

Leave for Breast Cancer Screening

Legislation enacted in August 2002 (Chapter 362, Laws of 2002) amended the Civil Service Law to entitle employees to take up to four hours of paid leave annually for screening for breast cancer. This provision will take effect on November 11, 2002. A copy of this legislation is attached.

Specifically, a new section, 159-b, was added to the Civil Service Law to entitle State officers and employees to paid leave, without charge to leave credits for breast cancer screening. Employees are not required to have Attendance Rules coverage to be granted this leave with pay.

The benefit is available to both male and female employees beginning November 11, 2002 for the current calendar year. Beginning January 1, 2003, the benefit is available for the full calendar year. Leave for breast cancer screening is not cumulative and expires at the close of business on the last day of each calendar year.

Breast cancer screening includes physical exams and mammograms for the detection of breast cancer. Travel time is included in this four hour cap. Absence beyond the four hour cap must be charged to leave credits.

Employees are entitled to a leave of absence for breast cancer screening scheduled during the employees' regular work hours. Employees who undergo screenings outside their regular work schedule do so on their own time. For example, employees are not granted compensatory time off for breast cancer screenings that occur on a pass day or a holiday.

The appointing authority may require satisfactory medical documentation that the employee's absence was for the purpose of screening for breast cancer.

New York State Civil Service Law

Chapter 362 of the Laws of 2002 amended the Civil Service Law effective November 11, 2002 by adding a new section, 159-b, to read as follows:

Excused leave to undertake a screening for breast cancer.

1. Every public officer or employee of this state shall be entitled to absent himself or herself and shall be deemed to have a leave of absence from his or her duties or service as such public officer or employee of this state, 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 or employee of this state is otherwise entitled to.