

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE  
**ATTENDANCE AND LEAVE MANUAL**  
POLICY BULLETIN 2018-02

Section 21.12

February 2018

Page 1 of 2

TO: Manual Recipients  
FROM: Scott DeFruscio, Director of Staffing Services  
SUBJECT: Leave for Cancer Screening

Legislation enacted in December 2017 (Chapter 465, Laws of 2017) amended and repealed the Civil Service Law to entitle employees to take up to four hours of paid leave annually for cancer screening. This provision will take effect on March 18, 2018. A copy of this legislation is attached.

Section 159-b of the Civil Service Law was amended to entitle State officers and employees to paid leave without charge to leave credits for screening of **all** cancers. Section 159-c of the Civil Service Law which entitled State officers and employees to paid leave without charge to leave credits specifically for prostate cancer was repealed.

The benefit will become available to employees on March 18, 2018 for the remainder of the 2018 calendar year. Beginning January 1, 2019, the benefit will be available for the full calendar year. Leave for cancer screening is not cumulative and expires at the close of business on the last day of each calendar year. Employees are not required to have Attendance Rules coverage to be granted this leave with pay.

It should be noted that leave available under the current provisions of Section 159-b and 159-c of the Civil Service Law remain in effect until March 17, 2018.

Employees who charge leave credits for cancer screening on or after March 18, 2018 are entitled, upon submission of satisfactory documentation that the employee's absence was for purposes of cancer screening, to paid leave for such absence and to have credits used for that purpose restored.

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

Cancer screening includes physical exams, blood work or other laboratory tests for the detection of cancer. Travel time is included in this four-hour cap. Absence beyond the four-hour cap must be charged to leave credits.

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

Any questions about these provisions should be referred to the Attendance and Leave Unit of the Department of Civil Service at (518) 457-2295.

Attachment

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE  
**ATTENDANCE AND LEAVE MANUAL**  
POLICY BULLETIN 2018-02

Section 21.12

February 2018

Page 2 of 2

Chapter 465 of the Laws of 2017 amended the Civil Service Law effective March 18, 2018, by amending 159-b and repealing 159-c, to read as follows:

§ 159-b. Excused leave to undertake a screening for cancer.

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-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 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.