

New York University

UNIVERSITY POLICIES

Title: Blood Donation Leave Policy & Procedure – New York
Effective Date: April 3, 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-j, applicable guidelines, and the terms of this Policy, New York University in New York (hereinafter, “NYU-NY” or the “University”) will provide covered employees with unpaid leave for the purpose of off-premises blood donation. As set forth below, this Policy sets forth the requirements for leave eligibility and entitlement, the process for taking leave, and other rules governing the use of such leave.

To Whom the Policy Applies

This Policy applies to any employee of NYU-NY who works an average of twenty (20) or more hours per week (hereinafter, “covered employee”).

Definitions

“Off-premises blood donation” means blood donation that is not made in connection with a blood drive at a covered “employee’s place of employment” or in connection with some other convenient time and place set by the University.

“Employee’s place of employment” means the physical location at which a covered employee works. Such location may be in a different building on the same location (*e.g.*, another building on a school campus or office complex, so long as such location is affiliated and physically proximate to the employee’s physical work location).

Policy and Procedures

Leave Entitlement

Leave granted to covered employees for off-premises blood donation is unpaid and shall be permitted at least one leave period per calendar year of three hours duration during the employee’s regular work schedule. Unused leave taken under this Policy does not carry over into the next calendar year.

Notice

A covered employee shall provide reasonable notice to his or her supervisor of his or her intended use of leave time under this Policy. Reasonable notice consists of notice provided at least three working days prior to the day on which leave will be taken. In cases where the employee fills a

position essential to the operation of the University or necessary to comply with legal requirements, and three days' notice is insufficient to allow the employee's position to be filled during the donation, notice shall be no longer than is necessary to feasibly fill the position, but in no case longer than ten working days. Should the covered employee experience an emergency requiring that he/she donate blood for his or her own surgery or that of a family member, reasonable accommodations shall be provided for a shorter notice period.

Verification

The University may require covered employees making off-premises blood donation to show proof of their blood donation in the form of notice of blood donation or a good faith effort at blood donation from the blood bank or some other proof sufficient to the purpose.

Anti-Retaliation

The University shall not retaliate against a covered employee for requesting or obtaining a leave of absence pursuant to this Policy.

Other University Policies

A covered employee may elect to use any applicable paid leave for which he or she is eligible under University policy for the purpose of off-premises blood donation, and such leave will run concurrently with the leave afforded under this Policy.

Any additional leave time requested and taken by covered employees in connection with blood donation shall be subject to all other rules and guidelines governing leave established by the University or applicable collective bargaining agreements.