

PLEASE REFER TO THE PORTION OF THE HUMAN RESOURCES POLICIES ENTITLED DISCLAIMERS WHERE YOU WILL FIND A STATEMENT WHICH PERTAINS TO ALL EMPLOYEE POLICIES, INCLUDING THIS ONE.

LEAVES OF ABSENCE

- 1.1 This policy provides the requirements for a salaried Authority employee to take one of the following leaves of absence: leave due to death in the family, military leave, leave for jury duty, or personal leave without pay. (Information about leaves of absence covered by the Family and Medical Leave Act is found in EP: 3.3.)

Leaves Due To Death In The Family

- 2.1 The Authority provides three days of paid leave when there is a death in an employee's immediate family. Temporary Employees (as defined in Section 2.1(e) of EP: 3.1) are not eligible for such paid leave. [\(What about provisional and the other job categories?\)](#)
- 2.2 Immediate family is defined as an employee's spouse, mother, father, stepmother, stepfather, brother, brother's spouse, sister, sister's spouse, child, child's spouse, stepchild, grandparents, grandchildren; or an employee's spouse's mother, father, brother, sister, children, or grandparents. For these purposes "spouse" will include domestic partners who have satisfied NYPA's Domestic Partner Benefits eligibility (even if not subscribed to NYPA Domestic Partner medical benefits). [Refer to the Flexability Plan Overview of Employee Handbook or the HR intranet site. Is Domestic Partner changing due to recent changes in law? If so, this should be revised to mirror that change.](#)
- 2.3 If an employee will be absent due to the death of an immediate family member he/she must notify his/her supervisor as soon as possible.
- 2.4 The employee's time, indicating the reason for the absence must be entered in the time entry system and the appropriate documentation must be submitted to the employee's supervisor. Vacation leave or a floating holiday is to be used when the deceased is someone other than immediate family (as listed in Section 2.2), or if an employee intends to take more than the three days provided for in this policy.
- 2.5 Leave due to death in the immediate family is paid at an employee's base salary for the number of days absent (up to three days).

Military Leave

- 3.1 If an employee (as defined in Section 2.1 (a), (b), (c) and (d) of EP: 3.1) is a member of the National Guard or the Organized Reserve Forces of the United States he/she will be

allowed up to 30 workdays leave of absence per calendar year with full pay for military service.

- 3.2 Documentation of appropriate military orders must be provided prior to the commencement of the leave, with as much advance notice as possible.
- 3.3 Upon return from leave, the Payroll Department must receive a copy of the appropriate military orders.
- 3.4 Authorized military leave is paid at an employee's base salary.
- 3.5 Special circumstances may apply to employees who are activated in connection with serving in the military under a U.S. Declaration of War or Congressional Authorization of Force. For more details contact your local Human Resources office.

Leave For Jury Duty

- 4.1 The Authority provides a full-time, part-time or provisional salaried employee (as defined in EP: 3.1) with a paid leave of absence for the time needed to fulfill jury duty service. Temporary salaried employees, cooperatives and interns are entitled to minimum benefits for a leave of absence due to jury duty as required by law.
- 4.2 If an employee is summoned and required to serve on jury duty, he/she must advise his/her supervisor of the jury duty summons as soon as possible.
- 4.3 The employee is expected to report to work to the extent reasonably practicable when jury duty requires only part of the day.
- 4.4 Upon return from jury duty the employee must furnish his/her supervisor with a copy of the jury duty summons, or similar documentation.
- 4.5 Employees are paid for all days served on jury duty at their base salary in effect upon commencement of leave.

Pay Status Of Authority Employee Subpoenaed As A Witness

- 5.1 If an employee is subpoenaed to testify in a judicial or administrative proceeding as a witness on a matter arising out of his/her responsibilities at the Authority, or if an employee appears in a judicial or administrative proceeding at the request of the

Authority, he/she will be paid at his/her base salary.

- 5.2 In all other circumstances, e.g., when an employee appears as a witness in a matter unrelated to the ~~Authority, Authority~~ or for activities outside the scope of his/her Authority responsibilities, vacation time must be charged for any absence in connection with that appearance.

Personal Leave Without Pay

- 6.1 A leave of absence, other than a medical leave or a Family and Medical Leave Act ("FMLA") leave, (see EP: 3.3), to pursue personal interests will be considered on an individual basis as long as the absence will not adversely affect his/her department's work goals and needs.
- 6.2 If an employee is seeking to take a personal leave without pay he/she must submit a written request to his/her supervisor indicating the reason for the leave, the date the leave is expected to commence and the expected length of the leave. If the supervisor and the Business Group, Unit/Department Head, or Regional/Plant Manager (approval level based on Business Group Head discretion), approves a request, approval from the Human Resources Department Head must be received before the employee is notified that the request has been granted. Requests for such leave should be forwarded to Employee ~~Relationsesources~~ at headquarters or the Facility Manager of Human Resources for site staff so approval can be obtained from the Human Resources Department Head.
- 6.3 Before an employee is placed on personal leave without pay, he/she must exhaust all accumulated vacation leave credits, unless special exemption has been granted by the Human Resources Department Head. Accumulated sick leave credits may not be used for personal leave purposes.
- 6.4 Job security while on personal leave without pay will be considered by the respective department, in consultation with Employee ~~Relationsesources~~ based on the individual circumstances (i.e., length of leave, reasons, etc.).
- 6.5 A member of the Employee ~~Relationsesources~~ staff at headquarters or the Facility Manager - Human Resources at the sites will provide direction about the personal leave without pay. All benefits, with the exception of long-term disability and New York State Retirement System service credit (which require active payroll status), will continue for a personal leave without pay of 30 days or less. The employee will be required to pay his/her employee contributions during a personal leave without pay of 30 days or less. If a personal leave without pay is granted for a period of more than 30 days, all benefits, with the exception of long-term disability and New York State Retirement System service

credit, can be continued if the employee pays the full cost of the benefits. Arrangements can be made to continue benefits by making contributions on a post-tax basis.

- 6.6 Long-term disability insurance coverage will cease at the commencement of an approved personal leave without pay, but will resume upon the employee's return from leave. New York State Retirement System participation will continue; but the employee will not earn service credit during the period of the leave. Service credit will resume upon an employee's return from leave.
- 6.7 If an employee is on personal leave without pay on January 1, he/she will receive sick and vacation leave credits on a pro-rated basis upon his/her return to work. If an employee receives sick and vacation leave credits on January 1, and commences a Personal Leave without pay after that date, he/she keeps the sick and vacation leave that was credited on January 1.
- 6.8 When an employee is on personal leave without pay, he/she will not receive holiday pay if a holiday occurs during the leave.
- 6.9 ~~Occasional attendance will not qualify employee to return to active status unless such coverage is mandated by law (FMLA). ????~~ ~~what does this mean?~~ ~~Maybe rephrase—~~ ~~Requests for intermittent Personal Leave that are approved by the business unit will result in placing the employee on part-time status and weekly time sheet reporting schedule until such time that they return to full-time status.~~
- ~~7.06.9~~ ~~Upon~~ ~~Before~~ an employee's return from an approved personal leave without pay, the supervisor ~~must notifies-notify~~ the Employee Relations ~~sources~~ Unit of Human Resources at headquarters or the Facility Manager - Human Resources, so that the necessary payroll and benefits transactions can be initiated to return the employee to active status (the employee cannot return to work at his/her discretion).

Vice President, Human Resources