

KNOW YOUR RIGHTS: ARIZONA + PAID SICK DAYS

May 2019



Arizona passed a new law guaranteeing private sector workers paid sick and safe days, and it went into effect in July 2017. Read the law here: bit.ly/ArizonaPSD

What is paid sick time?

Paid sick days are days workers accrue over a certain amount of time that can be used to deal with personal and family health or safety needs, without losing pay or one's job. It is legally protected, earned time away from work that cannot be taken away and that can be used specifically for the needs described above.



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✓ AM I ELIGIBLE FOR PAID SICK DAYS?

Private sector workers are eligible to accrue and use paid sick time.

✓ HOW DO I GET PAID SICK DAYS?

Work 30 hours = Earn 1 sick hour

Workers who are covered by the law earn one hour of paid sick time from their employer for every 30 hours they work.

✓ WHEN CAN I START TO USE PAID SICK TIME?

You can use paid sick time as soon as it is accrued. An employer may require new employees to complete a waiting period of up to 90 days before using accrued sick time.

✓ DO I STILL GET PAID WHEN I USE A SICK DAY?

When you use sick time, your employer pays you at the same hourly rate that you would earn if you were working. You receive that pay as part of your regular paycheck.



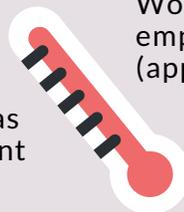
⊖ THE LAW DOES NOT APPLY TO:

- Persons employed by a parent or sibling;
- Persons performing babysitting services in the employer's home on a casual basis; and
- State or federal government employees.

⊖ CAN MY EMPLOYER DENY MY REQUEST FOR SICK DAYS?

No, your employer cannot deny your request for sick time for an unforeseeable absence (such as coming down with the flu or needing more time off than anticipated to recover from a procedure).

Your employer can require you to make a “timely” request for planned absences (such as a planned doctor’s appointment or appointment for abortion care) prior to the start of your scheduled work time.



✓ HOW MUCH PAID SICK TIME DO I GET?

40 hours/year (15+ employees)

Covered workers whose employers have 15 or more employees can earn up to 40 hours (approximately five days) of paid sick time in a year.

24 hours/year (1-14 employees)

Workers whose employers have fewer than 15 employees can earn up to 24 hours (approximately three days) in a year.

If an employer already offers paid time off, and employees can accrue it at the same rate and use it for the same reasons, the employer does not have to provide additional time under the law.

✓ FOR WHAT FAMILY MEMBERS CAN I USE PAID SICK TIME?

In addition to taking paid sick time for your own needs, sick time can be used to care for family members. **Under Arizona's law, "family member" includes your:**

- Spouse or domestic partner;
- Child (adopted, adult or foster);
- Parent;
- Sibling;
- Grandparents/children;
- Parent or legal guardian of spouse/domestic partner;
- Person with whom an employee was or is in a relationship of in loco parentis (acting as a parent); and
- Any other individual related by blood or affinity or whose close relationship with you is the equivalent of a family relationship.



✓ FOR WHAT REASONS CAN I USE PAID SICK TIME?



Paid sick time can be taken in hourly increments or as partial or full workdays. You can use sick time for your own **mental or physical health matters**, including to recover from an illness like the flu, or to go to a **doctor's appointment**, whether for a regular checkup or for particular health care services or procedures. You can also use paid sick time for a **family member's care** or to attend a doctor's appointment with a family member.

Additionally, you can use paid sick time if you or your family member is the victim of **domestic abuse, stalking or sexual violence**. Sick time can be used to seek relocation, obtain help from a victim services organization, access medical care, or to participate in legal or court-ordered action.

Accrued paid sick time can also be used in the event of a public health emergency, such as the closure of your place of business, a child's school or place of care.

✓ CAN I USE PAID SICK TIME FOR ABORTION CARE?

Yes, if you are eligible for paid sick time, you can use paid sick time for abortion care. You can take paid sick time in hours or in full workdays. Clinic staff can help you determine how much time you may need to **rest and recover** after your procedure or during or after a medication abortion.

Paid sick time can also be used to cover the time you spend **traveling** to get care.

If you are getting an abortion at a clinic in Arizona, note that the state has a **24-hour mandatory waiting period** before any abortion procedure, requiring you to have an in-clinic appointment at least one day before you have your abortion procedure or take the first dose of medication in a medication abortion.

DO I HAVE TO TELL MY BOSS I AM GETTING AN ABORTION?

 No, you do not have to tell your boss the specific medical reason for missing work. However, they may still ask for verification, like a doctor's note, if you request to use sick time *for more than three consecutive days*. **Make sure you ask clinic staff to help ensure your confidentiality if you do need employer verification.**

WHAT ELSE DO I NEED TO KNOW?

 No, your employer cannot retaliate against you for using your sick days. A reduction of hours, a transfer, discharge, suspension or threat of these actions is prohibited by the law.

 No, your employer cannot condition the use of your earned sick time on you finding a replacement or someone to cover your shift.

If you feel you have been wrongly denied the use of your earned sick time or feel your employer has violated the law, you can file a complaint with the Arizona Industrial Commission within one year of the suspected violation.