

# STATE OF NEW YORK

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2830--A

2017-2018 Regular Sessions

## IN ASSEMBLY

January 23, 2017

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Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Governmental Employees -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 § 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

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

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1 hundred sixty-seven, employee of any municipality, employee of any  
2 school district, or any employee of a participating employer in the New  
3 York state and local employees' retirement system or any employee of a  
4 participating employer in the New York state teachers' retirement system  
5 for a sufficient period of time, not to exceed four hours on an annual  
6 basis, to undertake a screening for [~~breast~~] cancer.

7 2. The entire period of the leave of absence granted pursuant to this  
8 section shall be excused leave and shall not be charged against any  
9 other leave such public officer, employee of this state, employee of any  
10 county, employee of any community college, employee of any public  
11 authority, employee of any public benefit corporation, employee of any  
12 board of cooperative educational services (BOCES), employee of any voca-  
13 tional education and extension board, or a school district enumerated in  
14 section one of chapter five hundred sixty-six of the laws of nineteen  
15 hundred sixty-seven, employee of any municipality, employee of any  
16 school district or any employee of a participating employer in the New  
17 York state and local employees' retirement system or any employee of a  
18 participating employer in the New York state teachers' retirement system  
19 is otherwise entitled to. Provided, however, that an employer may  
20 reserve the right to require that all employees provide a written refer-  
21 ral from a physician or other duly authorized health care provider.

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 Section 159-c of the civil service law is REPEALED.

23 § 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 is authorized  
27 and directed to be made and completed on or before such effective date.