



# City of New York

## Family Leave Primer

**New York City Government Employees Family  
Leave Policies**

# New York City Government Employees Family Leave Policies

This document serves as a guide to assist employees in understanding the family leave policies available as a New York City government employee.

The City of New York recognizes that throughout your career, you may encounter a variety of caregiving responsibilities and personal circumstances that require time away from work. With the understanding that caregivers face unique and complex challenges, the City has adopted policies that support caregivers in times of need. These policies provide leave that offers security to families during significant life events and gives employees dealing with such events the peace of mind that they are not in jeopardy of losing their jobs.

The City's [Personnel Services Bulletins \(PSBs\)](#) notify agency human resources of policies and procedures relating to citywide personnel issues. Broad topics include appointments and promotions, separations and retirements, time and leave, compensation and pay, employee evaluations, discipline, motivation and development, and general personnel administration.

This primer is intended to give you a broad overview of the leave options that are available to you. Links to the specific leave policies have been included for your reference in the index on the last two pages of this primer. For specific questions, including your own eligibility, please contact your agency's HR office.

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## Definitions

- 1. Job Protection:** Requires an employer to restore the employee to the same or an “equivalent” position.
- 2. Represented Employee:** Any employee whose employment is subject to a collective bargaining agreement.
- 3. Mayoral Agency:** An agency under the control of the mayor. The mayor appoints the heads of these agencies.
- 4. Non-Mayoral Agency:** An agency not under the control of the mayor. These agencies are headed by boards, commissions, or other multi-member bodies.
- 5. City Start Date:** The date by which a person begins employment with a mayoral agency, elected official, non-mayoral agency, the Department of Education, or a CUNY College.



## Scope

City childcare leave provides (CCL) unpaid job-protected leaves of absence for employees of all genders for up to 48 months who become, the parent of a child by birth or adoption up to four years of age. The maximum length of childcare leave is 48 months for the first instance. Any subsequent childcare leaves granted shall be limited to a maximum of 36 months.



## Eligibility

The employee must be a part-time or full-time managerial, or non-managerial employee.



## Provisions

- All compensatory and annual leave time must be used before CCL starts.
- CCL is unpaid.
- Employees will not accrue leave during this period.
- CCL can begin at any time prior to the child's fourth birthday.
- CCL must be used in one continuous absence.
- If the employee returns early, the balance of the time not used is forfeited.
- Employees who initially do not take the maximum time allowed can request up to two extensions for a minimum of six months each, not to exceed the maximum of 48 or 36 months.



## Benefits

Group health insurance will stop during unpaid CCL. Employees may choose to continue group health insurance benefits provided by their group health plan – (COBRA) by making payments on their own.

**Special Considerations: Pension contributions will stop during City CCL.**

## Scope

The Family and Medical Leave Act (FMLA) of 1993 is a federal law/policy that gives eligible City employees up to 12 weeks of *unpaid*, job-protected time off to address their own serious health needs, bond with a new child (including an adopted or foster child), care for a seriously ill or injured family member, or address certain military family needs.

## Eligibility

To qualify, an employee must be an eligible full-time, part-time, managerial, or non-managerial employee:

- The employee must work for a total of at least 12 months preceding the start of the leave – the 12 months do not have to be consecutive.
- The employee must have worked 1,250 hours during the 12-month period immediately preceding the leave.

## Provisions

### Child Care

- A child includes a legal ward, stepchild, or a child for whom the employee was responsible in place of the parent. A child must be under 18 or incapable of self-care because of a mental or physical disability.

### Caring for Family Members

- Covered family members are (i) children, (ii) parents (does not include in-laws) or another adult who was responsible for care of the employee as a child in place of a parent (*in loco parentis*), (iii) spouses, and (iv) domestic partners (domestic partnership must be registered).
- FMLA covers “qualifying exigencies” resulting from the military deployment of an employee’s family member, such as making different day care arrangements for the military member’s children.
- FMLA covers Military Caregiver Leave – which provides leave to an employee who is the son, daughter, parent, or next of kin of a covered service member or covered veteran to care for a covered servicemember or covered veteran with a serious injury or illness.





## Employee

- All paid sick leave must be used.
- If sick leave has been exhausted, the employee can allow the agency to use annual leave and non-FLSA (Fair Labor Standards Act) compensatory time balances.



## Benefits

- For the entire period of FMLA leave, the employer will continue the employee's health coverage under any group health plan.
- Upon return from FMLA, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

**Special Considerations: Pension contributions will stop during the unpaid portion of the leave.**

**Special Considerations: An employee who does not have any leave balances will be placed on FMLA leave unpaid can will be placed in leave without pay (LWOP) status which disables pension contributions during that time.**

## Scope

Paid Parental Leave (PPL) allows managers and original jurisdiction (OJ) employees 30 paid days of leave for the birth, adoption, or foster-care placement of a child.

## Eligibility

Employees who are covered by the Pay Plan for Management and Original Jurisdiction employees, including part-time employees. There is no minimum length of service required.

## Provisions

- An employee can use PPL without using any leave balances.
- PPL must be used within 120 workdays of the qualifying event and can only be used once in a rolling twelve-month period.
- PPL usage must not extend beyond 60 workdays from the first date of usage and any time that has not been used within 60 workdays are forfeited.
- Employees should have their PPL leave time approved by their supervisor in advance.
- If both parents are City employees and are eligible for PPL, they may use the benefit at the same time.
- An employee who receives PPL must return to work for at least six months at the end of PPL. If not, payment must be returned and is recoverable by payroll.

## Benefits

- Employees who return from PPL must be restored to their previous position or an equivalent position with the same work hours, same pay, benefits, and working conditions – including returning to the same work site or a work site close by.
- If the employee is denied restoration or other benefits, the agency must be able to show that the employee would not have continued to be employed, or to have received the benefits, if the employee had been continuously employed during the leave period.

**Special Considerations: An employee must sign an agreement stating they will remain in City service for at least six months upon returning from leave. If the employee leaves City service prior to the six months, any PPL payments received must be paid back to the City per the City's recoupment process.**



# Paid Parental Leave PPL



## Scope

Paid Family Leave (PFL) allows eligible employees to bond with a newborn, adopted, or foster care child during the first 12 months after birth or placement, care for a family member with a serious health condition, and assist loved ones when a family member is deployed on active military service.



## Eligibility

Benefits for employees in represented titles in a union that opted into the program. Full-time employees (20+ hours a week) eligible after 26 consecutive weeks of employment, commencing with the employee's City start date; Part-time employees (<20 hours per week) eligible after 175 days – do not have to be consecutive, commencing with the employee's City start date. If the employee is eligible, the employee remains eligible until they stop working for the City of New York, or if the employee moves to a title that is not represented.



## Provisions

- A family member is considered a child, siblings, parent, parent-in-law, grandparent, grandchild, spouse, domestic partner (does not require legal registration), or other adult responsible for a child in place of parents.
- PFL covers a seriously ill family member and the needs related to a family member's military deployment in a foreign country.
- PFL benefits may not be used for an employee's own health condition (see COVID-19 exception).
- PFL can be used during the first 12 months after the child's birth (not available for prenatal conditions) placement of the child for adoption, or foster care.
- PFL can be used before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed.
- Provides up to 12 weeks of paid leave at 67% of salary in 2022/2023.
- Paid through payroll deduction; using leave balances is optional.



## COVID-19 Qualifying Event:

1. To provide care for the employee themselves or the employee's minor child who is under a mandatory or precautionary order of quarantine or isolation due to COVID-19.
2. This benefit is only available when the City's COVID-19 leave, if any, is exhausted.
3. This benefit is not available to you if you are able to work through remote access or other means.



## Benefits

- The employer will continue group health if the employee contributes to the cost of their health insurance, the employee must continue to pay his/her portion of the premium cost while on PFL.
- An employee who returns from PFL must be restored to his or her previous position or to an equivalent position. An equivalent position is a position in the same civil service title which has the same pay, benefits, and working conditions (including the same worksite or a worksite close by).
- If the employee is denied restoration or other benefits, the agency must be able to show that the employee would not have continued to be employed, or to have received the benefits, if the employee had been continuously employed during the leave period.

**Special Considerations: An employee who chooses to receive payment from the insurance carrier will be removed from the City's payroll and therefore pension deductions will cease during that time.**

# City of New York Family Leave Primer

## Policy Comparison Sheet

<b>Paid Family Leave VS Family Medical Leave Act</b>	
<b>PFL (PSB 440-16) Policy</b>	<b>FMLA (PSB 440-8R) Policy</b>
<p><b>Policy:</b></p> <ul style="list-style-type: none"> <li>• 2023 - Provides up to 12 weeks of paid leave at 67% of salary with a maximum weekly benefit of \$1,068.36.</li> </ul> <p><b>Eligibility:</b></p> <ul style="list-style-type: none"> <li>• Full-time (20+ hours a week) eligible after 26 consecutive weeks.</li> <li>• Part-time (&lt;20 hours per week) is eligible after 175 days – do not have to be consecutive.</li> <li>• Employee must be in a represented title and in a union that has opted into the program.</li> </ul>	<p><b>Policy:</b></p> <ul style="list-style-type: none"> <li>• Provides up to 12 weeks of unpaid leave to employees who have worked for the City for a total of at least 12 months preceding the start of the leave (see FMLA PSB for the definition of employees).</li> </ul> <p><b>Eligibility:</b></p> <ul style="list-style-type: none"> <li>• Employee must have actually worked 1,250 hours over the 12-month period immediately preceding the start of the leave.</li> <li>• Overtime hours count toward the 1,250-hour threshold.</li> </ul>
<p><b>Covers:</b></p> <ul style="list-style-type: none"> <li>• Maternity, Paternity, Adoption, Foster Care, Care for an ill family member, and family member's military deployment.</li> </ul>	<p><b>Covers:</b></p> <ul style="list-style-type: none"> <li>• Maternity, Paternity, Adoption, Foster Care, Employee's own health condition, Care for an ill family member, employee's military deployment and family member's military deployment (see Leave for Qualifying Exigencies section of the PSB) and Military Caregiver Leave.</li> </ul>
<p><b>Covered family members:</b></p> <ul style="list-style-type: none"> <li>• Child, siblings, parent, parent-in-law, grandparent, grandchild, spouse, domestic partner (does not require legal registration), or other adult responsible for child in place of parent.</li> </ul>	<p><b>Covered family members:</b></p> <ul style="list-style-type: none"> <li>• Child, parent (does not include in-laws) or other adult responsible for child in place of parent, spouse, and domestic partner.</li> </ul>
<p><b>How PFL can be used:</b></p> <ul style="list-style-type: none"> <li>• Using leave balances is optional.</li> <li>• Must run concurrently with FMLA if the event qualifies for both.</li> <li>• Can be used intermittently in full day increments only.</li> <li>• To take care of the employee themselves or a child subject to a COVID-19 related quarantine.</li> </ul>	<p><b>How FMLA can be used:</b></p> <ul style="list-style-type: none"> <li>• Using leave balances is not optional.</li> <li>• Can be used intermittently.</li> </ul>

# City of New York Family Leave Primer

## Policy Comparison Sheet

Paid Parental Leave VS City Child Care Leave	
PPL (PSB 420-5) Policy	CCL Policy
<p><b>Policy:</b></p> <ul style="list-style-type: none"> <li>Provides up to 30 workdays of paid parental leave to employees in eligible titles.</li> </ul> <p><b>Eligibility:</b></p> <ul style="list-style-type: none"> <li>Employees may be full-time or part-time. For part-time eligible employees, the 30 days will be pro-rated based on their regular schedule.</li> </ul>	<p><b>Policy:</b></p> <ul style="list-style-type: none"> <li>Provides up to 48 months of unpaid leave the first time used.</li> <li>If used for the second time or more – up to a 36-month maximum.</li> </ul> <p><b>Eligibility:</b></p> <ul style="list-style-type: none"> <li>Part-time or full-time managerial, or non-managerial City employees (all genders) who become the parent of a child up to four years of age either by birth or adoption.</li> </ul>
<p><b>Covers:</b></p> <ul style="list-style-type: none"> <li>Leave for the birth of a child (biological parent) or the placement of a child with an eligible employee for adoption or foster care and excludes other types of family leave.</li> </ul>	<p><b>Covers:</b></p> <ul style="list-style-type: none"> <li>Birth or adoption</li> </ul>
<p><b>How PPL can be used:</b></p> <ul style="list-style-type: none"> <li>Employees are not required to use leave balances.</li> <li>Can be used immediately after hire, provided that the qualifying event occurs on or after the date the employee starts.</li> <li>Must run concurrently with FMLA.</li> <li>Can be used intermittently.</li> <li>Employees who receive PPL, partially or in whole, must return to work for at least six months at the end of the period of PPL or any period of approved paid or unpaid childcare or other leave that continues after the PPL. Any payments made for PPL to an employee who does not return to work must be returned to and are recoverable by the City.</li> </ul>	<p><b>How CCL can be used:</b></p> <ul style="list-style-type: none"> <li>Employees must exhaust all unused accrued compensatory and annual leave prior to beginning CCL.</li> <li>Must be used in one continuous absence and cannot be used intermittently.</li> <li>Up to two extensions are allowed and each extension should be a minimum of six months.</li> <li>The Agency has the right to grant further leaves of absence without pay for childcare purposes and can approve an extension of less than six months.</li> </ul>



## Scope

**City Sick Leave** – The City recognizes that employees will need days off from work from time to time to address their medical needs and as a result provides paid sick leave. The sick leave rate for new hires is ten days per year, accrued monthly, for five years. After the fifth-year anniversary date, the employee will then accrue one day per month. Employees can be full-time or part-time. The employee must receive full pay for at least 15 calendar days during a month to accrue sick leave.

**Sick Leave Grants** – There are two types of sick leave grants that may be offered to permanent employees who have exhausted their sick and annual leave balances due to personal illness. It is at the agency's discretion to grant this leave.

## Eligibility

Employees can be full-time or part-time. The employee must receive full pay for at least 15 calendar days during a month to accrue sick leave.

## Provisions

### City Sick Leave

- Family members covered are: spouse; natural foster or stepparent; child, brother or sister; father-in-law; mother-in-law; any relative residing in the household; and domestic partner, provided such domestic partner is register pursuant to the terms set forth in the New York City Administrative Code Section 3-240.
- The agency has the discretion to approve sick leave, and the employee must provide proof.
- Employees who are ill and exhaust sick leave can allow the agency to use their annual leave balances for the illness.
- Sick leave can be used at any time, provided the agency is satisfied that the leave is being used solely for personal illness.
- The agency can waive the requirement for proof unless the employee uses sick leave for more than three consecutive workdays, uses sick leave excessively, or the employee does not provide doctor's notes regularly when sick leave is used.
- Employees on leave of absence without pay will not accrue sick leave while out.



## Provisions

### Sick Leave Grants

- Permanent employees may be granted up to 12 days (the amount earnable in one year) of unearned sick leave after all current sick and annual leave have been exhausted due to personal illness. This leave is chargeable against future earned sick leave.
- Permanent employees may be granted sick leave with pay for three months after 10 years of service, after all current sick and annual leave have been exhausted due to personal illness. This leave is not chargeable against future earned sick leave.



## Benefits

Employees may use sick leave for the care and treatment of themselves or a covered family member and if the employee has experienced domestic or gender-based violence.

### Special Considerations:

**Only employees with ten or more years of City service will get paid for a portion of their sick leave upon separation or retirement.**





## Scope

The Catastrophic Sick Leave Bank is a pool of sick leave and annual leave voluntarily donated by managers and other employees in titles not eligible for collective bargaining for potential use as sick leave by eligible employees who are also donors to the bank.

Eligible recipients may receive up to 90 days of paid sick leave in any one-year period.

## Recipient Eligibility

### Catastrophic Sick Leave (CSL) Bank

- Must be a manager or employee in a title not eligible for collective bargaining.
- Must have at least two years of continuous full-time City service in a City Agency.
- Employee's illness or injury must not be job-related and must require an absence of at least 30 continuous working days.
- An employee that is eligible for advanced sick leave (Section 3.4) and the sick leave grant (Section 3.5) must apply for both before making an application to the bank.
- An employee that is eligible for advanced sick leave for Management employees (Section 5.4) and the sick leave grant (Section 5.5) must apply for both before making an application to the bank.
- An employee must apply for advance annual leave before making an application to the bank.
- Donate at least one day of annual leave or sick leave to the Bank for the program year in which sick leave is needed.
- All annual leave and sick leave, (including managers' vested/sub-managerial leave), compensatory time balances, leave advancements, and sick leave grants must have been exhausted.
- The date of eligibility for income benefits under the Long Term Disability Program of the Management Benefits Fund must not have passed.



## Donor Eligibility

- Employee must be a manager or in a title not eligible for collective bargaining.
- There is a minimum donation of one day of annual leave or sick leave each year. The number of hours that comprise a day is determined by the title of the employee. The leave donated by managers will be the most recently accrued sick leave or annual leave.
- An employee with less than ten years of City service may donate only annual leave.
- An employee with at least ten years of City service may donate sick leave and/or annual leave. In order to donate sick leave, an employee must have a sick leave balance of at least 24 days.
- Donors must have at least 24 sick leave days or else the sick leave donated will be converted to annual leave.
- Managers' vested or sub-managerial sick leave balances are counted in determining the 24-day minimum.

## Provisions

- Open enrollment for CSL is held for one month annually.
- CSL runs from January through December.
- After initial enrollment leave deductions are automated. Withdrawal or changes in leave deductions should be requested in writing during the annual enrollment period.
- All leave donated to the bank is irrevocable.
- Withdrawal requests are reviewed and approved/denied by a panel based on the CSL bank's balance to ensure equitable distribution.
- Unused leave must be returned to the CSL bank by two pay periods from the date the employee returns to work.

## Benefits

**It allows employees to** donate sick and/or annual leave to seriously ill or injured covered employees in need, as well as to receive sick leave when needed.

### **Special Considerations:**

**Catastrophic Sick Leave: Available to employees in titles not eligible for collective bargaining in Mayoral agencies.**



# Catastrophic Sick Leave



## Scope

Dedicated Sick Leave (DSL) enables employees in mayoral agencies to voluntarily donate sick leave and/or annual leave for use as sick leave by a serious ill or injured eligible employee who has been designated by the donor.

Eligible recipients may receive up to 180 days of paid sick leave in a calendar year.

Covered employees may also donate leave to, or receive leave from, managers and other employees in titles not eligible for collective bargaining, who are covered by the CSL. Note that employees in the uniformed forces are not eligible to participate in this program.

## Recipient Eligibility

### Dedicated Sick Leave (DSL) Bank

- Can be a manager, OJ, or employee in a title eligible for collective bargaining.
- Must have at least two years of continuous full-time City service in a City agency.
- Employee's illness or injury must not be job-related and must require an absence of at least 30 continuous working days.
- An employee that is eligible for advanced sick leave (Section 3.4) and the sick leave grant (Section 3.5) must apply for both before receiving DSL.
- An employee that is eligible for advanced sick leave for Management employees (Section 5.4) and the sick leave grant (Section 5.5) must apply for both before making an application to the bank.
- An employee must apply for advance annual leave before making an application to the bank.
- All annual leave, sick leave, compensatory time balances, leave advancements, and sick leave grants must have been exhausted.
- May not be used as a supplement to income benefits under any City or union short-term or long-term disability program.





## Donor Eligibility

An employee who wishes to donate annual leave and/or sick leave to a specific individual must meet the following criteria. Every reasonable effort will be made to keep the donors' identities confidential.

- Employee must be serving in a Mayoral agency. There is a minimum donation of one day of annual leave or sick leave.
- The number of hours that comprise a day is determined by the title of the employee.
- An employee with fewer than ten years of City service may donate only annual leave. There is no minimum length of service required to donate annual leave.
- An employee with at least ten years of City service may donate sick leave and/or annual leave. In order to donate sick leave, an employee must have a sick leave balance of at least 24 days.

## Provisions

- See comparison chart below.
- Represented employees see PSB 410-3 Dedicated Sick Leave Program for Employees in Titles Eligible for Collective Bargaining in Mayoral Agencies for more information.
- Managers and OJs see PSB 420-2 Salary Continuation Program.

## Benefits

**It allows employees to** donate sick and/or annual leave to seriously ill or injured covered employees in need, as well as to receive sick leave when needed.

### Special Considerations:

**Dedicated Sick Leave Program: Each day of sick leave donated by a manager will be credited as one-third of a day, and each day of sick leave donated by a non-manager will be credited as one-half day.**



# City of New York Family Leave Primer Policy Comparison Sheet

Catastrophic Sick Leave VS Dedicated Sick Leave		
Established by the Mayor to enable managers, OJ's, and other employees in Mayoral agencies, to donate sick and/or annual leave to seriously ill or injured covered employees in need, as well as to receive sick leave when needed.		
	Catastrophic Sick Leave (CSL) Bank	Dedicated Sick Leave (DSL) Program
Overview	<ul style="list-style-type: none"> <li>• A pool of sick and annual leave for potential use as sick leave by eligible employees who are also donors to the bank. Eligible recipients may receive up to <b>90 days</b> of paid sick leave in any one-year period.</li> <li>• Each day of sick and annual leave donated is deducted from the donor's leave balance as one full day.</li> <li>• Each day of <b>sick leave</b> donated by a:               <ul style="list-style-type: none"> <li>○ Manager is credited to the bank as one-third of a day</li> <li>○ Non-Manager is credited to the bank as half of a day</li> </ul> </li> <li>• Each day of <b>annual leave</b> donated is credited to the bank as one full day.</li> </ul>	<ul style="list-style-type: none"> <li>• Enables managers, OJ's, and employees in a title eligible for collective bargaining to voluntarily donate sick leave and/or annual leave for use as sick leave by an eligible employee who has been designated by the donor. Eligible recipients may receive up to <b>180 days</b> of paid sick leave in any one-year period.</li> <li>• Each day of leave donated will be debited from the donor's leave balance as one full day.</li> <li>• Each day of sick leave donated by a:               <ul style="list-style-type: none"> <li>○ Manager is credited to the bank as one-third of a day</li> <li>○ Non-Manager is credited to the bank as half of a day</li> </ul> </li> <li>• Each day of annual leave donated is credited to the recipient as one full day.</li> </ul>
Donor Eligibility	<p><b>To donate leave the employee must:</b></p> <ul style="list-style-type: none"> <li>• be a manager or employee in a title not eligible for collective bargaining.</li> <li>• donate at least one day of annual leave or sick leave each year.</li> <li>• possess a minimum of 10 years of continuous, full-time City service to donate sick leave and/or annual leave. <b>Note:</b> If fewer than 10 years of continuous, full-time City service, eligible employees may only donate annual leave.</li> <li>• have a sick leave balance of at least 24 days to donate sick leave. Managers vested or non-managerial sick leave balances are counted in determining the 24-day minimum.</li> </ul>	<p>The same eligibility criteria established for donors to the CSL Bank <b>except:</b></p> <ul style="list-style-type: none"> <li>• Employees can be a manager, OJ, or a title eligible for collective bargaining.</li> <li>• Donation of annual and/or sick leave each year is not required of the donor.</li> </ul> <p><b>Note:</b> Every reasonable effort will be made to keep the donating employee's identity confidential.</p>

# City of New York Family Leave Primer

## Policy Comparison Sheet

Catastrophic Sick Leave VS Dedicated Sick Leave Cont.		
	Catastrophic Sick Leave (CSL) Bank	Dedicated Sick Leave (DSL) Program
<b>Recipient Eligibility</b>	<p><b>Must be:</b></p> <ul style="list-style-type: none"> <li>be a manager or employee in a title not eligible for collective bargaining <b>and</b> have at least two years of continuous, full-time City service (<i>including non-managerial service or service in a title eligible for collective bargaining, in any City agency.</i>)</li> <li>have donated at least one day of sick or annual leave for the program year in which sick leave is needed.</li> <li>have exhausted all annual leave and sick leave (including managers vested/non-managerial leave), compensatory time, leave advancements, sick leave grants, and floating holiday (if applicable).</li> </ul> <p><b>Additionally:</b></p> <ul style="list-style-type: none"> <li>Illness or injury must <b>not</b> be job-related <b>and</b> must require an absence of at least 30 continuous workdays.</li> <li>Absence must be supported by acceptable medical documentation to be reviewed by the CSL Panel.</li> <li>May <b>not</b> use donated sick leave instead of, or as a supplement to, income benefits under the Long-Term Disability Program of the Management Benefits Fund.</li> </ul>	<p>The same eligibility criteria established for recipients to the CSL Bank <b>except:</b></p> <ul style="list-style-type: none"> <li>Employees can be a manager, OJ, or a title eligible for collective bargaining.</li> <li>Donation of at least one day of sick or annual leave for the program year in which sick leave is needed is not required of the recipient.</li> </ul>
<b>Enrollment</b>	<ul style="list-style-type: none"> <li>Program year runs January through December.</li> <li>An annual open enrollment is held mid-November through mid-December before the start of the next program year.</li> <li>After initial enrollment, deductions of the type and amount of leave to be made is automatically renewed every year.</li> <li>Participating employees may withdraw from the program or change the amount and type of leave donated only during the annual open enrollment period.</li> <li>If the sick leave balance of an employee who has elected to donate sick leave has fallen below 24 days at the time the deduction is made, the type of leave deducted will be converted to annual leave.</li> <li>All leave donated to the CSL Bank is irrevocable.</li> </ul>	<ul style="list-style-type: none"> <li>There is no enrollment period.</li> <li>Donations are made on an “as needed” basis.</li> <li>All dedicated leave donated is irrevocable.</li> </ul>



## Scope

New York State Labor Law, Section 206-c and New York City Human Rights Law, § 8-107(22) requires employers to accommodate an employee needing to express breast milk in the workplace. This policy is available to managerial and non-managerial employees who work full-time or part-time.



## Eligibility

Available to all nursing employees.



## Provisions

- Agencies must present a nursing employee with the option to use their meal period to express breast milk but cannot force employees to use their meal period or to use annual leave and compensatory time balances.
- Agencies must provide a nursing employee with a reasonable unpaid break time; and/or charge their annual leave and compensatory time balances during the unpaid breaks to express breast milk.
- Agencies must provide a lactation room or a designated space.
- Employees who need accommodations to express breast milk should request it in advance (optimally, before returning to work from childcare leave. If this is not possible, employees should notify their agencies as soon as practicable, but no later than five days before they plan to begin).
- Agencies should notify employees currently on childcare leave and affected employees who have recently returned to work after childcare leave that they are entitled to this benefit.
- If the request for accommodations poses an undue hardship for the agency, the employee and agency must discuss a solution, and this discussion must be recorded in writing.



## Benefits

### Special Considerations:

**This accommodation is available to employees within the basic workweek as well as during overtime. Employees and supervisors should discuss the accommodation.**

## Scope

The City's annual leave policy allows time off for vacation, personal business, or religious holidays. It is accrued monthly and based on the years of service. In special circumstances, the City Agency has the discretion to advance annual leave before it is earned.

## Eligibility

Available to full-time or part-time employees who work a regular scheduled workweek. The employee must receive full pay for at least 15 calendar days during that month.

## Provisions

- The use of annual leave must be approved in advance.
- Approved annual leave may be used after an employee completes four months of service.
- The minimum use of annual leave should be one-half day, but if approved by the agency head, it may be used in units of one hour.
- Employees on leave of absence without pay will not accrue annual leave while out.
- Annual leave can be transferred in full if an employee is transferred from one mayoral agency to another mayoral agency.
- An employee who resigns or is terminated prior to completion of their probationary period is not entitled to annual leave for that period.
- Accumulated annual leave for more than 54 days will be placed in an annual leave reserve bank.

### Advance Annual Leave:

- Annual leave advances cannot exceed two weeks.
- Should only be granted in exceptional and unusual circumstances, which is at the agency's discretion to determine.

## Benefits

### Special Considerations:

Annual leave advances are available to both permanent and non-permanent employees.





## Scope

Leave without pay (LWOP) is an approved temporary absence from duty in a non-pay status requested by an employee. LWOP does not cover a suspension, furlough, or an absence for which leave has not been approved.



## Eligibility

LWOP can be granted to permanent (competitive) employees for up to one year. This leave can be further extended for an additional year.



## Provisions

- It is at the agency's discretion to grant LWOP and may not be demanded by an employee.
- Extensions can be approved by an elected official in an agency or by an appointed official.
- Extension request should be submitted at least 30 days before the expiration date of the present leave.
- Should only be granted in exceptional and unusual circumstances, which is at the agency's discretion to determine.



## Benefits

### Special Considerations:

**Military LWOP must be granted by law. LWOP up to four years may be granted to employees to undertake studies for which they are eligible under the Federal "Servicemen's Readjustment Act of 1944", "Veterans' Readjustment Assistance Act of 1952" or "Veterans Pension and Readjustment Assistance Act of 1968."**

Annual Leave Allowance Section 2

**Leave Regulations for Career & Salary Plan Employees**

Annual Leave Allowance Section 4

**Personnel Order No. 88/5 Leave Regulations for Management Employees**

Dedicated Sick Leave Program for Employees in Titles Eligible for Collective Bargaining in Mayoral Agencies

[https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/410\\_3.pdf](https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/410_3.pdf)

Guidelines on the Family and Medical Leave Act of 1993

[https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/440\\_8R.pdf](https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/440_8R.pdf)

Leave to Express Breast Milk

[https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/440\\_13.pdf](https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/440_13.pdf)

Leaves of Absence Without Pay Section 5.0 Child Care Leave

**Leave Regulations for Career & Salary Plan Employees**

Leaves of Absence Without Pay Section 9.0 Child Care Leave

**Personnel Order No. 88/5 Leave Regulations for Management Employees**

Leaves of Absence Without Pay Section 5.1 Other Leaves of Absence

**Without Pay Leave Regulations for Career & Salary Plan Employees**

Leaves of Absence Without Pay Section 9.1

**Personnel Order No. 88/5 Leave Regulations for Management Employees**

Paid Family Leave Benefits for Represented Employees

[https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/440\\_16.pdf](https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/440_16.pdf)

Paid Parental Leave for Managers and Original Jurisdiction Employees

[https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/420\\_5.pdf](https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/420_5.pdf)

Salary Continuation Program

[https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/420\\_2.pdf](https://www1.nyc.gov/assets/dcas/downloads/pdf/reports/420_2.pdf)

Sick Leave Allowance Section 3.0

**Leave Regulations for Career & Salary Plan Employees**

Sick Leave Allowance Section 5.0

**Personnel Order No. 88/5 Leave Regulations for Management Employees**

Sick Leave Grants – Sections 3.4 and 3.5

**Leave Regulations for Career & Salary Plan Employees**

Sick Leave Grants – Sections 5.4 and 5.5

**Personnel Order No. 88/5 Leave Regulations for Management Employees**



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