

New York University

UNIVERSITY POLICIES

Title: Volunteer Emergency Responders Leave Policy & Procedure – New York
Effective Date: February 13, 2019
Supersedes: October 17, 2016
Issuing Authority: Executive Vice President
Responsible Officer: Human Resources

Statement of Policy

In accordance with New York Labor Law § 202-l and the terms of this Policy, New York University in New York (“NYU-NY” or the “University”) will provide unpaid excused leave to employees working as volunteer emergency responders. As set forth below, this Policy lays out the parameters for leave entitlement and eligibility, the process for taking such leave, and other rules governing the use of such leave.

To Whom the Policy Applies

This Policy applies to all employees of NYU-NY who meet the eligibility requirements below.

Policy and Procedures

Leave Entitlement

Subject to the eligibility requirements set forth below, during the time of emergency that follows a “declaration of emergency” (as that term is defined by applicable state law), an employee is entitled to take leave while engaged in the actual performance of his or her duties as (a) a volunteer firefighter, or (b) an enrolled member of a volunteer ambulance service (as that term is defined by applicable state law), as applicable, unless the University determines that the employee’s absence would impose an “undue hardship” on the conduct of the University’s business (as that standard is defined by applicable state law).

Eligibility & Certification

Any employee who works for NYU-NY is eligible to take leave under this Policy if:

- the University has previously received written documentation from the head of the employee’s volunteer fire department or volunteer ambulance service, as applicable, notifying the University of the employee’s status as a volunteer firefighter or member of a volunteer ambulance service, as applicable; and
- the employee’s duties as a volunteer firefighter or member of a volunteer ambulance service, as applicable, are related to the declared emergency.

Upon request, an employee who has been granted leave conditionally under this Policy shall provide his or her supervisor with a notarized statement from the head of the volunteer fire department or volunteer ambulance service, as applicable, certifying the period of time(s) that the employee responded to any emergency covered under this Policy.

Anti-Retaliation

The University shall not in any way retaliate against an employee for requesting or obtaining leave under this Policy.

Other University Policies

Leave authorized under this Policy either shall be unpaid or may otherwise be charged against any other leave to which such employee is entitled, as determined by the employee.

Nothing set forth in this Policy shall be construed to impede, infringe or diminish the rights and benefits which accrue to University employees subject to a collective bargaining agreement, or otherwise diminish the integrity of the existing collective bargaining relationship.