

## Arizona's Sick Leave Law In a Nutshell

During the November, 2016 election, Arizona voters approved an initiative that added sick leave protections to all Arizona employees. These protections go into effect July 1, 2017.

The new law applies to all employers, irrespective of the number of employees that employer has. The employee may use the sick time for almost any reason, including

- An employee's mental or physical illness, injury or health condition;
- Care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, or for preventative care;
- The closure of any employee's place of business by order of a public official;
- Absence due to medical attention or mental health services as a result of domestic violence, sexual violence, abuse or stalking, or relocating a residence or utilizing legal service related to domestic violence, sexual violence, abuse or stalking.

Employees will accrue sick time at the following rates:

- For employers with less than 15 employees, employees accrue a minimum of one hour of paid sick time for every 30 hours worked, up to a maximum of 24 hours per year, unless the employer selects a higher limit
- For employers with 15 or more employees, employees accrue a minimum of one hour of paid sick time for every 30 hours worked, up to a maximum of 40 hours per year, unless the employer selects a higher limit
- Sick time begins to accrue when hired or on July 1, 2017, whatever is later. An employee may use sick time as it is accrued, but an employer may require the employee to wait until the 90<sup>th</sup> day after he/she is hired before using the sick time.

Unused paid sick time is carried over to the following year (limited by the 24 or 40 hour maximum per year, as described above). In the alternative, an employer may pay the employee for unused sick time. An employer may pre-pay expected sick time that an employee is expected to accrue at the beginning of the year.

Employers are required to post notices regarding the new sick time law in English and Spanish. The new statute requires the Industrial Commission of Arizona to prepare and provide sample notices that comply with the new law for employers to post. Additionally, the amount of an employee's accrued sick time, the amount of earned paid sick time taken through the year, and the amount of pay the employee has received as earned paid sick time must be included with (or on) the employee's paycheck.

For employers, probably one of the most significant portions of the new statute is that accrued paid sick time is “use it or lose it.” That is, there is no requirement that an employer pay an employee who is leaving the employment of the employer accrued, but unused, sick time.

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