File #: Int 1487-2025, **Version:** *

Int. No. 1487

By Council Members Morano, Menin, Ariola, Paladino, Restler, Banks, Narcisse and Vernikov

A Local Law to amend the administrative code of the city of New York, in relation to providing paid leave for city employees who serve as bone marrow or living organ donors and establishing a city bone marrow and living organ donor honor roll

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-143 to read as follows:

§ 12-143 Leave of absence for city employees who serve as organ donors. a. Definitions. For purposes of this section, the following terms have the following meanings:

Bone marrow donation. The term "bone marrow donation" means a donation of bone marrow for transplantation into another person.

Business day. The term "business day" has the same meaning as set forth in section 20-1261.

Calendar year. The term "calendar year" has the same meaning as set forth in section 20-192.

City employee. The term "city employee" has the same meaning as set forth in section 12-126.

Department. The term "department" means the department of health and mental hygiene.

Employer. The term "employer" means the city of New York.

Living organ donation. The term "living organ donation" means a donation by a living person of an organ or a part of an organ for transplantation into another person.

b. Any city employee who undergoes a medical procedure to make a bone marrow donation shall be provided with up to 5 business days paid leave. Any city employee who undergoes a medical procedure to make

a living organ donation shall be provided with up to 20 business days paid leave. To utilize the leave provided pursuant to this subdivision, the city employee must provide their employer with not less than 14 days prior written notice of an intention to utilize such leave, unless there exists a medical emergency, attested to by a licensed health care provider, that would require the city employee to participate in the medical procedure for which the leave is sought within the 14 day notification period. Leave provided pursuant to this subdivision shall be in addition to any other leave provided by the employer. Leave provided pursuant to this subdivision must be used in connection with the medical procedure for which the leave is sought, or for recovery from such procedure. The bone marrow donation leave and living organ donation leave provided pursuant to this subdivision are each available once per calendar year and do not roll over or accumulate from calendar year to calendar year. The employer may require documentation signed by a licensed health care provider indicating the need for the amount of leave taken, provided that the employer shall not require that such documentation include the city employee's medical information, except as required by law. Where a health care provider charges a city employee a fee for the provision of documentation requested by the employer, the employer shall reimburse the city employee for such fee.

c. The department shall establish and maintain a voluntary public honor roll recognizing city employees who have made a bone marrow donation or a living organ donation. The department may request documentation signed by a licensed health care provider confirming that the individual served as a living organ or bone marrow donor, provided that no medical details shall be required.

d. This section does not affect the mayor's authority to bargain with certified employee organizations pursuant to chapter 3 of title 12 of the administrative code.

§ 2. This local law takes effect 180 days after it becomes law.

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LSR #20203
11/10/25 11:00 am