

STATE OF NEW YORK

10301

IN SENATE

May 12, 2026

Introduced by Sen. RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to judicial review of final decisions of the public employment relations board

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

1 Section 1. Subdivision 4 of section 707 of the labor law, as amended
2 by section 5 of part 0 of chapter 56 of the laws of 2010, is amended to
3 read as follows:

4 4. [~~Any person aggrieved by a final order of the board granting or~~
5 ~~denying in whole or in part the relief sought may obtain a review of~~
6 ~~such order in the supreme court of the county where the unfair labor~~
7 ~~practice in question was alleged to have been engaged in or wherein such~~
8 ~~person resides or transacts business by filing in such court a written~~
9 ~~petition praying that the order of the board be modified or set aside,~~
10 ~~or if such court be on vacation or in recess, then to the supreme court~~
11 ~~of any county adjoining the county wherein the unfair labor practice in~~
12 ~~question occurred or wherein any such person resides or transacts busi-~~
13 ~~ness. A copy of such petition shall be forthwith served upon the board,~~
14 ~~and thereupon the aggrieved party shall file in the court a transcript~~
15 ~~of the entire record in the proceeding, certified by the board, includ-~~
16 ~~ing the pleading and testimony and order of the board. Upon such filing,~~
17 ~~the court shall proceed in the same manner as in the case of an applica-~~
18 ~~tion by the board under subdivision one of this section, and shall have~~
19 ~~the same exclusive jurisdiction to grant to the board such temporary~~
20 ~~relief or restraining order as it deems just and proper, and in like~~
21 ~~manner to make and enter a decree enforcing, modifying and enforcing as~~
22 ~~so modified, or setting aside in whole or in part the order of the~~
23 ~~board, and the findings of the board as to the facts shall in like~~
24 ~~manner be conclusive.] (a) Final orders of the board made pursuant to
25 this article shall be conclusive against all parties to its proceedings
26 and persons who have had an opportunity to be parties to its proceedings
27 unless reversed or modified in proceedings for enforcement or judicial
28 review as provided under this subdivision. Final orders shall be: (i)~~

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

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1 reviewable under article seventy-eight of the civil practice law and
2 rules upon petition filed by an aggrieved party in the supreme court in
3 Albany county, within thirty days after service by electronic mail,
4 except where a party indicates that certified mail is preferred, of a
5 copy of such order upon such party in unfair labor practice proceedings,
6 and within ten days after service by electronic mail, except where a
7 party indicates that certified mail is preferred, of a copy of such
8 order upon such party in certification proceedings; and (ii) enforceable
9 in a special proceeding, upon petition of such board, to the supreme
10 court in Albany county.

11 (b) If a proceeding by the board for enforcement of its order is
12 instituted prior to the expiration of the period within which a party
13 may seek judicial review of such order, the respondent may raise in such
14 respondent's answer the questions authorized to be raised by section
15 seven thousand eight hundred three of the civil practice law and rules
16 and thereafter the proceedings shall be governed by the provisions of
17 article seventy-eight of the civil practice law and rules that are not
18 inconsistent with this subdivision, except that if an issue specified in
19 question four of section seven thousand eight hundred three of the civil
20 practice law and rules is raised, the proceeding shall be transferred
21 for disposition to the appellate division of the supreme court. Where an
22 issue specified in question four of section seven thousand eight hundred
23 three of the civil practice law and rules is raised, either in a
24 proceeding to enforce or review an order of the board, the appellate
25 division of the supreme court, upon completion of proceedings before it,
26 shall remit a copy of its judgment or order to the court in which the
27 proceeding was commenced, which court shall have the power to compel
28 compliance with such judgment or order.

29 (c) In a proceeding to enforce an order of the board, the court shall
30 have power to grant such temporary relief or restraining order as it
31 deems just and proper, and to make and enter a judgment or decree
32 enforcing, modifying and enforcing as so modified, or setting aside in
33 whole or in part the order of the board.

34 § 2. This act shall take effect immediately.