

STATE OF NEW YORK

6100

2007-2008 Regular Sessions

NYSOCPBA LEGISLATIVE
DEPARTMENT

IN SENATE

June 8, 2007

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

AN ACT to amend the civil service law, in relation to providing for binding arbitration in negotiations involving all members of the collective negotiating units designated as security services or security supervisors

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

1 Section 1. Subdivision 2 of section 209 of the civil service law, as
2 amended by chapter 694 of the laws of 2006, is amended to read as
3 follows:

4 2. Public employers are hereby empowered to enter into written agree-
5 ments with recognized or certified employee organizations setting forth
6 procedures to be invoked in the event of disputes which reach an impasse
7 in the course of collective negotiations. Such agreements may include
8 the undertaking by each party to submit unresolved issues to impartial
9 arbitration. In the absence or upon the failure of such procedures,
10 public employers and employee organizations may request the board to
11 render assistance as provided in this section, or the board may render
12 such assistance on its own motion, as provided in subdivision three of
13 this section, or, in regard to officers or members of any organized fire
14 department, or any unit of the public employer which previously was a
15 part of an organized fire department whose primary mission includes the
16 prevention and control of aircraft fires, police force or police depart-
17 ment of any county, city, town, village or fire or police district, or
18 detective-investigators employed in the office of a district attorney of
19 a county not contained within a city with a population of one million or
20 more, or in regard to any organized unit of troopers, commissioned or
21 noncommissioned officers of the division of state police, or in regard
22 to investigators, senior investigators and investigator specialists of
23 the division of state police, or in regard to members of collective

EXPLANATION--Matter in italics (underscored) is new; matter in brackets

[-] is old law to be omitted.

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1 negotiating units designated as security services and security supervi-
2 sors [~~who are police officers, who are forest ranger captains or who are~~
3 ~~employed by the state department of correctional services and are design-~~
4 ~~ated as peace officers pursuant to subdivision twenty five of section~~
5 ~~2.10 of the criminal procedure law], or in regard to members of the
6 collective negotiating unit designated as the agency law enforcement
7 services unit who are police officers pursuant to subdivision thirty-
8 four of section 1.20 of the criminal procedure law or who are forest
9 rangers, or in regard to organized units of deputy sheriffs who are
10 engaged directly in criminal law enforcement activities that aggregate
11 more than fifty per centum of their service as certified by the county
12 sheriff and are police officers pursuant to subdivision thirty-four of
13 section 1.20 of the criminal procedure law as certified by the municipal
14 police training council or Suffolk county correction officers, as
15 provided in subdivision four of this section.~~

16 § 2. The opening paragraph of subdivision 4 of section 209 of the
17 civil service law, as amended by chapter 694 of the laws of 2006, is
18 amended to read as follows:

19 On request of either party or upon its own motion, as provided in
20 subdivision two of this section, and in the event the board determines
21 that an impasse exists in collective negotiations between such employee
22 organization and a public employer as to the conditions of employment of
23 officers or members of any organized fire department, or any other unit
24 of the public employer which previously was a part of an organized fire
25 department whose primary mission includes the prevention and control of
26 aircraft fires, police force or police department of any county, city,
27 town, village or fire or police district, and detective-investigators or
28 criminal investigators employed in the office of a district attorney of
29 a county not contained within a city with a population of one million or
30 more, or as to the conditions of employment of members of any organized
31 unit of troopers, commissioned or noncommissioned officers of the divi-
32 sion of state police or as to the conditions of employment of members of
33 any organized unit of investigators, senior investigators and investi-
34 gator specialists of the division of state police, or as to the terms
35 and conditions of employment of members of collective negotiating units
36 designated as security services and security supervisors, [~~who are~~
37 ~~police officers, who are forest ranger captains or who are employed by~~
38 ~~the state department of correctional services and are designated as~~
39 ~~peace officers pursuant to subdivision twenty five of section 2.10 of~~
40 ~~the criminal procedure law,] or in regard to members of the collective
41 negotiating unit designated as the agency law enforcement services unit
42 who are police officers pursuant to subdivision thirty-four of section
43 1.20 of the criminal procedure law or who are forest rangers, or as to
44 the conditions of employment of any organized unit of deputy sheriffs
45 who are engaged directly in criminal law enforcement activities that
46 aggregate more than fifty per centum of their service as certified by
47 the county sheriff and are police officers pursuant to subdivision thir-
48 ty-four of section 1.20 of the criminal procedure law as certified by
49 the municipal police training council or Suffolk county correction offi-
50 cers, the board shall render assistance as follows:~~

51 § 3. Paragraph (f) of subdivision 4 of section 209 of the civil
52 service law, as amended by chapter 694 of the laws of 2006, is amended
53 to read as follows:

54 (f) With regard to any members of collective negotiating units desig-

55 nated as security services or security supervisors, [~~who are police~~
56 ~~officers, who are forest ranger captains or who are employed by the~~]

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/s>

1 ~~state department of correctional services and are designated as peace~~
2 ~~officers pursuant to subdivision twenty five of section 2.10 of the~~
3 ~~criminal procedure law.]~~ or in regard to members of the collective nego-
4 tiating unit designated as the agency law enforcement services unit who
5 are police officers pursuant to subdivision thirty-four of section 1.20
6 of the criminal procedure law or who are forest rangers, the provisions
7 of this section shall only apply to the terms of collective bargaining
8 agreements directly relating to compensation, including, but not limited
9 to, salary, stipends, location pay, insurance, medical and hospitaliza-
10 tion benefits; and shall not apply to non-compensatory issues including,
11 but not limited to, job security, disciplinary procedures and actions,
12 deployment or scheduling, or issues relating to eligibility for overtime
13 compensation which shall be governed by other provisions proscribed by
14 law.

15 § 4. This act shall take effect immediately; provided that the amend-
16 ments to subdivisions 2 and 4 of section 209 of the civil service law
17 made by this act shall not affect the expiration of such subdivisions
18 and shall be deemed to expire therewith.