

Leave for Red Cross Volunteers

The Civil Service Law was amended on September 26, 2001, to add a new section, Section 82-b, which provides up to 20 workdays of paid leave without charge to leave credits per calendar year for employees who are certified by the American Red Cross as disaster volunteers to participate in specialized disaster relief operations. Requests for the services of such volunteers are made in writing by the Red Cross to the appointing authority and are subject to the approval of the appointing authority. Section 82-b was amended on November 13, 2002 to make these provisions retroactive to September 11, 2001.

There is no requirement that the employee be subject to the Attendance Rules in order to be eligible for this benefit.

Effective January 1, 2002, the special leave provisions extended to Red Cross volunteers responding to the World Trade Center emergency, which were described in the GOER memo of September 25, 2001 from John Currier to Directors of Human Resources, are no longer available. Leave granted under those special leave provisions does not count as part of the 20-day cap established under Section 82-b.

A copy of the legislation follows:

Chapter 358 of the Laws of 2001 amended the Civil Service Law effective September 26, 2001 by adding a new section:

82-b. Emergency Service Volunteers; Paid Leave.

Notwithstanding any other provisions of law to the contrary, public officers and employees of the State who are certified by the American Red Cross as disaster volunteers shall be granted leave from work with pay to participate in specialized disaster relief operations upon written request for such services by the American Red Cross and upon the approval of the chief administrative officer of the state agency, department or bureau for which the public officer or employee serves. The public officer or employee shall be compensated at his or her regular rate of pay for those regular work hours during which the public officer or employee is absent from work while participating in authorized specialized disaster relief operations. Such leave shall be provided without loss of seniority, compensation, sick leave, vacation leave or other overtime compensation to which the volunteer is otherwise entitled and shall not exceed twenty days in any calendar year.

Effective November 13, 2001, Chapter 466 of the Laws of 2001 amended Chapter 358 to provide an effective date of September 11, 2001 for implementation of Section 82-b of the Civil Service Law.