

STATE OF NEW YORK

4950

2025-2026 Regular Sessions

IN ASSEMBLY

February 10, 2025

Introduced by M. of A. FALL -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to employees covered under certain provisions relating to laborers, workers or mechanics

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

1 Section 1. Subdivision 8-d of section 220 of the labor law, as amended
2 by chapter 767 of the laws of 1984, is amended and a new subdivision 1-a
3 is added to read as follows:

4 1-a. Any use of the term "workmen" in this section shall be deemed to
5 mean "workers" as used in the definition under paragraph (b) of subdivi-
6 sion 8-d of this section.

7 8-d. (a) Notwithstanding any inconsistent provision of this chapter or
8 of any other law, in a city of one million or more, where a majority of
9 laborers, [~~workmen~~] workers or mechanics in a particular civil service
10 title are members of an employee organization which has been certified
11 or recognized to represent them pursuant to the provisions of article
12 fourteen of the civil service law or a local law enacted thereunder, the
13 public employer and such employee organization shall in good faith nego-
14 tiate and enter into a written agreement with respect to the wages and
15 supplements of the laborers, [~~workmen~~] workers or mechanics in the
16 title. If the parties fail to achieve an agreement, only the employee
17 organization shall be authorized to file a single verified complaint
18 pursuant to subdivision seven herein, on behalf of the laborers, [~~work-~~
19 ~~men~~] workers or mechanics so represented. Such employee organization
20 shall be the sole and exclusive representative of such laborers, [~~work-~~
21 ~~men~~] workers or mechanics at any hearing pursuant to subdivision eight
22 herein, and shall be the sole complainant in the proceeding for all
23 purposes therein, including review pursuant to article seventy-eight of
24 the civil practice law and rules. Service by the fiscal officer on the
25 employee organization shall be sufficient notice to the laborers, [~~work-~~

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

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1 ~~men~~] workers or mechanics so represented for all purposes of subdivision
2 eight herein, except that the issuance and enforcement of subpoenas
3 shall be regulated by the civil practice law and rules. Any order,
4 compromise, or settlement determining the issues raised upon such a
5 proceeding, which has not been taken up for review by the employee
6 organization, shall be binding upon the laborers, [~~workmen~~] workers or
7 mechanics represented by the employee organization. Nothing herein shall
8 be construed to limit the rights of any laborer, [~~workman~~] worker or
9 mechanic who has on file a verified complaint prior to the effective
10 date of this subdivision.

11 (b) For the purposes of this section, the phrase "laborers, workers or
12 mechanics" shall include, but not be limited to, employees of a public
13 passenger ferry system employed as United States coast guard-licensed
14 officers or in any position for which a United States coast guard offi-
15 cer license, endorsement or credential is required by law or by the
16 relevant civil service job specifications. Such laborers, workers or
17 mechanics, through their employee organization(s), shall have, as an
18 alternative to pursuing a prevailing rate determination from the rele-
19 vant fiscal officer, the right to invoke and pursue collective bargain-
20 ing impasse procedures available to other employees of their employer,
21 and such laborers, workers and mechanics shall also have the right to
22 invoke and pursue any administrative or other proceedings, to pursue
23 charges or other types of claims or complaints, and to seek remedies
24 that are available to other employees of their employer pursuant to any
25 relevant local collective bargaining, civil service, labor or personnel
26 law, rules or regulations for the resolution or remedying of the employ-
27 er's failure to bargain in good faith or other unfair or improper labor
28 practices. Any use of the term "workmen" in this section shall be
29 deemed to mean "workers" as used in the definition under this paragraph.

30 § 2. This act shall take effect immediately.