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

5588

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. OAKS, CALHOUN, HAWLEY, SCOZZAFAVA, WALKER -- Multi-Sponsored by -- M. of A. BACALLES, BARCLAY, BURLING, BUTLER, CORWIN, DUPREY, ERRIGO, FINCH, FITZPATRICK, JORDAN, KOLB, McDONOUGH, MILLER, MOLINARO, O'MARA, QUINN, RABBITT, RAIA, SAYWARD, THIELE, TOWNSEND -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to directing the granting of excused leave to civil service employees who are members of a volunteer fire department or a volunteer ambulance or rescue squad during a state of emergency

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

Section 1. The civil service law is amended by adding a new section 88 to read as follows:

S 88. EXCUSED LEAVE DURING A STATE OF EMERGENCY. 1. EVERY PERSON HOLDING A POSITION IN THE CIVIL SERVICE WHO IS A MEMBER OF A VOLUNTEER FIRE DEPARTMENT OR OF A VOLUNTEER AMBULANCE SQUAD SHALL BE ENTITLED TO ABSENT HIMSELF OR HERSELF AND SHALL BE DEEMED TO HAVE A LEAVE OF ABSENCE FROM HIS OR HER DUTIES OR SERVICE AS SUCH CIVIL SERVICE EMPLOYEE, DURING A STATE OF EMERGENCY AS DECLARED BY THE FEDERAL, THE STATE OR A MUNICIPAL GOVERNMENT, WHEN SUCH CIVIL SERVICE EMPLOYEE IS REQUIRED TO PERFORM DUTIES OR SERVICES FOR SUCH VOLUNTEER DEPARTMENT OR SQUAD AS THE RESULT OF THE STATE OF EMERGENCY.

2. THE ENTIRE PERIOD OF THE LEAVE OF ABSENCE GRANTED PURSUANT TO THIS SECTION SHALL BE EXCUSED LEAVE AND SHALL NOT BE CHARGED AGAINST ANY OTHER LEAVE SUCH CIVIL SERVICE EMPLOYEE IS OTHERWISE ENTITLED TO.

3. EVERY CIVIL SERVICE EMPLOYEE TAKING SUCH A LEAVE OF ABSENCE SHALL MAINTAIN A LOG OF ALL VOLUNTEER HOURS PERFORMED DURING THE STATE OF EMERGENCY. SUCH LOG SHALL BE SIGNED BY THE EMPLOYEE AND A LINE OFFICER OF THE VOLUNTEER ORGANIZATION, AND BE SUBMITTED TO THE EMPLOYEE'S EMPLOYER.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

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