STATE OF NEW YORK

8415

2025-2026 Regular Sessions

IN ASSEMBLY

May 14, 2025

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

AN ACT to amend the labor law, in relation to the applicability of the New York state labor relations act

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

Section 1. Section 715 of the labor law, as amended by chapter 890 of the laws of 1968, is amended to read as follows:

§ 715. Application of article. **1.** The provisions of this article shall not apply to: [~~(1)~~]

(a) employees of any employer who concedes to and agrees with the board that such employees are subject to and protected by the provisions of the national labor relations act or the federal railway labor act; **provided, however, that the provisions of this article shall apply to affected employees upon or after the effective date of the chapter of the laws of two thousand twenty-five that amended this section or the date when any of the following events occur:**

(i) in the event that the national labor relations board:

(1) declines jurisdiction over any employer, employees, trade or industry;

(2) determines that any of such provisions fall outside the scope of the national labor relations act's coverage; or

(3) cannot execute its statutory duties for reasons including but not limited to a lack of quorum; or

(ii) in the event that:

(1) the national labor relations act is repealed or otherwise narrowed so that it no longer covers a certain type, class, or industry of workers; or

(2) the preemptive effect of the national labor relations act is no longer effective; or [~~(2)~~]

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

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(b) employees of the state or of any political or civil subdivision or other agency thereof.

2. In the event that subparagraph (i) or (ii) of paragraph (a) of subdivision one of this section become controlling, the board shall, upon application, promptly certify the exclusive bargaining representative of any bargaining unit previously certified by the national labor relations board and whose certification remained in effect until federal preemption was no longer effective. The board shall establish rules and procedures for the prompt verification of evidence of a certification formerly granted by the national labor relations board, which shall include the procedure for petitioning the board, and which shall further provide that, absent exceptional cause, the verification procedure shall last not longer than thirty days after the petition is filed with the board. All existing terms and conditions of employment between a formerly national labor relations board-certified exclusive bargaining representative and an employer shall remain in full force and effect through the board's verification process.

§ 2. This act shall take effect immediately.