S T A T E O F N E W Y O R K

1587

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. ENGLEBRIGHT, J. RIVERA, SWEENEY, TITUS, ROBINSON -- Multi-Sponsored by -- M. of A. ABBATE, CAHILL, COLTON, GREENE, PERRY, PHEFFER, TOWNS -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to paid leave to care for a parent or elder relative

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

Section 1. Legislative intent. The legislature finds and declares that there is need for wage replacement for workers who take time off from work to care for a sick or chronically ill parent or elder relative and that this need will become exacerbated as the population of senior citizens needing care increases in relation to the number of working age adults. Without adequate support, a caregiver is at risk of experiencing "caregiver burnout", a state of physical, emotional and mental exhaustion that can occur when caregivers do not get the help they need. Caregivers who are burned out often experience fatigue, stress, anxiety, and depression, causing the caregiver's personal relationships and work performance to suffer. The link between caregiver stress and their own physical and mental health problems has long been established. In order to assist and support those employees who are undertaking the challenge of caring for aged family which saves the state over eleven billion dollars per year in health care costs, the legislature hereby provides that paid leave for a period of up to thirty days shall be provided to employees of the state who are caring for a sick parent or elder relative.

S 2. The civil service law is amended by adding a new section 159-d to read as follows:

S 159-D. PAID LEAVE TO CARE FOR A PARENT OR ELDER RELATIVE. 1. AS USED IN THIS SECTION, THE TERM "PARENT" SHALL MEAN AN INDIVIDUAL WHO IS

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

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THE BIOLOGICAL OR ADOPTIVE PARENT OF A STATE OFFICER OR EMPLOYEE AND THE TERM "ELDER RELATIVE" SHALL MEAN AN INDIVIDUAL SIXTY YEARS OF AGE OR OLDER WHO IS RELATED BY BLOOD, ADOPTION OR MARRIAGE TO A STATE OFFICER OR EMPLOYEE.

2. EVERY OFFICER OR EMPLOYEE OF THE STATE WHO HAS BEEN EMPLOYED FOR MORE THAN SIX CONSECUTIVE PAYROLL PERIODS SHALL BE ENTITLED TO A MAXIMUM OF THIRTY DAYS PAID LEAVE TO CARE FOR A PARENT OR ELDER RELATIVE WITH AN ILLNESS, INJURY, IMPAIRMENT, OR PHYSICAL OR MENTAL CONDITION THAT INVOLVES INPATIENT CARE IN A HOSPITAL, HOSPICE, RESIDENTIAL HEALTH CARE FACILITY, OR CONTINUING TREATMENT OR SUPERVISION BY A HEALTH CARE PROVIDER.

3. LEAVE GRANTED UNDER THIS SECTION SHALL NOT BE CHARGED AGAINST ANY OTHER LEAVE THAT A STATE OFFICER OR EMPLOYEE IS OTHERWISE ENTITLED TO.

4. THE PRESIDENT IS HEREBY EMPOWERED TO ESTABLISH SUCH RULES OR REGULATIONS AS MAY BE REQUIRED FOR THE EFFECTIVE ADMINISTRATION OF THIS SECTION.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.