


***BEREAVEMENT LEAVE PROVISIONS FOR DSS-HRA-DHS STAFF***

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**TO:** All Staff

**FROM:** Mark Neal   
Executive Deputy Commissioner  
Office of Human Capital Management

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***I. PURPOSE***

In the event of the death of an employee's immediate family member, the standard time and leave regulations governing "Leave Regulations for Employees Under the Career and Salary Plan," the "Leave Regulations for Management Employees" and Original Jurisdiction employees, provide for up to four (4) consecutive workdays without charge to leave credits for "Death in the Family" leave.

***II. DEFINITION***

For the purposes of using "Death in the Family" leave, immediate family is defined as:

Spouse; natural, foster or stepparent; child; brother or sister; father-in-law or mother-in-law; grandchild, any relative or relative-in-law residing in the household; or any registered domestic partner (as defined in paragraph III below) or parent, child or grandchild of such domestic partner or a relative of such partner residing in the household.

Annual leave or compensatory time may be requested for any additional time needed beyond the four (4) consecutive workdays of "Death in the Family" leave.

A work day is defined as seven (7) hours of time for staff members scheduled to work 35 hours per week, seven and one-half (7 ½) hours of time for staff scheduled to work a 37.5 hours per week, and eight (8) hours of time for staff members scheduled to work 40 hours per week.

***III. DOMESTIC PARTNERSHIP REQUIREMENT***

City employees who are in a domestic partnership agreement must register the domestic partnership with the City Clerk's Office to be eligible for "Death in the Family" leave in accordance with provisions cited in Executive Order No. 49 issued January 7, 1993. Employees who filed an affidavit of domestic partnership for "Death in the Family" leave with the Department of Citywide Administrative Service (DCAS) prior to March 1, 1993, will continue to be eligible for such leave as outlined in Mayor's Executive Order No. 123, dated August 7, 1989.

Any information concerning an employee's entitlement to "Death in the Family" leave relating to domestic partnership must be kept confidential. Under no circumstances may such information be used for purposes other than entitlement to "Death in the Family" leave.

**IV. "DEATH IN THE FAMILY" LEAVE REQUEST**

CityTime will allow only four (4) consecutive workdays (28/30/32 hours) of leave without being charged to leave balances for "Death in the Family" leave for employees scheduled to work 35/37.5/40 hours per week. Employees that enter a "Death in the Family" leave request in CityTime should select Excused Absence as the leave type, and "Death in the Family" as the leave reason. They must also enter their relationship to the deceased person in the comments section of the leave request. If it is for a non-immediate family member (as defined in this bulletin), who lives in the same household as the employee, that should be included in the Comments section as well.

The "Death in Family" leave will begin at the exact time and date that the request is entered in CityTime.

If the death of an immediate family member occurs when an employee is on an approved vacation or out sick, up to four (4) consecutive workdays of the vacation or sick time may be excused and charged to "Death in the Family" leave—not annual, sick, or compensatory time leave balances.

The employee (or their supervisor, if the employee is absent from work) should complete a leave request for "Death in the Family" leave as soon as possible after notification of the death. The four (4) consecutive workdays of "Death in the Family" leave should be taken immediately following the death when feasible, or as close to the date of the death as possible.

Regular days off (including holidays) are not factored into the four (4) consecutive workday maximum "Death in the Family" leave requirement (for each covered family member).

In order to have their "Death in the Family" leave validated and approved, employees must submit a copy of the death certificate, or other documentation as described below, to their immediate supervisor no later than thirty (30) days after the start of the "Death in the Family" leave. If the request for this leave involves a domestic partner or a domestic partner's family member, as explained in Section III on page 1, the employee must submit to their immediate supervisor a *Domestic Partnership Registration Certificate*, as described in Section III, issued by the City Clerk's Office, and any other documentation the Agency may require.

Please note that if the requested "Death in the Family" leave is for a non-immediate family relative residing in the employee's household, or the non-immediate family member of a

domestic partner residing in the employee's household, the death certificate of that non-immediate family member must show the same address as the employee's address registered in NYCAPS.

### **Other Acceptable Documentation**

If extenuating circumstances prevent employees from obtaining a copy of the death certificate, other documentation such as obituaries, medical expenses, doctors' notes, funeral home papers, bulletins and prayer cards from places of worship, etc. may be used to validate their relationship to the deceased. In addition, other documentation may be requested on a case-by-case basis to verify the address of the deceased or the relationship of the employee to the deceased.

Since "Death in the Family" leave requires a 2nd level approval, a request for such leave will be routed to Timekeeping for 2nd level approval after the supervisor approves the leave request. Therefore, a copy of the death certificate (or other verifying documentation) and all other relevant documents must be sent via e-mail to [secondlevelapprovals@dss.nyc.gov](mailto:secondlevelapprovals@dss.nyc.gov).

All submitted documentation will be handled with the highest level of privacy. The supervisor should keep a copy of the death certificate and/or other documentation related to the "Death in the Family" leave on file; and employees should keep copies for their records.

If you have any questions concerning "Death in the Family" leave, please contact HCM Customer Care at [HCMCustomerCare@dss.nyc.gov](mailto:HCMCustomerCare@dss.nyc.gov), or 212.331.4800.