TO:  Vice Presidents, Deans and Department Chairs

FROM:  David C. Pappalardo
        Assistant Vice President for Labor Relations

SUBJECT:  NEW YORK STATE DISASTER LEAVE LAW

DATE:          October 10, 2006

The American Red Cross, in conjunction with the Governor’s Office of Employee Relations, has requested assistance our in publicizing the State Disaster Leave Law, Civil Service Law Section 82-b, in connection with the State’s National Preparedness Month. A document explaining this law and the steps for implementation is attached.

The Disaster Leave Law provides that State employees be given release time to volunteer for Red Cross disaster relief assignments for up to 20 days in a calendar year, subject to supervisory approval. Such leave applies to trained Red Cross volunteers only.

The Red Cross has developed the attached brochure to help educate public employees about this law and has asked that it be passed along to our staff. Accordingly, I ask for your assistance in disseminating this memorandum and its attachments to your staff.

Thank you for your cooperation. If you or your staff has any questions concerning the leave provisions of this law, please contact the Office of Labor Relations at Extension 1972.

cc: Ivan Lissitzer
    Attachments
NEW YORK STATE DISASTER LEAVE LAW

Governor Pataki signed the Red Cross disaster leave proposal into law on September 25, 2001. Passage of this legislation (Chapter 358 of the Laws of 2001) had been a priority of the Red Cross in New York and throughout the nation for many years. Currently, 46 states have programs in place providing for government employees to be released to volunteer for Red Cross disaster relief assignments. Experience has shown that this has improved the ability of the Red Cross to respond to disasters while providing valuable skills to government employees.

The New York disaster leave law provides that State government employees may be released from their jobs to volunteer for Red Cross disaster relief assignments for up to 20 days in any calendar year. Such leave must be approved by the employee’s supervisor and is for trained Red Cross volunteers only. The law also authorizes local governments and State public authorities to offer disaster leave. Chapter 505 of the Laws of 2002 expands disaster leave to include employees of school districts.

Based on the Red Cross experience in implementing disaster leave in many states, efforts to publicize the availability of leave, make training readily available to State employees and have clear procedures for State employees to be released are critical for the program’s success.

The text of the legislation is listed below; included on the next page are the steps the American Red Cross believes are necessary to ensure successful implementation of the disaster leave law in New York.

Civil Service Law
§ 82-b. Emergency service volunteers; paid leave. Notwithstanding any other provisions of law to the contrary, public officers and employees of the State who are certified by the American Red Cross as disaster volunteers shall be granted leave from work with pay to participate in specialized disaster relief operations upon written request for such services by the American Red Cross and upon the approval of the chief executive of the State agency, department or bureau for which the public officer or employee serves. The public officer or employee shall be compensated at his or her regular rate of pay for those regular work hours during which the public officer or employee is absent from work while participating in authorized specialized disaster relief operations. Such leave shall be provided without loss of seniority, compensation, sick leave, vacation leave or other overtime compensation to which the volunteer is otherwise entitled and shall not exceed twenty days in any calendar year.

General Municipal Law
§ 92-c. Emergency service volunteer; paid leave. Notwithstanding any provisions of law to the contrary, public officers and employees of municipal corporations and school districts who are certified by the American Red Cross as disaster volunteers shall be granted leave from work with pay to participate in specialized disaster relief operations upon written request for such services by the American Red Cross and upon the approval of the chief executive of the municipal corporation, for which the public officer or employee serves or upon the approval of the superintendent of the school district for which the employee serves. The public officer or employee shall be compensated at his or her regular rate of pay for those regular work hours during which the public officer or employee is absent from work while participating in authorized specialized disaster relief operations. Such leave shall be provided without loss of seniority, compensation, sick leave, vacation leave or other overtime compensation to which the volunteer is otherwise entitled and shall not exceed twenty days in any calendar year.

Standardized Approval Process

- Red Cross chapters contact public employees, who are trained Red Cross volunteers, to seek their release.

- The employee seeks approval for release from his or her supervisor. Approval is indicated by the supervisor signing the Red Cross Form titled “State Volunteer Service Agreement for Disaster Operations.”

- Once an employee is released by his or her supervisor, the employee’s assignment and duties will be determined by the American Red Cross.

- Supervisor is notified by American Red Cross when employee’s volunteer assignment is complete.
“Help!”

New York State, County and Municipal Employees Answer the Call

Sometimes the plea comes from the stunned look on the faces of the family whose home has been destroyed by fire, sometimes it comes from hurricane evacuees seeking shelter from the storm. As an employee of the State of New York, one of its counties, municipalities, public authorities or a school district, you can answer this plea for help as an American Red Cross Disaster Services volunteer.

As a trained Red Cross disaster volunteer, you become eligible to receive up to 20 work days per calendar year of Disaster Leave from your job without any loss of seniority, pay, annual leave, sick leave or earned overtime. Disaster Leave is authorized under New York State Laws by Chapters 358 of the Laws of 2001 and 505 of the Laws of 2002.

It’s simple to get involved. You will need to contact your local Red Cross chapter and enroll as a Disaster Services volunteer. You will be given free training in areas such as mass care, shelter operations, disaster assessment and client casework.

Additional specialized training is available in Logistics, Disaster Health Services, Disaster Mental Health, Public Affairs, a Red Cross Liaison in a variety of settings, and Human Resources in Disaster. The skills you learn from Red Cross training and volunteer activities will benefit you in your job and other aspects of your life.

Upon completion of the required training, you will be enrolled in the Disaster Services Human Resource (DSHR) System. By becoming a DSHR member, you will become eligible to request and receive Disaster Leave during a disaster or emergency anywhere in the United States.

There’s a rewarding volunteer opportunity waiting for you as an American Red Cross Disaster Volunteer!

Your Volunteer Assignment

As a Red Cross disaster volunteer, you decide how you would like to help. Whatever your background and interests, there’s a place for you to make a difference. You can choose to get the training you need to do one or more of these important jobs:

Disaster Assessment
Volunteer teams make a visual overview and house-to-house surveys to assess the boundaries of affected areas and the extent of the damage. The teams also provide an overview of how communities are affected by a disaster.

Client Casework
Volunteer caseworkers work directly with disaster victims, interviewing them to determine immediate and long-range disaster-caused needs.

Mass Care
Volunteers staff and manage emergency shelters, and help prepare and serve meals to disaster victims at fixed feeding sites or mobile feeding routes, and may also assist with bulk distribution of emergency supplies such as clean-up kits.

Disaster Health Services
Volunteer nurses and other health professionals assist victims and staff in shelters and other locations during emergencies and disasters.

Disaster Mental Health
Licensed volunteers provide crisis counseling and emotional support to victims and emergency workers during and after a disaster.

Logistics
Volunteers are responsible for the vehicles, facilities and material to support all functions of a disaster relief operation.

Liaisons
Volunteers provide a critical link between the Red Cross and voluntary, local, state or federal agencies as well as with organized labor before, during and after a disaster.

Public Affairs
Volunteers work to ensure that the affected community is aware of Red Cross services available when disaster strikes.
Here's How It Works....

- As a State, county, municipal or school district employee, you volunteer and train with your local American Red Cross chapter to become a member of the Disaster Services Human Resource (DSHR) system. All Red Cross Disaster Services training is offered at no charge.

- Your local Red Cross chapter will forward a letter to your supervisor indicating that you have met the training requirements and have been approved as a member of the DSHR System. This will certify you as eligible for leave under New York State's Disaster Leave Law.

- In the event of a disaster or emergency, you will be notified by your local Red Cross chapter if your services as a volunteer are needed. You must notify your supervisor that the Red Cross has requested your assistance and ask for authorization to take Disaster Leave. You and your supervisor will then need to sign the State Volunteer Service Agreement for Disaster Operations.

- Upon approval of your supervisor, you will report to the Red Cross for your assignment.

- Your supervisor will be notified when your volunteer assignment is complete.

For additional information on the New York State Disaster Leave Law and how it affects you, contact your local Red Cross Chapter.

As a Public Employee
In New York State

You Can Make A Difference...

...by volunteering for the American Red Cross