

STATE OF NEW YORK

10350--A

IN SENATE

May 14, 2026

Introduced by Sen. RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil service law, in relation to use of accrued sick time, compensation time or vacation time

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The civil service law is amended by adding a new section
2 159-e to read as follows:

3 § 159-e. Authorization to use accrued time during certain required
4 waiting periods. 1. Any public officer, employee of the state, county,
5 community college, public authority, public benefit corporation, board
6 of cooperative educational services (BOCES), vocational education and
7 extension board, or a school district enumerated in section one of chap-
8 ter five hundred sixty-six of the laws of nineteen hundred sixty-seven,
9 municipality, school district or any employee of a participating employ-
10 er in the New York state and local employees' retirement system or any
11 employee of a participating employer in the New York state teachers'
12 retirement system who is required to serve a waiting period pursuant to
13 section twelve of the workers' compensation law, or who is not receiving
14 indemnity benefits as a result of the controversion of their claim, may
15 use any accrued time, including but not limited to, sick time, compen-
16 sation time, personal time, or vacation time, during such waiting peri-
17 od. An employer shall not require an employee to utilize any accrued
18 time during such waiting period or period of controversion.

19 2. Where an employee has used accrued time, including but not limited
20 to sick time, compensation time, personal time or vacation time, and it
21 is subsequently determined that no waiting period is required, or the
22 employee is determined to have been entitled to benefits during a period
23 of controversion, the employee shall be entitled to full restoration of
24 time charged.

25 3. The provisions of this section shall not apply to any employee
26 subject to a collective bargaining agreement. An employee organization

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

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1 may, pursuant to collective bargaining, opt in to the provisions of this
2 section on behalf of those public employees it is either certified or
3 recognized to represent, within the meaning of article fourteen of this
4 chapter, or may alternatively bargain for benefits greater or less than
5 those provided for by this section. An employee organization that has
6 opted in to the provisions of this section may, pursuant to collective
7 bargaining, opt out of it if it is mutually agreed upon between the
8 employee organization and any public employer.

9 4. Nothing set forth in this section shall be construed to impede,
10 infringe or diminish the rights and benefits that accrue to employees
11 and employers through collective bargaining agreements, or otherwise
12 diminish the integrity of the collective bargaining relationship.

13 § 2. This act shall take effect immediately.