

**GCCA
PROFESSIONAL / SUPPORT STAFF
GENERAL LEAVE**

General leave for District personnel is a designated amount of compensated leave that is to be granted to a staff member for personal business reasons, personal illness, family illness, injury or quarantine.

Each staff member employed in a permanent, benefitted position prior to July 1, 2013, shall be credited with a general leave allowance at the rate of one and one-half (1 1/2) days per month (based on scheduled work hours per day) up to fifteen (15) or eighteen (18) days, determined by contract length:

- A. Twelve (12)-month employees earn up to eighteen (18) days of general leave per year.
- B. Ten (10)-month employees earn up to fifteen (15) days of general leave per year.

Each staff member employed in a permanent, benefitted position on or after July 1, 2013, shall be credited with a general leave allowance at the rate of one (1) day per month (based on scheduled work hours per day) up to ten (10) or twelve (12) days, determined by contract length:

- A. Twelve (12)-month employees earn up to twelve (12) days of general leave per year.
- B. Ten (10)-month employees earn up to ten (10) days of general leave per year.

Benefit-eligible employees are entitled to bereavement leave in accordance with District Policy GCCH.

Benefit-eligible non-twelve (12)-month employees are entitled to personal leave in accordance with District Policy GCCB.

Use of General Leave

Earned general leave shall be provided to an employee for 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).

General leave allows for an absence that is necessary due to domestic violence or abuse, provided the leave is to permit the employee to obtain for the employee or the employee's family member, medical or legal services and/or relocation to deter the aforementioned activities.

The District may, at District expense, require the employee to submit to medical examination by a physician selected by the District to determine 1) whether or not the continued use of general leave is appropriate, or 2) whether return to duty is appropriate.

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.

Family illness, for purposes of general leave, shall not exceed a period of three (3) consecutive days, unless approval is granted by the Superintendent or designee.

General leave may include other excused absences, such as medical, dental, or other therapeutic examination or treatment impossible to schedule on non-duty days.

General leave may be used for childbirth from the time the physician verifies that the employee is physically unable to perform her normal duties until the time the physician verifies that her condition is satisfactory to resume her normal duties. Sick leave for childbirth will not extend beyond six (6) weeks after the birth without the physician's verification. If the employee does not wish to return to her duties, an extended unpaid leave of absence must be requested, consistent with existing District policy.

A staff member who is or will be the grandparent of a newborn child will be allowed general leave, not to exceed two (2) days, for the birth of the newborn child. In the event of medical complications, more than two (2) days of general leave may be allowed. This leave must be used within the first twenty-one (21) days of the birth.

A staff member who is or will be the father of a newborn child will be allowed general leave, not to exceed ten (10) days, for the birth of the newborn child. In the event of medical complications, more than ten (10) days of general leave may be allowed. This leave must be used within the first twenty-one (21) days of the birth.

The unused portion of general leave allowance for individuals employed prior to July 1, 2013, shall accumulate to a maximum of one hundred ninety-five (195) days.

The unused portion of general leave allowance for individuals employed on or after July 1, 2013, shall accumulate to a maximum of ninety (90) days.

When a staff member exhausts all days of accumulated general leave, an unpaid leave of absence must be requested, pursuant to District Policy GCCC.

Excessive use of general leave. When employees are frequently absent from work, this takes a toll on the quality of District services and the level of staff morale. In order to encourage the appropriate use of general leave, employees may be subject to discipline or termination for the

excessive use of general leave. Excessive use of leave may include, but is not limited to:

- A. Establishing a pattern of being absent on the same day of the week over a period of time;
- B. Continuously exhausting accrued leave;
- C. Establishing a pattern of being absent before or after a holiday or a weekend;
- D. Repeated use of leave without pay; and
- E. Repeatedly exhausting the annual sick leave allowance.

When an employee accrues ten (10) days or eighty (80) hours of general leave absences beyond the first forty (40) hours of earned paid general leave, this may trigger a review by the supervisor.

The circumstances listed above (A-E) are not all-inclusive. The District may determine in its sole discretion on a case-by-case basis whether any particular use of general leave or any other set of circumstances constitutes an excessive use of general leave. The District also may determine in its sole discretion whether any particular instance of excessive use of general leave merits discipline, and if so, what particular discipline is appropriate to the situation.

Additional provisions. Upon request, the staff member shall inform the Superintendent of the following:

- A. Purpose for which general leave is being taken.
- B. Expected date of return from general leave.
- C. Where the staff member may be contacted during the leave.

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

Other leave-related benefits available to benefit-eligible employees:

A. An employee who has at least ten (10) years of experience with the District and who has accumulated one hundred thirty-five (135) days (based on eight [8] hours per day) of general leave is entitled to receive a one thousand dollar (\$1,000) bonus upon retirement.

B. An employee leaving the District after a minimum of fifteen (15) years of service would be paid an amount for unused general leave according to the following formula:

Fifteen (15) years of service - \$27.50 per eight (8) hour day

Twenty (20) years of service - \$35.00 per eight (8) hour day

Twenty-five (25) years of service - \$42.50 per eight (8) hour day

Thirty (30) years of service - \$50.00 per eight (8) hour day

To be eligible for the above payment, the notice of retirement or resignation must be submitted to the Governing Board by March 1 of the final year of employment before retirement or separation. Employees are only entitled to receive this benefit after fulfilling their entire contract in the final year of employment. If an employee retires before the end of the contract in his or her final year of employment but the employee continues to work for the District in the same position through a third-party contractor through the date in the original employment contract, the employee will be eligible to receive this benefit. Payment of the benefit would not occur until the retired employee works through the date that was in the original contract. Upon unanimous vote of the Board, accrued leave may be paid without prior notice.

C. If death of a qualifying employee (one who has submitted a letter of intent that has been approved by the Board) occurs before such retirement, the said amount would be paid to the designated beneficiary at the rate of fifty dollars (\$50.00) per eight (8) hour day. Upon unanimous vote of the Governing Board, accrued leave may be paid to the beneficiary without such prior notice.

Earned general leave shall be provided upon the request of an employee. Such request may be made orally, in writing, by electronic

means or by any other means acceptable to the supervisor. When possible, the request shall include the expected duration of the absence.

When the use of earned general leave 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 general leave and shall make a reasonable effort to schedule the use of earned general leave in a manner that does not unduly disrupt the operations of the employer.

Earned general leave time for non-exempt (hourly) employees shall be used in fifteen (15) minute increments. Earned general leave time for exempt employees shall be used in hourly increments.

Accrual of Time in Accordance with the "Fair Wages and Healthy Families Act:"

A. Employees shall accrue a minimum of one (1) hour of earned paid general leave for every thirty (30) hours worked, but employees shall not be entitled to accrue or use more than forty (40) hours of earned paid general leave under the Fair Wages and Healthy Families Act per year.

B. Earned paid general leave shall begin to accrue at the commencement of employment or on July 1, 2017, whichever is later.

C. Employees may use earned general leave in accordance with the Fair Wages and Healthy Families Act as it is accrued up to a maximum of forty (40) hours per year.

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 paid general leave accrual unless their normal work week is less than forty (40) hours, in which case earned paid general leave accrues based upon that normal work week.

E. 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 general leave that had not been used shall be reinstated in accordance with the Fair Wages

and Healthy Families Act. Further, the employee shall be entitled to use accrued earned paid general leave and accrue additional earned paid general leave time at the re-commencement of employment.

Nothing in statute shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement or other separation from employment for accrued earned general leave time that has not been used.

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 paid general leave time 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 investigation 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 paid general leave time 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: June 26, 2018

LEGAL

A.R.S.

[15-187](#)

[15-502](#)

[23-363](#)

[23-364](#)

[23-371](#)

REF.:

[23-372](#)

[23-373](#)

[23-374](#)

[23-375](#)

CROSS

REF.:

[GCBA](#) - Professional Staff Salary Schedules

[GCCB](#) - Professional/Support Staff Personal/Emergency/Religious
Leave

[GCCH](#) - Professional/Support Staff Bereavement leave