

REFERENCE TITLE: legislative employment leave.

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1197

Introduced by
Senator Garcia

AN ACT

AMENDING TITLE 23, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2;
RELATING TO LEGISLATIVE EMPLOYMENT LEAVE.

(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 9, Arizona Revised Statutes, is amended
3 by adding article 2, to read:

4 ARTICLE 2. LEGISLATIVE SERVICE

5 23-1521. Absence from employment for legislative service:
6 vacation and seniority rights: violation:
7 classification

8 A. AN EMPLOYER SHALL NOT REFUSE TO PERMIT A MEMBER OF THE ARIZONA
9 LEGISLATURE FROM TAKING A LEAVE OF ABSENCE FROM EMPLOYMENT FOR THE PURPOSE OF
10 FULFILLING THE LEGISLATOR'S OBLIGATION AS AN ELECTED OFFICIAL. THE LEAVE OF
11 ABSENCE SHALL NOT AFFECT VACATION RIGHTS THAT AN EMPLOYEE OTHERWISE HAS,
12 EXCEPT THAT AN EMPLOYER NEED NOT CONSIDER THE PERIOD OF ABSENCE AS A PERIOD
13 OF WORK PERFORMED FOR THE EMPLOYER IN DETERMINING ELIGIBILITY FOR VACATION
14 AND THE AMOUNT OF VACATION PAY TO WHICH THE EMPLOYEE IS ENTITLED.

15 B. A MEMBER OF THE ARIZONA LEGISLATURE SHALL NOT LOSE SENIORITY OR
16 PRECEDENCE WHILE FULFILLING THE LEGISLATOR'S OBLIGATION AS AN ELECTED
17 OFFICIAL. ON RETURN TO EMPLOYMENT THE EMPLOYER SHALL RETURN THE EMPLOYEE TO
18 THE EMPLOYEE'S PREVIOUS POSITION OR TO A HIGHER POSITION COMMENSURATE WITH
19 THE EMPLOYEE'S ABILITY AND EXPERIENCE AS SENIORITY OR PRECEDENCE WOULD
20 ORDINARILY ENTITLE THE EMPLOYEE.

21 C. AN EMPLOYER VIOLATING THIS SECTION IS GUILTY OF A CLASS 3
22 MISDEMEANOR.