

# STATE OF NEW YORK

4785

2007-2008 Regular Sessions

## IN SENATE

April 23, 2007

Introduced by Sens. GRIFFO, LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to providing for binding arbitration in negotiations for certain members of the security services collective bargaining unit

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 desig-  
4 nated as peace officers pursuant to subdivision twenty-five of section  
5 2.10 of the criminal procedure law, or who are security hospital treat-  
6 ment assistants in the office of mental health, or in regard to members  
7 of the collective negotiating unit designated as the agency law enforce-  
8 ment services unit who are police officers pursuant to subdivision thir-  
9 ty-four of section 1.20 of the criminal procedure law or who are forest  
10 rangers, or in regard to organized units of deputy sheriffs who are  
11 engaged directly in criminal law enforcement activities that aggregate  
12 more than fifty per centum of their service as certified by the county  
13 sheriff and are police officers pursuant to subdivision thirty-four of  
14 section 1.20 of the criminal procedure law as certified by the municipal  
15 police training council or Suffolk county correction officers, as  
16 provided in subdivision four of this section.

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

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

53 § 3. Paragraph (f) of subdivision 4 of section 209 of the civil  
54 service law, as amended by chapter 694 of the laws of 2006, is amended

55 to read as follows:

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1 (f) With regard to any members of collective negotiating units desig-  
2 nated as security services or security supervisors, who are police offi-  
3 cers, who are forest ranger captains or who are employed by the state  
4 department of correctional services and are designated as peace officers  
5 pursuant to subdivision twenty-five of section 2.10 of the criminal  
6 procedure law or who are security hospital treatment assistants in the  
7 office of mental health, or in regard to members of the collective nego-  
8 tiating unit designated as the agency law enforcement services unit who  
9 are police officers pursuant to subdivision thirty-four of section 1.20  
10 of the criminal procedure law or who are forest rangers, the provisions  
11 of this section shall only apply to the terms of collective bargaining  
12 agreements directly relating to compensation, including, but not limited  
13 to, salary, stipends, location pay, insurance, medical and hospitaliza-  
14 tion benefits; and shall not apply to non-compensatory issues including,  
15 but not limited to, job security, disciplinary procedures and actions,  
16 deployment or scheduling, or issues relating to eligibility for overtime  
17 compensation which shall be governed by other provisions proscribed by  
18 law.

19 § 4. This act shall take effect immediately; provided that the amend-  
20 ments to subdivisions 2 and 4 of section 209 of the civil service law  
21 made by sections one, two and three, respectively, of this act shall not  
22 affect the expiration of such subdivisions and shall be deemed to expire  
23 therewith.