

EXCUSED LEAVE FOR CANCER SCREENING

Currently, Civil Service Law provides for 4 hours of paid leave, without charge to leave credits, for New York State employees to undergo breast and/or prostate cancer screenings. Effective March 18, 2018, the specific references in the law to “breast” and “prostate” are replaced with “cancer” screening, generally.

This change in law broadens the scope of the existing Court System leave benefit by covering all cancer screenings. The Court System will continue to provide employees with up to 4 hours of paid leave to undergo screening for breast and/or prostate cancer. This means that employees will be entitled to up to 12 hours of paid leave annually to undergo cancer screenings – 4 hours for breast cancer, 4 hours for prostate cancer and 4 hours for any other type(s) of cancer. Part-time employees are also entitled to 4 hours of paid leave for each type of screening. Travel time is included in the 4 hours. Any absence beyond the 4-hour maximum must be charged to the employee’s leave credits.

Leave for cancer screenings is provided on an annual basis and does not carry over from one calendar year to the next. However, the 4 hours may be used all at once or in increments over the course of the year. For example, if an employee uses 2 hours of paid leave to undergo breast cancer screening and the employee’s doctor requires the employee to undergo further screening/testing in the same year, the employee is entitled to 2 more hours of paid leave for this purpose. Employees who undergo cancer screenings outside their regular work hours do so on their own time and are not entitled to receive compensatory time.

“EX LV – Cancer Screening” has been added to the list of comments in Kronos and will be available for use as of March 18, 2018. The “EX LV – Breast Cancer Screening” and “EX LV – Prostate Cancer Screening” comments will continue to be active so that managers/supervisors may identify employees’ absences accordingly, i.e. excused leave for breast cancer screening, excused leave for prostate cancer screening or excused leave for any other type(s) of cancer screening.

As with excused leaves for prostate and breast cancer screening, employees should continue to request approval in advance of using this leave benefit. Approval should not be unreasonably withheld. Employees must furnish documentation to substantiate their absence for cancer screening (breast, prostate or other) upon their return to work.

Questions regarding Excused Leave for Cancer Screening may be directed to the Office of Labor Relations at (212) 428-2585.