

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE

DIVISION OF STAFFING SERVICES

GENERAL INFORMATION BULLETIN No. 99-01

To: Agency Personnel Officers
Fm: George Sinnott
Subj: Special Military Leave: U.S. Support of Operations
Date: June 28, 1999

MEMORANDUM

At the request of Governor George Pataki, and in accordance with memorandum of Understanding entered into between the State and the various unions, the Civil Service Commission has amended the Attendance Rules for Employees in New York State Departments and institutions to extend Military benefits to those employees federally ordered to active military duty (other than for training purposes) in connection With U.S. support of operations in KOSOVO. The Commission has added new sections 21.15 and 28-1.17 to the Attendance Rules to provide supplemental military leave for those employees federally ordered to active duty on or after May 1, 1999, similar to that provided employees called to military duty in connection with the Bosnia intervention.

Under section 242 of the New York State military Law, employees are entitled to military leave, with pay, for 30 calendar days, or 22 work days, whichever is greater, in any calendar year or continuous period of absence. Following exhaustion of the leave provided under section 242, employees activated in connection with U.S. support of operations in KOSOVO on or after May 1, 1999, are now entitled under the Attendance Rules to an additional 30 calendar days or 22 working days of military leave at full pay.

Additionally, upon exhaustion of such supplemental leave and any available leave credits, other than Sick leave, which the employee elects to use, employees are entitled to leave at reduced pay. Employees on leave at reduced pay status will be paid their basic annual State salary as of the time of being activated, plus location pay and geographic differential, reduced by the amount of base pay, plus allowances for food and shelter, received from the United States government for their service.

Employees shall be eligible for supplemental military leave and leave at reduced pay through May 1, 2000.

Employees who are on military leave at full pay under section 242 of the military Law or on supplemental military leave at full pay, continue to be treated as other employees in full Pay status under the Attendance Rules. While on leave at reduced pay, employees are not eligible to be credited with biweekly leave accruals. They are, however, eligible to be credited With vacation bonus days and personal leave days on their anniversary dates.

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Additionally, as provided in the Memorandum of Understanding, health benefits will be continued for the dependents of those employees activated on or after may 1, 1999, provided such employee has been enrolled in the New York State Health insurance Program with dependent coverage for at least 30 days prior to being activated. Health benefits will be provided to covered dependents at no cost to the employee for a period not to exceed 12 months from the date of activation, less any period the employee remains in full pay status. Benefits will cease to be provided at such time as the employee's active duty is terminated or the employee returns to State employment, Whichever occurs first. Dental, vision, and life insurance benefits will also be continued. These other benefits will also be continued for Managerial/Confidential employees in the State Executive Branch.

These leave and other benefits are for employees federally activated for duty in KOSOVO or to replace regular military personnel dispatched to KOSOVO; reservists and National Guard members on active duty unrelated to U.S. support of operations in Kosovo are not entitled to these benefits.

if you have employees who may be eligible for supplemental leave or have questions as to Whether an employee is covered, please contact the Employee Relations section of the Department of Civil Service at (518) 457-2295. Agencies should also refer to the forthcoming Attendance and Leave Advisory Memorandum 99-03, which describes in greater detail the attendance and leave benefits available to employees on military leave in connection with operations in KOSOVO.

Employees who have questions about State administered health benefits Should be directed to the health benefits administrator of their agency or to the Employee Benefits Division (EBD) of the Department of Civil Service at 1-800-833-4344. Health benefits administrators Should contact their EBD processor With any questions. (A separate memorandum with additional details on the eligibility rules and administrative procedures for benefit continuation Will be sent to agency health benefits administrators by EBD.)

Questions concerning personnel status, such as probationary periods, eligible lists, examinations, abolition of positions and the processing of PR-75s should be directed to your Staffing Services Representative.

George c. Sinnott, President