

VETO MESSAGE - No. 188

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 3377, entitled:

"AN ACT to amend the civil service law, in relation to mandatory arbitration"

NOT APPROVED

This bill would require the New York State Power Authority (NYPA) and its employees to submit to binding arbitration proceedings if collective bargaining negotiations reach an impasse.

Under current law, only specific entities, such as law enforcement and transportation authorities, are subject to binding arbitration. This is because binding arbitration is traditionally reserved for situations where the failure to achieve a collectively bargain solution requires the imposition of a mandatory contract to ensure labor peace and public safety.

In this instance, however, no such compelling justification for requiring binding arbitration exists. First, there will be no labor strife as NYPA employees are prohibited from initiating or participating in a strike. Second, there is no public safety concern as NYPA's power supply and transmission service is largely automated and self-sustaining, and any service interruption would be resolved quickly through other power sources. Finally, it is well-established that the collective bargaining process ensures a fair, deliberative, and fiscally sound result for both the State and its employees. Unnecessarily ceding a final decision over compensation and benefits to a third party will result in a loss of oversight and control for all involved parties. For these reasons, I am compelled to veto this bill.

The bill is disapproved.

(signed) ANDREW M. CUOMO
