

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
ATTENDANCE AND LEAVE MANUAL
POLICY BULLETIN 2022-01

Section 26.3

March 2022

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TO: Manual Recipients
FROM: Jessica Rowe, Acting Director Staffing Services Division
SUBJECT: Attendance and Leave Items – 2019–2023 State-PEF Negotiated Agreement and Changes to Management Confidential (M/C) – Bereavement and Family Sick Leave Benefit

PS&T Employees:

The following material describes the new or revised attendance and leave provisions contained in the 2019-2023 Agreement between the State of New York and the Public Employees Federation, AFL-CIO.

Questions concerning this material should be directed to the Attendance and Leave Unit of the Department of Civil Service at (518) 457-2295.

Article 12.1(b) – Holiday Observance

The New York State General Construction Law Section 24, which identifies legal holidays in New York State, was amended to include “the nineteenth day of June, known as Juneteenth...” beginning in 2021.

This legal holiday is observed by State employees as a thirteenth holiday, in the same manner and subject to the same limitations and restrictions as the twelve previous holidays identified for observance by the Attendance Rules and negotiated agreements.

Article 12.18 – Bereavement/Family Sick Leave

Effective July 1, 2021, employees shall be allowed to charge absences from work in the event of death or illness in the employee’s immediate family against accrued sick leave credits up to a maximum of 25 days in any one calendar year. Requests for such leave for family illness or bereavement are subject to the approval of the agency and shall not be unreasonably withheld.

Article 12.25 – Medical Certificates

Medical certificates will not routinely be required for absences of four consecutive workdays or less due to illness; provided, however, the agency shall have the right to substantiate an employee’s illness in accordance with the provisions of the Attendance Rules. This provision does not apply to medical appointments.

When an agency determines that the employee shall be required to provide medical documentation solely as a result of a review of the employee’s attendance record, such requirement shall follow counseling and written notice to the employee. The requirement shall commence after such notice, shall be of a reasonable duration, and the employee shall be properly notified of the conditions that the requirement imposes.

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Article 13 – Workers’ Compensation (Pilot Program) for Parole Officers at the Department of Corrections and Community Supervision (DOCCS)

A qualified employee may elect to draw accrued leave credits for part or all of their absence from duty after being granted 3 months of leave with pay without charge to leave accruals.

DOCCS will issue guidance on this topic as soon as possible.

Management Confidential (M/C) Employees:

Bereavement/Family Sick Leave

Effective January 1, 2022, employees may use up to 25 days of accumulated sick leave per calendar year for illness or death in the family.