

7160

I N   S E N A T E

May 1, 2014

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Introduced by Sen. HANNON -- 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 directing the granting of excused leave to public officers and public employees to undertake cancer screenings; and to repeal certain provisions of such law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 159-b of the civil service law, as amended by chap-  
2     ter 566 of the laws of 2006, subdivisions 1 and 2 as amended by chapter  
3     391 of the laws of 2008, is amended to read as follows:  
4     S 159-b. Excused leave to undertake a screening for [breast] cancer.  
5     1. Every public officer, employee of this state, employee of any coun-  
6     ty, employee of any community college, employee of any public authority,  
7     employee of any public benefit corporation, employee of any board of  
8     cooperative educational services (BOCES), employee of any vocational  
9     education and extension board, or a school district enumerated in  
10    section one of chapter five hundred sixty-six of the laws of nineteen  
11    hundred sixty-seven, employee of any municipality, employee of any  
12    school district or any employee of a participating employer in the New  
13    York state and local employees' retirement system or any employee of a  
14    participating employer in the New York state teachers' retirement system  
15    shall be entitled to absent himself or herself and shall be deemed to  
16    have a paid leave of absence from his or her duties or service as such  
17    public officer or employee of this state, employee of any county,  
18    employee of any community college, employee of any public authority,  
19    employee of any public benefit corporation, employee of any board of  
20    cooperative educational services (BOCES), employee of any vocational  
21    education and extension board, or a school district enumerated in  
22    section one of chapter five hundred sixty-six of the laws of nineteen  
23    hundred sixty-seven, employee of any municipality, employee of any  
24    school district, or any employee of a participating employer in the New  
25    York state and local employees' retirement system or any employee of a  
26    participating employer in the New York state teachers' retirement system

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

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1 for a sufficient period of time, not to exceed four hours PER CANCER  
2 SCREENING TYPE, OR THE CUMULATIVE EQUIVALENT OF TWO FULL-TIME DAYS,  
3 WHICHEVER IS LESS on an annual basis, to undertake a screening for  
4 [breast] cancer.

5 2. The entire period of the leave of absence granted pursuant to this  
6 section shall be excused leave and shall not be charged against any  
7 other leave such public officer, employee of this state, employee of any  
8 county, employee of any community college, employee of any public  
9 authority, employee of any public benefit corporation, employee of any  
10 board of cooperative educational services (BOCES), employee of any voca-  
11 tional education and extension board, or a school district enumerated in  
12 section one of chapter five hundred sixty-six of the laws of nineteen  
13 hundred sixty-seven, employee of any municipality, employee of any  
14 school district or any employee of a participating employer in the New  
15 York state and local employees' retirement system or any employee of a  
16 participating employer in the New York state teachers' retirement system  
17 is otherwise entitled to. PROVIDED, HOWEVER, THAT AN EMPLOYER MAY  
18 RESERVE THE RIGHT TO REQUIRE THAT ALL EMPLOYEES PROVIDE A WRITTEN REFER-  
19 RAL FROM A PHYSICIAN OR OTHER DULY AUTHORIZED HEALTH CARE PROVIDER.

20 [3. The provisions of this section shall not apply to any employee of  
21 a city having a population of one million or more.]

22 S 2. Section 159-c of the civil service law is REPEALED.

23 S 3. This act shall take effect on the ninetieth day after it shall  
24 have become a law; provided, however, that effective immediately, the  
25 addition, amendment and/or repeal of any rule or regulation necessary  
26 for the implementation of this act on its effective date are authorized  
27 and directed to be made and completed on or before such effective date.