



PERSONNEL POLICIES & PROCEDURES PROPOSED AMENDMENTS

City Council
May 8, 2017





Proposition 206

Fair Wages and Healthy Families Act

- November 8, 2016 General Election: Initiative passed
- Requires paid sick leave for all Arizona employees effective July 1, 2017
- Mandates minimum wage increase



Proposition 206

- Under the Act, Arizona's minimum wage of \$8.05 per hour increases annually as follows:
 - \$10.00 per hour on January 1, 2017
 - \$10.50 per hour on January 1, 2018
 - \$11.00 per hour on January 1, 2019
 - \$12.00 per hour on January 1, 2020

Starting January 1, 2021, the minimum wage will increase annually based on the cost of living, as measured by the consumer price index.



Proposition 206 **Paid Sick Leave Requirement**

- Employers with 15 or more employees: must provide 1 hour of paid sick leave for every 30 hours worked, up to a maximum of 40 hours per year.
- Part-time and temporary workers are considered “employees” under Prop 206 and are entitled to accrue paid sick leave.



Proposition 206

Reasons for Paid Sick Leave

- Employee's own physical or mental illness
- Care for the employee's family member who has a physical or mental illness
- Public Health Emergency
- Domestic violence, sexual violence, or stalking of the employee or employee's family member



Proposition 206 **Family Member Defined**

- 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
- 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
- Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship



Proposition 206 Family Member Defined

- 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
- 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



Highlights of Proposed Changes to Chapter 6: Benefits

- The City has identified areas in policy that need clarification/modification based on current practices
- In addition, state and federal law mandate changes to the policies



Highlights of Proposed Changes to Chapter 6: Benefits

New policy language added to cover these topics:

- Definitions were added to define terminology used throughout Chapter 6
- Language was added to accommodate the requirements of Proposition 206 requiring paid sick leave for regular part-time, seasonal and temporary part-time employees.
- Added language to provide a bank of 40 hours of paid sick leave for all part-time employees.



New policy language topics continued:

- Added language to clarify that newly hired part-time employees are eligible to use sick leave after 90 days of employment.
- Adds language to describe the reasons for which employees may use paid sick leave required by Proposition 206. Employees will be permitted to use paid sick leave for the following reasons: an employee's medical condition and a family member's medical condition, in addition an employee may use paid sick leave for reasons related to childcare, domestic violence, sexual violence, abuse or stalking and legal services described in the state statutes. The employee may also use paid sick leave when their place of business is closed for a public health emergency or when a child's school or place of care is closed for a public emergency.



New policy language topics continued:

- Clarifies that an employee may not be subject to retaliation or discrimination for using paid sick leave.
- Adds language that clarifies that an employee will not be required to search for a replacement worker to cover hours during which the employee is using paid sick leave.
- Adds language to clarify acceptable methods for notifying the City of an absence for paid sick leave usage such as a telephone call, email, or text message.



New policy language topics continued:

- Adds language to explain the types of documentation required of employees to use paid sick leave for more than three (3) consecutive days.
- Adds language to allow employees with 15 years of continuous service with the City to receive 100% of accrued sick leave up to 375 hours or 33.3% of the total balance, whichever is greater. The policy currently provides employees with 10 years the ability to receive 100% of 250 hours and employees with 20 years the ability to receive 100% of 500.
- Adds language to allow employees that resign from employment with the City but return within a nine (9) month period to have any unreimbursed sick leave reinstated. This is in accordance with Proposition 206.



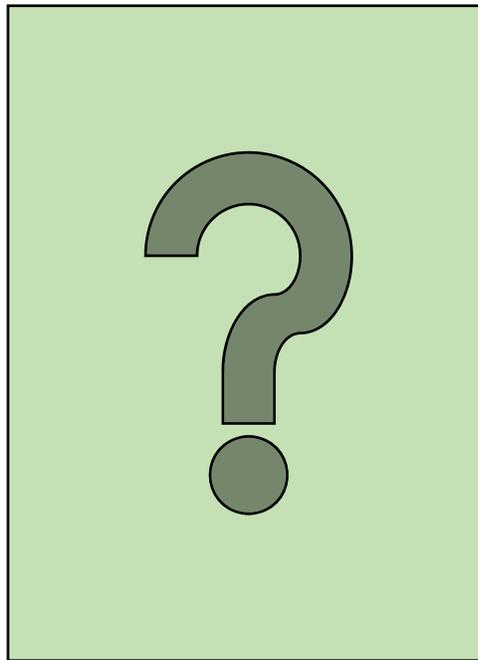
New policy language topics continued:

- Adds language to allow the Department Director to authorize a maximum of four (4) hours of bereavement leave for attendance at a co-worker's funeral or memorial service.
- Changes language to reflect the current practice requiring employees to submit a request for military leave to their Department Director instead of the City Manager.
- Changes language to allow the use of paid sick leave for Victim's Leave as required by Proposition 206.





QUESTIONS



Aspiring. Achieving. Accelerating.