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## Earned Paid Sick Time

### 1041.1 PURPOSE AND SCOPE

This purpose of this policy is to ensure compliance with Arizona Fair Wages and Healthy Families Act by providing eligible employees with up to 40 hours per year of earned paid sick time (EPST).

This policy applies to all part-time and temporary employees.

### 1041.2 POLICY

It is the policy of the Northwest Fire District to provide part-time and temporary employees with the EPST benefit.

Full-time employee are provided paid time off (PTO) that exceeds the requirements set forth by the law, and do not receive additional EPST hours. (See Policy 1040 Paid Time Off)

### 1041.3 EARNED PAID SICK TIME ACCRUAL

Eligible employees shall accrue one (1) hour of EPST for every thirty (30) hours worked, up to a maximum of forty (40) hours per fiscal year. Additional accrual provisions and carry over provisions for the following year will be in accordance with ARS § 23-372.

Any unused, accrued EPST shall be carried over to the next fiscal year up to a maximum of 80 years; however eligible employees may not use more than 40 hours of accrued EPST in any fiscal year.

EPST shall be paid at the eligible employee's normal hourly rate, and shall be counted as hours worked for the purpose of the calculation of overtime.

Unused, accrued EPST shall not be paid to eligible employees at the point of separation from the District.

### 1041.4 USE OF EARNED PAID SICK TIME

Earned paid sick time (EPST) is intended to be used for qualified absences (ARS § 23-373). EPST is not considered vacation. Abuse of EPST may result in discipline, denial of sick-leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity, or other activity that may impede recovery from the injury or illness.

Qualified appointments should be scheduled during an employee's non-working hours when it is reasonable to do so (ARS § 23-373).

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### 1041.4.1 NOTIFICATION

All employees should notify their supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, an employee is unable to contact their supervisor, every effort should be made to have a representative for the employee contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the employees shall, whenever possible and practicable, provide the District with no less than 30 days' notice of the impending absence (ARS § 23-373).

Upon return to work, employees are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken (ARS § 23-373).

The District does not require an employee to find a replacement worker for his or her time off during EPST.

### 1041.5 EXTENDED ABSENCE

Employees absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider or verification supporting the need to be absent and/or the ability to return to work to Human Resource Services. Employees on an extended absence shall, if possible, contact Human Resource Services at specified intervals to provide an update on their absence and expected date of return (ARS § 23-373).

#### 1041.5.1 ABSENCE BASED ON DOMESTIC VIOLENCE, SEXUAL VIOLENCE, ABUSE, OR STALKING

Employees taking EPST for three or more days for a qualified absence related to domestic violence, sexual violence, abuse, or stalking may be requested to provide reasonable documentation that the sick leave is being used for a qualified absence to Human Resource Services. The employee may choose the form of documentation to submit as provided in ARS § 23-373.

### 1041.6 COORDINATION WITH OTHER TYPES OF LEAVE

- (a) If an employees' use of EPST is due to a qualifying event under the Family Medical Leave Act (FMLA), the time spent on EPST may also be counted toward the employee's FMLA, if eligible.
- (b) If the employee's use of EPST is a qualifying event under the FMLA and/or the ADA, the District has the right to require evidence of disability or a serious health condition in accordance with federal law.
- (c) If the employee's use of EPST is related to a work-related illness or injury, the employee shall be subject to the guidelines set forth in the Policy 1035 Occupational Disease and Work-Related Injury.

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### **1041.7 RETALIATION OR DISCRIMINATION**

Retaliation or discrimination against an employee for permitted use of EPST is prohibited (ARS § 23-374).

### **1041.8 NOTICE**

The Human Resource Services Manager shall ensure:

- (a) Notice is posted in a conspicuous place for employees to review information on EPST as required by ARS § 23-364.
- (b) Employees receive written notice of EPST provisions that meets the requirements of ARS § 23-375.
- (c) Required information regarding EPST is included with the employee's regular paycheck (ARS § 23-375).

### **1041.9 CONFIDENTIALITY**

The District may not require an employee to disclose the details of an illness or the circumstances involved as a condition of permitting EPST use. If the District does possess such knowledge, that information shall be deemed confidential and not disclosed except to the affected employee or with the permission of the affected employee (ARS § 23-377).

### **1041.10 ADDITIONAL RESOURCES**

Information regarding employees rights under the Fair Wage and Healthy Families Act is provided on a poster on the District's bulletin boards for employees.

Additional detailed information is available on the Industrial Commission website at [www.azica.gov](http://www.azica.gov).