

GCCA

PROFESSIONAL / SUPPORT STAFF SICK LEAVE

Paid time off (PTO) for all personnel is limited to a specific contract year. Compensated leave is to be granted to a staff member who, through personal or family illness, injury or quarantine, is unable to perform the duties of the assigned position.

Full-time support staff employees who are not on probation shall earn one (1) day of PTO for each month worked on their regular employment agreement with the District. Eligible support staff employees shall be able to utilize five (5) days of allowable PTO days from the beginning of the contract year. Added days shall accrue to the maximum earnable days over the length of the agreement.

Full-time certificated teachers shall receive ten (10) days of PTO per school year or an amount equivalent to their regular employment contract.

Part-time support staff and substitute teachers shall accrue one (1) hour of PTO for every thirty (30) hours worked but shall not be entitled to accrue or use more than forty (40) hours of paid leave per year. A substitute teacher may use PTO as it is accrued, after the ninetieth (90th) calendar day after commencing employment.

For the purposes of this policy, one (1) day shall be equal to the number of hours assigned to be worked per day.

For the purposes of this policy, a substitute teacher's workday is considered to be seven (7) hours.

Paid leave not taken during any year shall accumulate in the employee's sick leave benefit account. Leave other than illness requires Superintendent or principal approval and a four (4)-day advance notice. No more than ten percent (10%) of the staff can be absent on the same day with other leave requests. Leave taken for personal reasons may not exceed four (4) consecutive days without Superintendent authorization.

When a staff member exhausts all days of current PTO, accumulated PTO (sick leave), available vacation days and supplemental leave bank hours (if eligible), an unpaid leave of absence must be requested, pursuant to District policy.

Sick Leave Benefit Account

The Sick Leave Benefit Account consists of accumulated paid time off (PTO) not taken during any year and is only for the purpose of recuperative activities, e.g., obtaining medical care or treatment, procuring medications or other prescribed materials, convalescing at home or at a medical facility, or other therapy or activity prescribed by the employee's physician or health practitioner, with verification required if requested by the Superintendent. The District may, at District expense, require the employee to submit to medical or psychiatric examination by a physician or psychiatrist selected by the District to determine 1) whether or not the continued use of the Sick Leave Benefit Account is appropriate or 2) whether return to duty is appropriate.

A maximum of ten (10) days leave may be granted for maternity, paternity, or pregnancy-related leave without a reduction in accrued sick leave.

Accrued Sick Leave Payout

Upon retirement or resignation from, or termination by the district, up to ninety (90) days of unused PTO (Sick Leave Benefit Account days) are reimbursed to staff members who have worked at least five (5) years in the district, except the superintendent, according to the formula below:

- A. Annualized Salary x Multiplier x #of Accrued Sick Days (up to ninety [90])
- B. Annualized Salary is base salary. It is the primary position only and does not include stipends, Proposition 301, extra duty, or overtime.
- C. Annualized salary is calculated based on contract or work agreement.
- D. Multiplier is based on years of consecutive employment:
 - 0.05% after 5-9 years 0.1% after 10-14 years
 - 0.125% after 15-19 years 0.15% after 20+ years

For certified teachers and counselors who had worked 10 or more years as of June 30, 2020: Upon reaching twenty (20) years of continuous employment when leaving the District, they will have the option to be paid at the current sub rate multiplied by the number of days of accrued PTO as sick leave – not to exceed ninety (90) days.

Supplemental Leave Bank

The Supplemental Leave Bank (SLB) may only be used once all earned PTO, accrued sick leave (Sick Leave Benefit Account) and available vacation days have been exhausted and may be granted to a staff member who documents a personal or family member medical emergency. Revenue Rule 90-29 defines a "medical emergency" as a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will result in a substantial loss of income. Employees must contribute to the SLB in order to request and use days from the bank. The employee seeking donated days will provide the request for days to the District Human Resource Office. Donated sick days are deducted from the bank and cannot be reclaimed. SLB disputes shall be resolved by the Superintendent or the Superintendent's designee in consultation with the current recognized employee association president. See Policy GCCG.

Any employee who can be shown to have willfully violated or misused the District's sick leave policy or misrepresented any statement or condition will be subject to discipline, which may include reprimand, suspension, and/or dismissal.

Use of Earned PTO and Sick Leave

Earned PTO shall be provided upon the request of the employee. Such a request may be made orally, in writing, by electronic means or by any other means acceptable to the employer. When possible, the request shall include the expected duration of the absence.

When the use of earned PTO is foreseeable, the employee shall make a good faith effort to provide notice of the need for such time to the employer in advance of the use of the earned PTO and shall make a reasonable effort to schedule the use of earned PTO in a manner that does not unduly disrupt the operations of the employer.

Earned PTO may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time.

For earned PTO of three (3) or more consecutive workdays, an employer may require reasonable documentation. Documentation signed by a health care professional indicating that earned paid leave is necessary shall be considered reasonable documentation for purposes of this section.

PTO and Sick leave can be used for:

- A. An employee's mental or physical illness, injury, or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; an employee's need for preventive medical care;
- B. Care of a family member with a 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, injury, or health condition; care of a family member who needs preventive medical care;
- C. Reasons related to child care, domestic violence, sexual violence, abuse or stalking, and legal services as described in A.R.S. [23-373](#).

As defined in statute ([A.R.S. 23-371](#)), "family member" means:

- A. Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands *in loco parentis*, or an individual to whom the employee stood *in loco parentis* when the individual was a minor;
- B. A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or a person who stood *in loco parentis* when the employee or employee's spouse or domestic partner was a minor child;

- C. A person to whom the employee is legally married under the laws of any state, or a domestic partner of an employee as registered under the laws of any state or political subdivision;
- D. A grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or
- E. Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Notice:

- A. Employers shall give employees written notice of the following at the commencement of employment or by July 1, 2017, whichever is later: employees are entitled to earned PTO and the amount of earned paid leave, the terms of its use guaranteed in statute, that retaliation against employees who request or use earned PTO is prohibited, that each employee has the right to file a complaint if earned PTO as required by statute is denied by the employer or the employee is subjected to retaliation for requesting or taking earned PTO, and the contact information for the commission where questions about rights and responsibilities under can be answered.
- B. The required notice required shall be in English, Spanish, and any language that is deemed appropriate by the Industrial Commission of Arizona.
- C. The amount of earned paid sick time available to the employee, the amount of earned paid sick time taken by the employee to date in the year and the amount of pay the employee has received as earned paid sick time shall be recorded in, or on an attachment to, the employee's regular paycheck.
- D. The Industrial Commission of Arizona shall create and make available to employers, in English, Spanish, and any language deemed appropriate by the commission, model notices that contain the information for employers' use in complying with the statute.
- E. Employer violation of the notice requirements shall be subject to a civil penalty as prescribed in A.R.S. [23-364](#).

Accrual:

- A. Employees of an employer with fifteen (15) or more employees shall accrue a minimum of one (1) hour of earned PTO for every thirty (30) hours worked, but employees shall not be entitled to accrue or use more than forty (40) hours of earned PTO per year, unless the employer selects a higher limit.

- B. Earned PTO shall begin to accrue at the commencement of employment or on July 1, 2017, whichever is later.
- C. An employee may use earned PTO as it is accrued.
- D. Employees who are exempt from overtime requirements under the Fair Labor Standards Act of 1938 (29 United States Code section 213(A)(1)) will be assumed to work forty (40) hours in each work week for purposes of earned PTO accrual unless their normal work week is less than forty (40) hours, in which case earned PTO accrues based upon that normal work week.
- E. Earned PTO shall be carried over to the following year, subject to the limitations on usage indicated above for employees of employers with fifteen (15) or more employees and employees of employers with fewer than fifteen (15) employees.
- F. If an employee is transferred, but remains employed by the same employer, the employee is entitled to all earned PTO accrued and is entitled to use all earned PTO as provided in this section.
- G. When there is a separation from employment and the employee is rehired within nine (9) months of separation by the same employer, previously accrued earned PTO that had not been used shall be reinstated. Further, the employee shall be entitled to use accrued earned PTO and accrue additional earned PTO at the re-commencement of employment.

Retaliation Prohibited

It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected in statute.

An employer shall not engage in retaliation or discriminate against an employee or former employee because the person has exercised protected rights. Such rights include but are not limited to the right to request or use earned PTO pursuant to the statute; the right to file a complaint with the commission or courts or inform any person about any employer's alleged violation; the right to participate in an investigation, hearing or proceeding or cooperate with or assist the commission in its investigations of alleged violations and the right to inform any person of his or her potential rights.

It shall be unlawful for an employer's absence control policy to count earned PTO taken as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

Protections of this section shall apply to any person who mistakenly but in good faith alleges violations of this policy based on the supporting statutes.

Adopted: August 10, 2023

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CROSS REF.:

[GCBA](#) - Professional Staff Salary Schedules