



Legislation Text

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Res. No. 393

Resolution calling upon the New York State Legislature to pass A.06222/S.03178, which would amend the Public Employees Fair Employment Act to provide penalties for employers who fail to bargain in good faith and to mitigate penalties for employees of such employers.

By Council Member Gerson

Whereas, The Public Employees Fair Employment Act, also known as the Taylor Law, governs the labor relations of most public employees in New York State, whether employed by the State or by counties, cities, towns, villages, school districts, public authorities or certain special service districts; and

Whereas, Under the Taylor Law, public employees are forbidden to strike, and face severe penalties if they take such action; and

Whereas, The Taylor Law also mandates that employers must negotiate labor agreements in good faith, although there are no serious penalties for failing to undertake such negotiations; and

Whereas, According to a number of advocates and union representatives, the Taylor Law prohibition on employee strikes and lack of penalties assessed for the failure of an employer to negotiate in good faith has hindered the ability of employee organizations to bring their employers to the bargaining table and ensure good faith negotiations; and

Whereas, There is currently legislation in the New York State Legislature, S.3178/A.6222, which would amend the Taylor Law and aid employees in addressing these issues; and

Whereas, S.3178/A.6222 would establish a procedure for the Public Employment Relations Board (PERB) to determine whether an employer has failed to bargain in good faith; and

Whereas, S.3178/A.6222 would also provide for a continuing penalty for an employer that fails to

bargain in good faith, including an immediate salary increase of 1 percent for employees and an additional .5 percent increase every three months thereafter that such bad faith negotiations continue; and

Whereas, Additionally, this legislation would allow for a mitigation of penalties assessed against employees who violate the no strike provisions of the Taylor Law while an employer is not bargaining in good faith; and

Whereas, The duty of an employer to negotiate in good faith is an essential component to fair labor negotiations; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass A.06222/S.03178, which would amend the Public Employees Fair Employment Act to provide penalties for employers who fail to bargain in good faith and to mitigate penalties employees of such employers.

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