

**ADMINISTRATIVE ORDER OF THE
CHIEF JUDGE OF THE STATE OF NEW YORK**

Pursuant to the authority vested in me, and upon consultation with the Administrative Board of the Courts, and with the approval of the Court of Appeals of the State of New York, I hereby promulgate, effective immediately, the following amendments to Part 24 of the Rules of the Chief Judge, to read as follows:

PART 24. TIME AND LEAVE

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§24.3 Annual Leave

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(e) Employees entering the service of the unified court system shall be entitled to accrue annual leave[, retroactive to their date of entry, only after they have completed 13 biweekly pay periods of service] from their initial date of hire. An employee shall not earn annual leave credits for any biweekly pay period unless he or she is in full-pay status for at least seven workdays during such bi-weekly pay period.

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§24.4 Sick Leave

(a)

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(2) an employee shall be allowed to charge a maximum of [ten] 15 days of sick leave in any one calendar year of absences from work to care for a close family member during a time of illness. For purposes of this section, a close family member shall be the employee's spouse; domestic partner; natural, foster or step child; natural, foster or step parent; or any relative residing with the employee or an individual for whom the employee is the primary caregiver.

(b) Employees shall earn sick leave credits at the rate of one-half day per biweekly pay period. No more than [165] 200 days of such credits may be used for retirement service credit unless a greater benefit is provided by law, rule or regulation, and no more than 200 days of such credits may be used to pay for health insurance in retirement.

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[(k) The Chief Administrator or his or her designee may, in his or her discretion, advance sick leave credits to an employee absent due to personal illness who has exhausted his or her accumulated sick leave, annual leave and overtime credits. Such advanced sick leave credits shall be repaid as soon as practicable after the employee's return to duty, from subsequent accumulations of time credits.



The outstanding unrepaid sick leave credits advanced to any employee under the provisions of this Part shall not at any time exceed the amount earnable in one year of service. Upon termination of the employee's services, any such advanced sick leave not offset by subsequent accumulations of sick leave, annual leave, compensatory time and overtime credits, shall be deducted from salary or wages due the employee.]

[(I) The Chief Administrator or his or her designee may, in his or her discretion, grant sick leave at half-pay for personal illness to an employee having not less than one year of service, provided all of such employee's sick leave, annual leave, compensatory time and overtime credits have been exhausted; provided, however, that the cumulative total of all sick leave at half-pay granted to any employee during his or her service shall not exceed one pay period for each completed six months of service. Any sick leave at half-pay granted pursuant to this section shall be repaid, as soon as practicable after the employee's return to duty, from subsequent accumulation of sick leave and compensatory time credits at the full rate of accumulation and annual leave credits at one-half the rate of accumulation. Upon termination of the employee's service as a result of resignation, retirement or involuntary separation (other than by reason of death), any such sick leave at half-pay not offset by subsequent accumulations of time and leave credits shall be deducted from the salary or wages due the employee upon termination.]



[(m)] (k) Sick Leave [Donation] Bank Program. The Chief Administrator or his or her designee may establish rules and procedures permitting an employee who has [a designated minimum number of days of accumulated sick leave credits to assign a designated portion of sick leave days in a calendar year to an annual salaried employee who has] exhausted all of his or her sick leave, annual leave and overtime credits to draw sick leave credits from a sick leave bank established through the contribution of leave credits by employees who participate in the program.

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§24.6 Other Leaves With Pay

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(f) Death in the Immediate Family. Leave of up to four consecutive workdays (not to exceed a total of 28 work hours) shall be allowed immediately following the death of an employee's spouse; domestic partner; natural, foster or step: parent, child brother or sister; father-in-law or mother-in-law; grandparent or grandchild; or any relative residing with the employee or an individual for whom the employees has been the primary caregiver. Leave of up to two consecutive workdays (not to exceed a total of 14 work hours) shall be allowed immediately following the death of an employee's son-in-law or daughter-in-law. Prior notice and authorization is not required for leave under this subdivision. When a death in an employee's family



occurs while the employee is on annual leave, such time as is excusable for death in the family shall not be charged to annual leave.

Up to four days leave with pay may be granted in the discretion of the Deputy Chief Administrator for Management Support or his or her designee for the death of an individual for whom the employee has been the primary caregiver.

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(i) Blood Donations. Subject to the reasonable operating needs of the court or court-related agency, an employee shall be allowed up to three and one-half hours leave with pay for blood donations made during the employee's normal working hours. Such leave shall be used only on the day the donation is made and shall include all time spent making the donation, including travel time to and from the collection point. In the event that an employee donates blood during working hours pursuant to a court-sponsored blood drive and is required to return to work immediately following such donation, and the employee is not allowed the full three and one-half hours to make such donation, the employee shall be granted three and one-half hours of compensatory time. This subdivision shall not apply to an employee who receives a fee for such donation.

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(k) Leaves for medical screening. An employee shall be entitled to leave with pay for breast cancer screening and bone marrow screening and donation.

[(k)] (l) The Chief Administrator of the Courts or his or her designee may grant leaves with pay for reasons not itemized in this Part.

Chief Judge of the State of New York

Attest: _____
Clerk of the Court of Appeals

Date:

AO/ /04

