

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
ATTENDANCE AND LEAVE MANUAL
POLICY BULLETIN 2019-01

Section 21.12

March 2019

Page 1 of 2

TO: Manual Recipients
FROM: Jim Galvin, Director of Staffing Services
SUBJECT: Military Leave for Combat Related Health Care Services

Legislation enacted in April 2018 (Chapter 16, Laws of 2018) amended Section 242 of the Military Law to entitle employees to take up to five work days of paid leave annually for healthcare related services. This provision will take effect on April 1, 2019. A copy of this legislation is attached.

Section 242 of the Military Law was amended to entitle State officers and employees paid leave without charge to leave credits for up to **five** work days of paid leave annually for using any healthcare related services associated with an illness or injury sustained while in a combat theater or combat zone of operations.

The benefit will become available to employees on April 1, 2019 for the remainder of the 2019 calendar year. Beginning January 1, 2020, the benefit will be available for the full calendar year. Military leave for combat related healthcare services 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.

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

Military Leave for Combat Related Health Care Services may be used for either full or partial day absences. Like the use of accrued sick leave under the Attendance Rules, employing agencies may not require employees to use Military Leave for Combat Related Health Care Services in units greater than 1/4 hour, but may permit use of Military Leave for Combat Related Health Care Services in smaller units of time.

Employees must provide documentation that they served in a combat theater or combat zone of operations. Acceptable proof of service includes the employee's DD214, a certificate of release or discharge from active duty, or other department of defense document clearly indicating service in a combat theater or combat zone of operations.

Additionally, employees must submit medical documentation showing that the employee's absence was for the purpose of receiving healthcare services related to such duty. Combat related healthcare services may include any medical or psychological treatment or testing, hospital services, blood work or other laboratory tests.

Agencies are reminded to develop a new code in their paper or electronic timekeeping systems to manage usage of such leave by affected employees.

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
ATTENDANCE AND LEAVE MANUAL
POLICY BULLETIN 2019-01

Section 21.12

March 2019

Page 2 of 2

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

Chapter 16 of the Laws of 2018 amended the Military Law effective April 1, 2019 to read as follows:

§ 242 (5) (b) Every public officer or employee employed by the state of New York who served in a combat theater or combat zone of operations as documented by a copy of his or her DD214, certificate of release or discharge from active duty, or other applicable department of defense documentation, shall be paid his or her salary or other compensation as such public officer or employee for any and all periods of absence while utilizing any healthcare related services related to such duty, not exceeding five working days, in any one calendar year.

* NB Effective April 1, 2019