

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
ATTENDANCE AND LEAVE MANUAL

Absence With Pay
Extended Sick Leave

Section 21.4

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Purpose

The purposes of advancing sick leave credits are (1) to provide short-term protection against loss of income because of personal illness for employees who have exhausted all earned leave credits and for new employees who have not had an opportunity to accumulate enough credits to cover the period of absence, and, (2) to provide for advanced sick leave to visually handicapped and hearing impaired employees for the purpose of obtaining and training guide dogs.

Eligibility

All employees who earn and accumulate sick leave in accordance with the Attendance Rules are eligible for extended sick leave at the discretion of the appointing authority.

Advancing of Sick Leave for Personal Illness

Up to five days of sick leave for personal illness may be advanced, at the discretion of the appointing authority, to an employee at a given time, provided:

- a. the employee has exhausted all earned vacation, sick leave, holiday leave and overtime compensatory time credits. (The appointing authority may require that personal leave credits also be exhausted.)
- b. the employee's outstanding balance of advanced sick leave does not exceed five days at any time.

Sick leave credits may properly be advanced for personal illness to avoid a payroll deduction; however, such credits should not be advanced simply to postpone a leave of absence without pay.

Related
Contract
Provisions

Sec. 21.6,
C-2

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Each agency should establish procedures to ensure equitable treatment of all its employees in advancing sick leave credits. Such factors as the attendance record may be considered, as well as whether it is anticipated that the employee will return to work. Under normal circumstances, sick leave credits should not be advanced when an employee will not be able to return to work.

Advancing of Sick Leave for Training Guide Dogs

Up to 26 days of sick leave may be advanced for the purpose of obtaining and training guide dogs to employees who are certified as visually handicapped or hearing impaired as described herein. Certification of visual handicap must be by the New York State Commission for the Blind and Visually Handicapped. Where such certification is not obtainable, a physician or licensed optometrist may submit a certification that an employee is blind as manifested by visual acuity of 20/200 or less in the better eye with best correction or a visual field of 20 degrees or less. Certification of a hearing impairment as manifested by a speech discrimination score of 40 percent or less in the better ear with appropriate correction must be provided by a physician or by a licensed audiologist or otolaryngologist. Advanced sick leave for this purpose is available provided:

- a. the employee submits a written request;
- b. the employee has exhausted all accumulated leave credits;
- c. the employee's outstanding balance of advanced sick leave for this purpose does not exceed 26 days at any time;
- d. the cumulative total of sick leave credits charged and/or advanced for this purpose does not exceed 26 days in any one calendar year.

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Repayment

All advanced sick leave shall be repaid as soon as practicable after the employee's return to work. These credits are to be repaid from subsequent accumulations of vacation, overtime compensatory time, holiday leave or sick leave. An employee may not be required to use personal leave for such repayment.

Upon termination the value of any advanced sick leave credits which have not been repaid should be deducted from any compensation due the employee.

Related
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Provisions

Sec.21.6,
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