

## **Employment Relations:** ***Employee Associations and Leave***

### **Definitions—**

#### **Employment Association—**

Is an association that negotiates employee salaries, benefits, contracts, or other conditions of employment or performs union duties.

#### **Association Leave—**

Is leave from a District employee's regular responsibilities granted for the employee to spend time for association, employee association, or union duties.

#### **Prohibited Paid Leave—**

The District may not allow paid association leave for an employee to perform employee association or union duties, unless:

- A. The duty performed by the employee on paid association leave will directly benefit the school district, including representing the District's licensed educators; and does not:
  1. include political activity including advocating for or against a candidate for public office in a partisan or nonpartisan election;
  2. solicit a contribution for a political action committee, a political issues committee, a political party, or a candidate as defined by [Utah Code § 20A-11-101](#); or
  3. initiate, draft, solicit signatures for or advocate for or against a ballot proposition as defined by [Utah Code § 20A-1-102](#).
- B. On a board or committee, such as the District's foundation, a curriculum development board, insurance committee, or catastrophic leave committee;
- C. At a school district leadership meeting; or
- D. At a workshop or meeting conducted by the District's Board of Education.

## **District Reimbursement—**

An employee taking association leave that does not qualify as an exception as stated above, shall reimburse to the District, the costs, including benefits, for the time he/she is:

1. On unpaid association leave; or
2. Participating in a paid association leave activity that does not provide a direct benefit to the District.

Reimbursement may be paid to the District by the employee, association or union.

\*\* If, prior to January 1, 2011, the District allowed association unpaid leave or paid association leave that does not provide a direct benefit to the District, up to 10 days of any such leave may be allowed without reimbursement to the District. \*\*

## **Paid Association Leave -**

If the District allows for paid association leave it shall:

1. Ensure the duties performed by employees on association leave directly benefit the District;
2. Document the use and approval of paid administration leave;
3. Directly supervise employees on paid association leave;
4. Account for the costs and expenses of paid association leave;
5. Ensure that during the time of paid association leave the employee does not engage in political activity, including:
  - A. Advocating for or against a candidate for public office in a partisan or nonpartisan election;
  - B. Soliciting a contribution for a political action committee, a political issues committee, a political party, or a candidate as defined in [Utah Code § 20A-11-101](#); and
  - C. Initiating, drafting, soliciting signatures for, or advocating for or against a ballot proposition, as defined in [Utah Code § 20A-1-102](#).

Willful violation of this policy will be subject to disciplinary action as a violation of District policy and state law as provided for in Policy DHA.

[Utah Code § 53A-3-425 \(2013\)](#)