

REFERENCE TITLE: **employees; school conferences; leave**

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

## **SB 1416**

Introduced by  
Senators Mendez: Gonzales, Quezada, Terán; Representatives Andrade,  
Dalessandro, Hernandez M, Liguori, Salman, Solorio

**AN ACT**

**AMENDING TITLE 23, CHAPTER 2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 8.2; RELATING TO EMPLOYMENT PRACTICES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 23, chapter 2, Arizona Revised Statutes, is  
3 amended by adding article 8.2, to read:

4 ARTICLE 8.2. PARENTAL LEAVE

5 23-385. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "CHILD" MEANS A BIOLOGICAL, ADOPTED OR FOSTER CHILD, A STEPCHILD  
8 OR A LEGAL WARD OF AN EMPLOYEE WHO IS ENROLLED IN A SCHOOL IN THIS STATE.

9 2. "EMPLOYEE":

10 (a) MEANS AN INDIVIDUAL WHO PERFORMS SERVICES FOR HIRE FOR AN  
11 EMPLOYER.

12 (b) DOES NOT INCLUDE AN INDEPENDENT CONTRACTOR.

13 3. "EMPLOYER" MEANS AN INDIVIDUAL, PERSON OR ANY TYPE OF  
14 ORGANIZATION, INCLUDING THIS STATE AND ANY POLITICAL SUBDIVISION OF THIS  
15 STATE, THAT EMPLOYS AT LEAST FIFTY EMPLOYEES IN THIS STATE.

16 4. "SCHOOL" MEANS ANY PUBLIC OR PRIVATE PRIMARY OR SECONDARY  
17 SCHOOL.

18 23-385.01. School conference or activity leave; written  
19 request; exception; hours of conferences or  
20 activities; verification

21 A. AN EMPLOYER SHALL GRANT AN EMPLOYEE SCHOOL CONFERENCE OR  
22 ACTIVITY LEAVE OF UP TO A TOTAL OF SIXTEEN HOURS DURING ANY SCHOOL YEAR,  
23 NOT MORE THAN FOUR HOURS OF WHICH MAY BE TAKEN DURING ONE DAY, TO ATTEND  
24 SCHOOL CONFERENCES OR ACTIVITIES RELATED TO THE EMPLOYEE'S CHILD IF ALL OF  
25 THE FOLLOWING APPLY:

26 1. THE CONFERENCE OR ACTIVITY IS NOT SCHEDULED DURING NONWORK  
27 HOURS.

28 2. THE EMPLOYEE HAS EXHAUSTED ALL ACCRUED VACATION LEAVE, PERSONAL  
29 LEAVE AND COMPENSATORY LEAVE AND ANY OTHER LEAVE THAT MAY BE GRANTED TO  
30 THE EMPLOYEE EXCEPT SICK LEAVE AND DISABILITY LEAVE.

31 3. THE EMPLOYEE HAS BEEN EMPLOYED BY THE EMPLOYER FOR AT LEAST THE  
32 SIX CONSECUTIVE MONTHS IMMEDIATELY PRECEDING THE REQUEST FOR SCHOOL  
33 CONFERENCE OR ACTIVITY LEAVE.

34 4. THE AVERAGE NUMBER OF HOURS PER WEEK THAT THE EMPLOYEE WORKS IS  
35 EQUAL TO AT LEAST ONE-HALF OF THE FULL-TIME EQUIVALENT POSITIONS IN THE  
36 EMPLOYER'S JOB CLASSIFICATION, AS DEFINED BY THE EMPLOYER'S PERSONNEL  
37 POLICIES OR PRACTICES OR PURSUANT TO A COLLECTIVE BARGAINING AGREEMENT,  
38 DURING THE SIX MONTHS IMMEDIATELY PRECEDING THE REQUEST FOR SCHOOL  
39 CONFERENCE OR ACTIVITY LEAVE.

40 B. THE EMPLOYEE SHALL PROVIDE THE EMPLOYER WITH A WRITTEN REQUEST  
41 FOR SCHOOL CONFERENCE OR ACTIVITY LEAVE AT LEAST SEVEN DAYS BEFORE THE  
42 DATE OF THE REQUESTED SCHOOL CONFERENCE OR ACTIVITY LEAVE. IF THE  
43 SITUATION IS AN EMERGENCY, THE EMPLOYEE SHALL PROVIDE AT LEAST TWENTY-FOUR  
44 HOURS' WRITTEN NOTICE BEFORE THE DATE OF THE SCHOOL CONFERENCE OR ACTIVITY  
45 LEAVE.

1 C. BEFORE SCHEDULING A SCHOOL CONFERENCE OR ACTIVITY, THE EMPLOYEE  
2 SHALL CONSULT WITH THE EMPLOYER TO SCHEDULE THE LEAVE SO THAT OPERATIONS  
3 OF THE EMPLOYER ARE NOT UNDULY DISRUPTED.

4 D. AN EMPLOYER THAT IS SUBJECT TO THIS ARTICLE IS NOT REQUIRED TO:

5 1. GRANT SCHOOL CONFERENCE OR ACTIVITY LEAVE TO AN EMPLOYEE IF  
6 GRANTING THE LEAVE WOULD RESULT IN MORE THAN FIVE PERCENT OF THE  
7 EMPLOYER'S WORKFORCE TAKING SCHOOL CONFERENCE OR ACTIVITY LEAVE AT THE  
8 SAME TIME.

9 2. COMPENSATE AN EMPLOYEE FOR THE DURATION OF THE SCHOOL CONFERENCE  
10 OR ACTIVITY LEAVE.

11 E. FOR REGULARLY SCHEDULED, NONEMERGENCY CONFERENCES OR ACTIVITIES,  
12 SCHOOLS SHALL MAKE TIME AVAILABLE FOR SUCH CONFERENCES OR ACTIVITIES  
13 DURING BOTH REGULAR SCHOOL HOURS AND EVENING HOURS.

14 F. IF REQUESTED BY THE PARENT OR GUARDIAN OF A CHILD AT THE SCHOOL,  
15 A SCHOOL SHALL PROVIDE DOCUMENTATION VERIFYING THAT THE PARENT OR GUARDIAN  
16 ATTENDED THE SCHOOL CONFERENCE OR ACTIVITY. AN EMPLOYER MAY REQUEST THIS  
17 VERIFICATION AND, IF REQUESTED, THE EMPLOYEE SHALL SUBMIT THE VERIFICATION  
18 TO THE EMPLOYER.

19 23-385.02. Notification to schools; notification of school  
20 visitation policy; notification to employers

21 A. THE DEPARTMENT OF EDUCATION SHALL NOTIFY EACH SCHOOL REGARDING  
22 THE PROVISIONS OF THIS ARTICLE, AND EACH SCHOOL SHALL NOTIFY PARENTS OR  
23 GUARDIANS OF THE SCHOOL'S STUDENTS OF THE SCHOOL'S VISITATION POLICY.

24 B. THE INDUSTRIAL COMMISSION OF ARIZONA SHALL NOTIFY EMPLOYERS  
25 REGARDING THE PROVISIONS OF THIS ARTICLE.

26 23-385.03. Employee rights

27 THIS ARTICLE DOES NOT:

28 1. AFFECT AN EMPLOYER'S OBLIGATION TO COMPLY WITH ANY COLLECTIVE  
29 BARGAINING AGREEMENT OR EMPLOYEE BENEFIT PLAN.

30 2. PREVENT AN EMPLOYER FROM APPROVING SCHOOL CONFERENCE AND  
31 ACTIVITY LEAVE IN EXCESS OF THE REQUIREMENTS OF THIS ARTICLE.

32 Sec. 2. Short title

33 Title 23, chapter 2, article 8.2, Arizona Revised Statutes, as added  
34 by this act, may be cited as the "Parental Involvement Leave Act".