



**NIAGARA COUNTY
CIVIL SERVICE
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Section 202-j of NYS Labor Law covering Blood Donation Leaves and Blood Drives

Please be advised that New York State Labor Law Section 202-j requires employers with more than fifty (50) employees to provide certain leave for the purposes of blood donation.

There are two (2) options that this law covers:

Off-Premises Blood Donation

Employees are allowed one (1) leave period per calendar year of three (3) hours duration during the employee's regular work schedule for off-premises blood donation. Off-premises blood drives are those that are not held at the employee's place of employment or in connection with some other convenient time and place set by the employer. **The three (3) hours of blood donation time is unpaid leave.**

Any additional leave time taken by employees in connection with off-premises blood donation is subject to all other County leave policies and/or collective bargaining agreements.

Employees must give proper notice (three days) prior to taking this leave. Shorter periods of notice may be allowed in an emergency involving the employee's own surgery or that of their family member. Employees may be required to show documentation of their off-premises blood donation or good faith attempt.

Blood Donation Leave Alternatives

As an alternative to providing the above leave, the County may elect blood donation alternatives. Employees would be given the opportunity to participate in a blood drive either sponsored by the County, or located on County property, twice a year at a period at least sixty (60) days apart. In the case of a qualified blood donation alternative, employees will not need to use unpaid or accrued time to donate blood. Employees will be required to return to duty after the process is complete.

Compensation for this leave is only required by law in those cases where the employer organizes such blood drawing event on its premises or in a location and time of its choosing. In this situation, employees shall be paid without having to use accumulated vacation, personal, sick, or other existing leave time accruals.

If you have any concerns or questions please contact the Human Resources Department at 438-4070.