

## PERSONNEL SERVICES BULLETINS (PSBs)

**440-15**

**Subject:** Leave to Undertake Cancer screenings

**Supersedes:** Personnel Services Bulletin No. 440-15 issued January 27, 2017

**Source:** Civil Service Law § 159-b  
Laws of 2016, Chapters 74 and 96

**Date:** April 16, 2018

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### I. INTRODUCTION

City of New York employees are entitled to excused leave to undertake a screening for cancer.

Effective March 18, 2018, Civil Service Law §159-b was amended to allow excused leave for all types of cancer screenings. It had previously allowed only breast cancer screenings. Civil Service Law §159-c, which allowed public employees to take excused leave for prostate cancer screenings, was repealed. Prostate screenings are covered by § 159-b, as amended.

These provisions permit employees to take a paid leave of absence for a sufficient period of time, not to exceed four (4) hours on an annual basis, to undertake a screening for any type of cancer. The entire period of the leave is excused leave, not to be charged against any other leave that the employee is entitled to receive.

Cancer screenings are not mandatory or essential for everyone. Employees are strongly encouraged to consult with their medical provider for information regarding these screenings and review the benefits and risks associated with cancer screenings. Medical providers consider other possible risk factors to help guide if, when, and how often to screen.

### II. DEFINITIONS

"Eligible employee" means an employee who is employed by the City of New York and works a regular schedule including Managers and employees serving in Uniform titles.

"Excused leave" means a paid leave of absence to include travel time to and from an applicable screening facility.

### III. GENERAL PROVISIONS

1. Eligible employees may only use excused leave to undertake screening for cancer up to four hours per calendar year. The date of an employee's use of this leave is at her/his option. In no event may this leave be used for a screening that took place on a day or time outside of the employee's regularly scheduled work hours.

2. For part-time eligible employees, the absence is excused if it takes place within the employee's regularly scheduled work day.
3. Employees are eligible for four hours of leave for cancer screenings in each calendar year.
4. An employee may utilize excused leave for cancer screening without using accrued leave balances. If the employee is absent for more than four hours for screening, the additional time exceeding four hours will either be unpaid or may be charged to an appropriate category of accrued leave, if the employee has any such accrued leave, in accordance with current policies and procedures.
5. Employees are eligible for excused leave for cancer screening immediately after hire, provided that the screening occurs on or after the date they start working, in accordance with the applicable effective dates of this excused leave.

#### IV. PROCEDURES

##### Certification of Eligibility

1. When the cancer screening is foreseeable, an employee must give his/her Employer at least 10 calendar days advance notice before taking leave, when practicable. This requirement may be waived at the discretion of the agency head.
2. Eligible employees must provide timely documentation of a screening, such as a doctor's note or the "Verification of Cancer Screening" Form verifying the eligible employee as having undertaken a screening for the purposes of cancer detection on the date the employee used the excused leave for this purpose. Such documentation must be provided within 15 calendar days from the Employer's request, where practicable. The leave may be applied retroactively following receipt and verification of the documentation.

Attachment: [HC-0015 Verification of Cancer Screening](#)

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Commissioner