STATE OF NEW YORK

5912--A

Cal. No. 149

2025-2026 Regular Sessions

IN ASSEMBLY

February 24, 2025

Introduced by M. of A. BORES, COLTON, DeSTEFANO, GIBBS, ZINERMAN -- read once and referred to the Committee on Governmental Employees -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the civil service law, in relation to requiring exit surveys for resigning employees

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

Section 1. This act shall be known and may be cited as the "improve civil service working conditions act".

§ 2. The civil service law is amended by adding a new section 159-e to read as follows:

§ 159-e. Exit surveys and interviews. 1. For purposes of this section, the following terms shall have the following meanings:

a. "Resigning employee" means an employee who has provided notice of resignation from employment in the state civil service but does not include a retiring employee.

b. "Retiring employee" means an employee who has provided notice of retirement from employment in the state service.

c. "State agency" shall have the same meaning as defined in paragraph a of subdivision one of section two hundred one of the executive law.

2. No later than January first, two thousand twenty-eight, each agency shall provide to the department copies of any exit surveys or policies that such state agency administers in relation to resigning or retiring employees.

3. Upon consideration of any exit surveys or policies received from agencies pursuant to subdivision two of this section, the president shall create a comprehensive exit survey and interview protocol for resigning employees and retiring employees. Such survey and interview protocol shall include, but not be limited to: a. questions designed to elicit details regarding the quality of the employee's experience during their employment in state service and the employee's reasons for resigning or retiring from employment in the state service; b. basic protocols for managers that shall include, but not be limited to: (i) procedures

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

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to administer such interviews; and (ii) procedures by which resigning or retiring employees will be informed of the purpose of such interview; and c. a method by which resigning or retiring employees shall be informed that their responses to exit surveys are not subject to the freedom of information law as set forth in article six of the public officer's law.

4. a. State agencies shall offer electronic exit surveys created pursuant to subdivision three of this section to all resigning employees and retiring employees, to be completed on a voluntary basis.

b. State agencies shall make best efforts to offer to conduct exit interviews pursuant to the protocol required by subdivision three of this section to as many resigning employees and retiring employees as practicable throughout the reporting period; provided, however, that each state agency shall offer an exit interview to no fewer than thirty percent of resigning or retiring employees.

c. Exit surveys and interviews shall be offered to resigning employees or retiring employees as early as practicable following notice of resignation or retirement and, if such employee elects to participate in such survey or interview, shall be conducted on or before such employee's last day of employment.

5. No later than March thirtieth, two thousand twenty-nine and by March thirtieth annually thereafter, the department shall submit to the governor, the speaker of the assembly, and the temporary president of the senate:

a. a copy of the comprehensive exit survey and interview protocol required by subdivision three of this section; and

b. a report regarding responses from exit surveys and interviews administered during the reporting period pursuant to this section. Such report shall include, but need not be limited to:

(i) The following information on resigning employees and retiring employees for the prior calendar year, disaggregated by state agency, civil service title, business title, title classification, managerial status, as applicable, and status as resigning employee or retiring employee:

(1) The number of such employees;

(2) The number of such employees who were offered to complete an exit survey;

(3) The number of such employees who were offered an exit interview;

(4) The number of such employees who completed an exit survey; and

(5) The number of such employees who completed an exit interview.

(ii) A summary and analysis of information obtained from exit surveys and interviews administered to resigning employees and retiring employees in the prior calendar year. Such summary and analysis shall make best efforts to address the reasons for resignation or retirement given by surveyed and interviewed employees, which may include, but are not limited to: career change; decision to pursue further education; remote work policies; leave policies; caregiving responsibilities; wages and other compensation; conflict with colleagues; conflict with management; perceived unsafe working conditions; concerns about possible harassment or discrimination; workload; loss of city residency; and commute time.

§ 3. Individual responses to exit surveys collected pursuant to section 159-e of the civil service law shall be exempt from the Freedom of Information Law as set forth in article 6 of the public officers law.

§ 4. This act shall take effect immediately.