

2013-2014 Regular Sessions

IN SENATE

February 1, 2013

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to leave for cancer screening; and repealing 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. The section heading and subdivision 1 of section 159-b of  
2 the civil service law, the section heading as amended by chapter 566 of  
3 the laws of 2006 and subdivision 1 as amended by chapter 391 of the laws  
4 of 2008, are amended to read as follows:

5 Excused leave to undertake a screening for [breast] cancer. 1. Every  
6 public officer, employee of this state, employee of any county, employee  
7 of any community college, employee of any public authority, employee of  
8 any public benefit corporation, employee of any board of cooperative  
9 educational services (BOCES), employee of any vocational education and  
10 extension board, or a school district enumerated in section one of chap-  
11 ter five hundred sixty-six of the laws of nineteen hundred sixty-seven,  
12 employee of any municipality, employee of any school district or any  
13 employee of a participating employer in the New York state and local  
14 employees' retirement system or any employee of a participating employer  
15 in the New York state teachers' retirement system shall be entitled to  
16 absent himself or herself and shall be deemed to have a paid leave of  
17 absence from his or her duties or service as such public officer or  
18 employee of this state, employee of any county, employee of any communi-  
19 ty college, employee of any public authority, employee of any public  
20 benefit corporation, employee of any board of cooperative educational  
21 services (BOCES), employee of any vocational education and extension  
22 board, or a school district enumerated in section one of chapter five  
23 hundred sixty-six of the laws of nineteen hundred sixty-seven, employee  
24 of any municipality, employee of any school district, or any employee of

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

LBD08267-01-3

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

6 S 2. Section 159-c of the civil service law is REPEALED.

7 S 3. This act shall take effect on the ninetieth day after it shall  
8 have become a law.

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## New York Civil Service Law § 159-b. Excused leave to undertake a screening for breast cancer

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1. Every public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system shall be entitled to absent himself or herself and shall be deemed to have a paid leave of absence from his or her duties or service as such public officer or employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district, or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system for a sufficient period of time, not to exceed four hours on an annual basis, to undertake a screening for breast cancer.

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 public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system is otherwise entitled to.

3. The provisions of this section shall not apply to any employee of a city having a population of one million or more.

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# New York Civil Service Law § 159-c. Excused leave to undertake a screening for prostate cancer

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1. Every public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system shall be entitled to absent himself and shall be deemed to have a paid leave of absence from his duties or service as such public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district, or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system for a sufficient period of time, not to exceed four hours on an annual basis, to undertake a screening for prostate cancer.

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 public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system is otherwise entitled to.

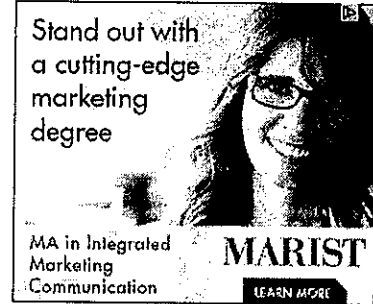
3. The provisions of this section shall not apply to any employee of a city having a population of one million or more.

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