



NEW YORK STATE UNIFIED COURT SYSTEM APPLICATION FOR CHILD CARE LEAVE

UCS-48-CL
Rev: 3/24

Applicant Information

Name _____ Title _____

Employee ID _____ NU _____ Court/ Agency _____

Qualifying Event: Childbirth and bonding Bonding with a newborn, adopted or foster child

Request Type: First year (Non-Discretionary) Extension beyond first year (Discretionary)

Date of Leave: From _____ Through _____

Type of Accrual(s) to be used

Sick Leave (SL): From _____ Through _____

Annual Leave (AL): From _____ Through _____

Compensatory Time (CT): From _____ Through _____

Pre-Tour Prep Time (PTP): From _____ Through _____

Sick Leave Bank (SLB): From _____ Through _____

Paid Parental Leave (PPL): From _____ Through _____

If you are seeking retroactive application of **PPL** for a qualifying event that occurred between January 1 and March 31, 2024, you **must** check this box and your local administrative office will provide you with the necessary form.

Employee Affirmation

I hereby affirm that to the best of my knowledge, the information reported is accurate. I understand that the granting of such leave does not extend my employment beyond a period where it would otherwise terminate by operation of law, rule or regulation. I also understand that it is my responsibility to stay in contact with the local administrative office during my leave.

Employee Signature _____ Phone (During Leave) _____ Date _____

I am a Peace Officer and affirm I have made the necessary arrangements to safeguard my firearm during leave.

Local Chief Clerk Or Designee/ OCA Supervisor

Discretionary Child Care Leave: Recommend Approval Recommend Denial (Attach Explanation)

Employee is a Peace Officer. I have reviewed this request and determined that this employee will not be able to attend annual firearms requalification. Arrangements will be made to safeguard the employee's firearms at the court/agency.

Signature _____ Title _____ Date _____

Administrative Approvals: NYC Chief Clerk/ District Executive/ OCA Director

Employee not eligible for FMLA: Not employed for 12 months Does not have 1250 hours of paid service
Has already exhausted FMLA entitlement for the calendar year

FMLA Designation has been issued for the period _____ through _____

Non-discretionary Child Care Leave approved as requested and a copy sent to the appropriate Administrative Office

Discretionary Child Care Leave: Recommend Approval Recommend Denial

Required documentation received and supports the request for leave

Signature _____ Title _____ Date _____

Deputy Chief Administrative Judge/ Chief Administrative Judge (or Designee)

Discretionary Child Care Leave approved as recommended above

Discretionary use of accruals @ 50% during Non-discretionary Child Care Leave approved as recommended above

Discretionary Child Care Leave denied

Signature _____ Title _____ Date _____



EMPLOYEE INSTRUCTIONS

APPLICATION FOR CHILD CARE LEAVE (UCS-48-CL)

Pursuant to the collective bargaining agreements and the Rules of the Chief Judge, all nonjudicial employees are entitled to a one-year, non-discretionary unpaid Child Care Leave for birth, adoption or foster placement.

The UCS-48-CL must be used when requesting leave for the following reasons:

- Childbirth
- Bonding with a newborn, adopted or foster child

For employees giving birth to a child, the Child Care Leave commences upon the date the child is born. For employees not giving birth that are seeking leave to bond with a newborn, adopted or foster child, the Child Care Leave will commence on the date elected by the employee. In all instances, the employee's right to take a Child Care Leave ends one year from the date the child is born, adopted or placed.

Once the employee returns to work, their ability to go back out on Child Care Leave during the first year becomes discretionary, i.e., subject to approval by the appropriate administrative authority or designee. Extensions of Child Care Leave beyond the first year are discretionary.

To the extent the employee is eligible for leave under the Family and Medical Leave Act (FMLA), such leave runs concurrent with the Child Care Leave.

During the unpaid Child Care Leave, the employee has the right to substitute their accruals (SL, AL, CT, PTP) and/or elect to use Paid Parental Leave (PPL)*. Note: during the Child Care Leave, SL can only be used to cover the period of time necessary for an employee to recuperate from giving birth, i.e., SL cannot be used for "bonding" with a newborn, adopted or foster child. Employees may also request to use their accruals at the ½ time rate, subject to approval by the Clerk of the Court of Appeals; Presiding Justice of an Appellate Division; Chief Administrative Judge for the Office of Court Administration; or appropriate Deputy Chief Administrative Judge.

Paid Parental Leave (Effective April 1, 2024)*

- Fully paid leave, without charge to personal accruals, for up to 12 work weeks for the birth of a child (including birth *via* surrogate), placement of a child for adoption, or placement of a child for foster care ("qualifying events").
- Available to any gestational, non-gestational, adoptive, or foster parent that has at least six (6) months of cumulative Court System service and works at least a 50% schedule as of the date the PPL commences.
- If both parents are employed by UCS, each is entitled to PPL of up to 12 work weeks.
- Available for use once in a 12-month period, on a rolling basis, regardless of the number of qualifying events that may occur within such 12-month period.
- Cannot be used incrementally or intermittently and must be taken in a continuous block of time. Employees do not have to take the full 12 work weeks, but once they return from PPL, eligibility for PPL for the same qualifying event is extinguished, i.e., if an employee returns after 8 work weeks of PPL, they are not eligible for future PPL unless there is a new qualifying event that occurs at least 12 months after the prior qualifying event.
- Employees can elect to begin PPL on the date of the qualifying event, or another date thereafter, but in no event will PPL extend beyond seven (7) months from the date of the qualifying event, i.e., an employee's ability to use PPL will end seven (7) months from the date of the qualifying event.
- Must be requested by the employee no less than 30 calendar days in advance where the need for leave is foreseeable.
- Approval is subject to receipt of proof of the qualifying event as soon as is practicable under the circumstances.
- In the event the employee has FMLA leave available upon commencement of PPL, FMLA leave will run concurrent with PPL.

- Employees that experience a qualifying event while they are already out of work on another leave must be cleared to return to work from such leave of absence in order to be eligible for PPL. The timeframes for commencing PPL and for filing an application, as set forth above, still apply.

****PPL currently only available for represented employees***

Steps for Completing the UCS-48-CL

Complete Name, Employee ID, Court/Agency, Title and Negotiating Unit (NU) in the spaces provided.

Check appropriate box corresponding to the qualifying event for which leave is being requested. **If you are an employee that is giving birth to a child, you must check the “Childbirth and bonding” box. If you are an employee that is not giving birth to a child and are only seeking leave to bond with a newborn, adopted or foster child, you must check the “Bonding with a newborn, adopted or foster child” box.**

Check the appropriate box corresponding to the type of leave, i.e., first year (non-discretionary) or extension beyond first year (discretionary).

Indicate the start and end dates in the FROM/THROUGH spaces provided. The “THROUGH” date is the last date of the leave.

Check the appropriate box(es) to indicate the types of Accrual(s) to be used during your leave, as applicable. Indicate the start and end dates for each type of Accrual in the FROM/THROUGH spaces provided. Any portion of the leave that is not covered by an elected Accrual will be unpaid.

Complete the Employee Affirmation. Note: Employees who are Peace Officers must indicate by check box and initials that they have made the necessary arrangements to safeguard their firearm during their leave.

Attach supporting documentation, as applicable, e.g., documentation confirming birth, adoption papers, official court papers. For employees giving birth that are FMLA-eligible, the WH-380-E must also be completed/submitted.

Submit the completed form and any supporting documentation to your administrative office as soon as possible but in no event less than 30 days in advance of the start date where the need for leave is foreseeable.

Retroactive PPL: If you are seeking retroactive application of PPL for a qualifying event that occurred between January 1, 2024 and March 31, 2024 and are seeking restoration of accruals you previously charged during this period and/or to charge PPL prospectively, i.e., from April 1, 2024 forward, you must check the box indicating that you are seeking retroactive application of PPL. Upon receipt of your UCS-48-CL with the retroactive application box checked, your local administrative office will provide you with the UCS-48-CL (Retro) for completion. Retroactive PPL applications must be received no later than May 1, 2024.

The UCS-48-CL is available on the Court System’s intranet in fillable format. See the “Forms” link on the Division of Human Resources page (inside-UCS.org: Division of Human Resources - Forms)

Returning to Work

There is no documentation ordinarily required for employees to return to work following their Child Care Leave. However, the employee must contact their administrative office as soon as possible should circumstances change while on leave.