans, and report to the governor and the legislature on a quarterly
22 basis on the progress of incorporating its recommendations for improving
23 and strengthening such plans;

24 3. upon a finding of substantial noncompliance by a state agency with
25 the requirements of this title, notify such agency of such finding and
26 propose a remedial plan of action. The state agency shall, within thirty
27 days of receipt of such notification, either accept the president's
28 remedial plan or submit an alternative remedial plan that is acceptable
29 to the president. If the state agency fails to comply with such require-
30 ment, the president may assume responsibility for the implementation of
31 a remedial plan of action until they are satisfied that the state agency
32 will implement such plan;

33 4. annually prepare and submit to the governor and the legislature a
34 report of the composition of the workforce in state service for each
35 state agency by sex and ethnicity for all job categories, salary grades
36 and civil service classifications. The president shall also conduct
37 studies to identify and resolve problems in eliminating underrepresenta-
38 tion and underutilization of minorities, women, persons with disabili-
39 ties and veterans, and promulgate, amend and/or repeal any rules and
40 regulations necessary to ensure equal employment opportunity for minori-
41 ties, women, persons with disabilities and veterans. Furthermore, the
42 president shall make recommendations to the governor and the legislature
43 relating to the adoption or amendment of laws for the same purpose; and

44 5. in consultation with the executive committee, review existing and
45 proposed procedures for the abolition of positions and reductions in the
46 state's workforce, and make recommendations designed to minimize the
47 effects of such procedures on women, minorities, persons with disabili-
48 ties and veterans.

49 § 13-c. Executive committee for affirmative action. 1. There is hereby
50 established in the department an executive committee for affirmative
51 action. The executive committee shall be composed of the following
52 members:

53 (a) the president, who shall be the chair of the executive committee;

54 (b) the commissioner of human rights, who shall be the vice-chair of
55 the executive committee;

56 (c) the secretary to the governor;

1 (d) the appointments secretary to the governor;
2 (e) the secretary of state;
3 (f) the director of the budget;
4 (g) the commissioner of labor;
5 (h) the director of employee relations;
6 (i) the director of the division for women;
7 (j) the chair of the state commission on quality of care and advocacy
8 for persons with disabilities; and
9 (k) the state director of veterans' affairs.

10 2. The executive committee shall advise the governor and legislature,
11 and assist the president in the formulation and coordination of plans,
12 policies and programs relating to affirmative action in state agencies
13 and in ensuring effective implementation of such policies, plans and
14 programs.

15 3. Upon the written request of the executive committee, the head of a
16 state agency shall appear before such committee and report in person on
17 their agency's affirmative action program. The executive committee
18 shall schedule such an appearance by the head of each state agency, and
19 each such head shall provide the executive committee with any such data,
20 information and reports as such committee shall request prior to the
21 agency head's appearance.

22 § 13-d. Development and implementation of affirmative action programs.

23 1. Each state agency shall develop a written affirmative action program,
24 which shall include the development of specific goals and timetables for
25 the prompt achievement of full and equal employment opportunity for
26 minorities, women, persons with disabilities and veterans. Each program
27 shall include an analysis of previous agency action to increase employ-
28 ment opportunities for the members of such groups. Every program shall
29 be submitted to the president on or before June first, two thousand
30 twenty-six and every third year thereafter. The president shall review
31 and evaluate each program submitted and, where necessary, shall provide
32 assistance to state agencies in improving and implementing such
33 programs.

34 2. The head of each state agency shall designate an employee as the
35 agency's full-time affirmative action officer, and shall report the name
36 of such affirmative action officer to the president and the executive
37 committee. Every affirmative action officer shall report directly to the
38 head of the state agency who appointed them and shall be provided by the
39 state agency with such staff as shall be necessary to perform their
40 duties. The number and level of staff shall be based on such factors as
41 agency size, complexity, need for affirmative action and monies appro-
42 priated therefor.

43 3. Annually, on or before March first, each state agency shall submit
44 a report to the executive committee and the president on affirmative
45 action. Every such report shall be in a format established by the presi-
46 dent and include information on the agency's employment actions with
47 respect to minorities, women, persons with disabilities and veterans.
48 The report of each state agency shall identify that agency's achieve-
49 ments, deficiencies, proposed solutions to problems, the need for
50 external assistance and such other information as may be appropriate or
51 requested.

52 4. Every state agency shall cooperate with the president and the exec-
53 utive committee to provide any information, data and reports that may be
54 requested from time to time.

55 5. The division for women, the division of veterans' affairs, the
56 state commission on quality of care and advocacy for persons with disa-

1 bilities and any other state agency designated by the governor shall
2 assist the president and the other state agencies to comply with the
3 provisions of this title, by providing expertise and guidance in their
4 areas of special sensitivity and concern.

5 § 13-e. Affirmative action advisory council. 1. There is hereby estab-
6 lished in the department an affirmative action advisory council. The
7 members of the advisory council shall be the state agency affirmative
8 action officers appointed pursuant to subdivision two of section thir-
9 teen-d of this title. The meetings and proceedings of the advisory coun-
10 cil shall be conducted pursuant to by-laws adopted by its members,
11 subject to the approval of the president.

12 2. The advisory council shall advise the president on all existing and
13 proposed policies, procedures, practices and programs relating to or
14 affecting affirmative action.

15 3. The advisory council shall submit a quarterly report on its activ-
16 ities to the president.

17 § 2. This act shall take effect immediately.