

# APPLICATION FOR LEAVE

NAME \_\_\_\_\_ COURT/AGENCY \_\_\_\_\_ NU \_\_\_\_\_  
 (Last Name, First Name, MI)

EMPLID \_\_\_\_\_ TITLE \_\_\_\_\_

**Non-Discretionary Leaves**

	FROM	THROUGH	Type of Accrual(s) to be used
<input type="checkbox"/> Family and Medical Leave with pay	_____	_____	_____
<input type="checkbox"/> Family and Medical Leave without pay	_____	_____	_____
<input type="checkbox"/> Child Care Leave – first year	_____	_____	_____
<input type="checkbox"/> Military Leave	_____	_____	_____

**Discretionary Leaves**

	FROM	THROUGH	Type of Accrual(s) to be used
<input type="checkbox"/> Child Care Leave – extension (beyond first year)	_____	_____	_____
<input type="checkbox"/> Leave without Pay (Explain in Purpose for Leave)	_____	_____	_____
<input type="checkbox"/> Leave with Pay (Explain in Purpose for Leave)	_____	_____	_____
<input type="checkbox"/> Other Leaves (Explain in Purpose for Leave)	_____	_____	_____

**Purpose for Leave**

\_\_\_\_\_

**Employee Affirmation**

I hereby affirm that to the best of my knowledge, the information reported is accurate. I understand that the granting of such leave does not extend my employment beyond a period where it would otherwise terminate by operation of law, rule or regulation. I also understand that it is my responsibility to stay in contact with the local administrative office during my leave.

Employee Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

I am a Peace Officer and affirm that I have made the necessary arrangements to safeguard my weapon during my leave. \_\_\_\_\_  
 (Initials)

**LOCAL CHIEF CLERK OR DESIGNEE / OCA SUPERVISOR**

Approved Discretionary Leave(s)       Deny Discretionary Leave(s) (Attach Explanation)

Employee is a Peace Officer. I have reviewed this request and determined that this employee will not be able to attend annual firearms requalification. Arrangements will be made to safeguard the employee's firearms at the court/agency.

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**ADMINISTRATIVE APPROVALS**

**NYC CHIEF CLERK / DISTRICT EXECUTIVE / OCA DIRECTOR**

Employee not eligible for FMLA      Check One:  Not employed for twelve months  
 Does not have 1250 hours of paid service  
 Employee has already exhausted FMLA entitlement for calendar year

FMLA Designation has been issued for the period \_\_\_\_\_ through \_\_\_\_\_

FMLA/Child Care Leave / Military Leave approved as requested and a copy sent to the appropriate Administrative Office

FMLA/Child Care Leave/Military Leave approved with the following changes:  
 Leave Type \_\_\_\_\_ From \_\_\_\_\_ Through \_\_\_\_\_  
 Leave Type \_\_\_\_\_ From \_\_\_\_\_ Through \_\_\_\_\_

Recommend granting of discretionary leave as requested       Discretionary leave denied

Required documentation received and supports the request for leave

Not eligible for leave requested. Recommend granting the following leave type: \_\_\_\_\_ from \_\_\_\_\_ through \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**DEPUTY CHIEF ADMINISTRATIVE JUDGE / CHIEF ADMINISTRATIVE JUDGE or designee**

Discretionary leave(s) approved as recommended above

Discretionary use of accruals @ \_\_\_\_\_ % during Non-Discretionary leave approved as recommended above

Discretionary leave(s) approved with the following changes:  
 Leave Type \_\_\_\_\_ From \_\_\_\_\_ Through \_\_\_\_\_  
 Leave Type \_\_\_\_\_ From \_\_\_\_\_ Through \_\_\_\_\_

Discretionary leave denied

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

## EMPLOYEE INSTRUCTIONS-APPLICATION FOR LEAVE (UCS-48)

Use the UCS-48 when requesting the following leave types:

FMLA - Family and Medical Leave  
Extended Medical Leave  
Child Care Leave  
Military Leave  
Bar Examination Leave  
Conference/Professional Education Leave  
Bone Marrow/Organ Donation  
Leave With Pay  
Leave Without Pay

Do not use the UCS-48 when requesting the following leave types:

Workers' Compensation Leave  
Death in the Immediate Family  
Breast Cancer/Prostate Cancer Screening  
Jury Attendance/Subpoenaed Appearance  
Civil Service Examinations/Court System Interviews  
Internal Discrimination Claim  
Employee Organizational Leave  
Quarantine

### Types of Leaves

A description of the types of leaves is attached. Additional information is available in the collective bargaining agreements and the Rules of the Chief Judge and is posted on the court system's intranet. Employees are reminded that except for certain verified FMLA absences using accruals is discretionary.

### Supporting Documentation

Appropriate documentation to support the leave request must be attached to the UCS-48 when submitted. Please refer to the attached summary description of types of leaves for information regarding the documentation required. If the leave is related to a medical condition or procedure for yourself or a covered individual, specific medical forms must be completed and are available from your local administrative office.

### Steps for Completing the UCS-48

Complete Name, Employee ID, Court/Agency, Title and Negotiating Unit (NU) in the spaces provided. Check appropriate boxes corresponding to the leave or leaves requested. Indicate the start and end dates in the FROM THROUGH space provided. End date equals the last date of the leave. Indicate the Types of Accrual(s) to be used in the space provided, if applicable. Indicate the Purpose for Leave. Complete the Employee Affirmation. \*Employees who are Peace Officers must indicate by check box and initials that they have made the necessary arrangements to safeguard their weapon during their leave. Attach supporting documentation. Submit the completed form and supporting documentation to your administrative office at least six weeks in advance of the start date or as soon as practicable.

The UCS-48 is available on the court system's intranet in fillable format.

### Returning From Leave

It is recommended that you keep in touch with your administrative office while you are on an approved leave particularly if your circumstances change. Two weeks prior to the end date of your approved leave, you must contact your administrative office to discuss a plan for your return to work.

## TYPES OF LEAVES

### Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) requires the court system extend to eligible employees the right to be absent from work for certain family and medical reasons without loss of job security or group health insurance benefits for up to 12 weeks each calendar year. Eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in the National Guard or Reserves may use the 12 weeks to address certain military events. FMLA also includes a special leave that permits eligible employees to take up to 26 weeks to care for a covered service member during a single 12-month period.

The 12 weeks of leave may be paid or unpaid at the employee's option. An employee may use paid sick leave benefits including sick leave bank credits. An employee also may choose to substitute appropriate leave accruals for any of the situations covered by FMLA or opt to take FMLA leave without pay even if the employee has accrued leave credits. FMLA leave runs concurrently with certain paid or unpaid leave benefits. The employee is required to submit appropriate medical documentation.

For more information, refer to the *Guide to the FMLA Act for Nonjudicial Employees* available through your administrative office or on the court system's intranet.

### Child Care Leave

An employee who becomes the parent of a child up to four years of age, either by birth or by adoption, is entitled to child care leave without pay for up to 12 months following the birth date or date of adoption. Leave beyond this 12-month period may be granted, up to an additional 12 months, at the discretion of the appropriate administrative authority.

Prior to being placed on child care without pay, an employee may elect to charge accruals. An employee may only charge sick leave for the period of disability specified in the medical documentation. When applying for child care leave, it is important for the employee to indicate if the employee plans to use any accruals prior to taking child care leave without pay. The employee is required to submit appropriate medical documentation.

### Military Leave

An employee is generally entitled to 22 workdays or 30 calendar days (whichever is greater) of paid military leave per calendar year or period of continuous absence. An employee activated for military duty who has exhausted all other military leave benefits may be placed on a military leave without pay status. Employees may refer to sections 242 and 243 of the Military Law. The employee is required to submit a copy of the military orders.

### Bar Examination Leave

Certain employees may be granted up to two weeks leave without pay immediately preceding the scheduled date of the NYS Bar Examination subject to the operating needs of the court. The employee is required to submit supporting documentation.

### Conference/Professional Education Leave

Employees may receive up to four days of leave with pay per year to attend meetings or conferences of professional organizations, and employees in certain negotiating units may use such leave to attend continuing legal education programs or other educational seminars which are directly related to their work duties. The employee is required to submit supporting documentation.

### Bone Marrow and Organ Donor Leave

An employee is entitled to receive up to 30 days of paid leave without charge to accrual for an organ donation, and up to 7 days of paid leave for a bone marrow donation. The employee is required to submit appropriate medical documentation.

### Leave With Pay

An employee who is necessarily absent due to sickness or disability and has exhausted FMLA may apply for a leave with pay charging appropriate leave accruals. An employee also may apply for a leave with pay for non-medical reasons. Depending on the reason for the leave request, the employee is required to submit appropriate medical documentation and/or supporting documentation.

#### **Leave Without Pay**

An employee who is necessarily absent due to sickness or disability and has exhausted all sick leave credits and other options must apply for a leave without pay, otherwise, the employee is considered absent without approval which will result in removal from payroll. An employee also has the option of requesting a leave without pay even if the employee has accruals. Depending on the reason for the leave request, the employee is required to submit appropriate medical documentation and/or supporting documentation.

#### **Other Leaves**

For information regarding other types of leave with or without pay, refer to the collective bargaining agreements or the Rules of the Chief Judge.