

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 § 20A-11-101; or

3. initiate, draft, solicit signatures for or advocate for or against a ballot proposition as defined by § 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 § 20A-11-101; and
 - C. Initiating, drafting, soliciting signatures for, or advocating for or against a ballot proposition, as defined in § 20A-1-102.

Willful violation of this policy will be subject to disciplinary action as outlined by the Utah Orderly Termination Act.

Utah Code Annotated § 53A-3-425 (2013)