

EMPLOYMENT LAW SUMMARY

Arizona Employee Leave Laws - Overview



Because You're Different

Employers may provide employees with various types of paid or unpaid leave as part of their overall compensation packages, including vacation time, personal leave and sick leave. Employers have some flexibility when it comes to establishing or negotiating employee leave policies. However, Arizona employers must comply with state laws that require employee leave in specific circumstances. (In addition, federal laws, such as the Family and Medical Leave Act, require covered employers to provide employees with leave in certain situations.)

Arizona has state laws requiring:

- Jury duty leave;
- Voting leave;
- Victim leave;
- National Guard leave; and
- Earned paid sick time.

This Employment Law Summary provides a high-level overview of Arizona's employee leave laws.

OVERVIEW OF EMPLOYEE LEAVE LAWS

TYPE OF LEAVE	REQUIREMENTS
Jury Duty Leave	<p>Employers must allow employees to take unpaid leave if called to serve as grand or trial jurors. An employer may not require an employee to use vacation or sick leave for any absence related to jury service. An employer may not discharge or demote an employee due to the employee taking leave to serve as a juror. Violating these provisions constitutes a class 3 misdemeanor.</p> <p>Courts must postpone and reschedule the service of a summoned juror of an employer with five or fewer full-time employees, or their equivalent, if during the same period another employee of that employer is serving as a juror.</p>
Voting Leave	<p>Employers must provide employees with up to three hours of paid leave to vote in a primary or general election, unless they have at least three hours before or after work to do so. Employees must apply for leave prior to election day. Employers may designate the hours that employees may be absent.</p>
Victim Leave	<p>Employers with 50 or more employees must allow unpaid leave to employees who are crime victims. Leave may be taken to attend a criminal proceeding or to obtain an order of protection, so long as the employee provides his or her employer with proper documentation. Employees may choose, or employers may require, use of available accrued paid leave. Employers may not dismiss, demote, refuse to hire or employ, or discriminate against employees for taking victims leave.</p>

TYPE OF LEAVE	REQUIREMENTS
National Guard Leave	In addition to the federal USERRA, Arizona law provides unpaid leave for National Guard and U.S. military members when called to active duty or to attend training. Employees must: •Be reinstated to their previous positions or to higher positions without losing seniority upon return from leave; and •Retain vacation rights (however, employers do not have to consider the period of leave when determining eligibility for vacation and the amount of vacation employees are entitled to). Employers cannot discharge members of the National Guard or prevent or obstruct employment.
Earned Paid Sick Time	Employers must provide earned paid sick time to employees. In general, employees must accrue at least one hour of earned paid sick time for every 30 hours worked . However, employees' accrual of paid sick time is limited as follows: •Employers with 15 or more employees may cap employee sick time accruals to 40 hours per year . •Employers with fewer than 15 employees may cap employee sick time accruals to 24 hours per year . Employees must be able to use accrued paid sick time for any of the following reasons: •An employee's (or an employee's family member's) mental or physical illness, injury or health condition, including the need for medical diagnosis, care or treatment and preventive medical care; •Closure of the employee's place of business by order of a public official due to a public health emergency or an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; •Time off due to domestic violence, sexual violence, abuse or stalking to allow the employee (or a family member) to obtain medical attention, counseling, services from domestic violence program or to relocate. An employer may require new employees to wait 90 days after hire prior to using any accrued paid sick time (accrual begins upon hire). An employer may require reasonable documentation to verify that paid sick time was used for a permitted reason when an employee is absent for three or more consecutive days . Employers must notify new employees of their paid sick leave rights when they are hired. In addition, employers must provide information about an employee's earned paid sick time at each pay period, either on the employee's paycheck or in an attachment to the paycheck.

SPECIAL NOTE: Please note that the information in the above chart focuses on statewide laws. Cities, towns and counties across the country have enacted local ordinances that also mandate leave to employees. Employers must generally comply with local ordinance and statewide law where it applies.

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