

9/12/17

ORDINANCE NO. 30657

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-1, 34-22, 34-23, 34-30, and 34-38; clarifying the policy; amending sick leave policies; amending vacation leave policies; amending military leave consistent with state law; amending grievance and appeal procedures; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 34-1, "Policy," of Article I, "General Provisions," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended to read as follows:

"SEC. 34-1. POLICY.

"The provisions of this chapter are subject to modification, rescission, and amendment by the Dallas city council at any time. Nothing in this chapter conveys a contract of employment with the city of Dallas and nothing in this chapter is intended to be a term of a contract when combined with any other document, instrument, or writing. Nothing in this chapter conveys a private cause of action to any employee."

SECTION 2. That Section 34-22, "Sick Leave," of Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended by adding a new Subsection (u), "Discretionary Sick Leave for New Third-Tier Executive and Above," to read as follows:

"(u) Discretionary sick leave for new third-tier executive and above. In addition to sick leave accrual authorized in Subsection (d) of this section, the city manager may, beginning on the person's employment start date, approve up to 80 hours of sick leave for a person hired into a third-tier executive position and above. This subsection does not apply to a city employee who is promoted into a third-tier executive position and above."

SECTION 3. That Subsection (a), "Eligibility," of Section 34-23, "Vacation Leave," of Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended to read as follows:

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“(a) Eligibility. Every permanent employee accrues vacation leave during the initial six months of city employment. Except for a newly hired third-tier executive and above who has been granted discretionary vacation leave pursuant to Subsection (r) of this section, ~~[but]~~ vacation leave may not be used until the initial six months of employment are completed. All vacation leave is forfeited if the employee terminates employment before completing the initial six months of employment.”

SECTION 4. That Section 34-23, “Vacation Leave,” of Article III, “Leave Policies,” of Chapter 34, “Personnel Rules,” of the Dallas City Code is amended by adding a new Subsection (r), “Discretionary Vacation Leave for New Third-Tier Executive and Above,” to read as follows:

“(r) Discretionary vacation leave for new third-tier executive and above. In addition to vacation leave accrual authorized in Subsection (c) of this section, the city manager may, beginning on the person’s employment start date, approve up to 80 hours of vacation leave for a person hired into a third-tier executive position and above. An employee forfeits any leave granted under this subsection if his or her employment terminates within the first six months. This subsection does not apply to a city employee who is promoted into a third-tier executive position and above.”

SECTION 5. That Subsection (c), “Military Leave,” of Section 34-30, “Military Service/Military Leave,” of Article III, “Leave Policies,” of Chapter 34, “Personnel Rules,” of the Dallas City Code is amended to read as follows:

“(c) Military leave. The city will grant military leave to city employees in compliance with the Uniformed Services Employment and Reemployment Rights Act, as amended, and ~~[;]~~ Chapters ~~437 and 613~~ [434] of the Texas Government Code, as amended ~~[; and Chapter 613 of the Texas Government Code, as amended]~~. Specific procedures and requirements for the administration of military service/military leave policies are outlined in the administrative directives of the city. No procedure or requirement adopted by administrative directive may conflict with the Uniformed Services Employment and Reemployment Rights Act, as amended, or with ~~[;]~~ Chapters ~~437~~ [431] ~~[of the Texas Government Code, as amended;]~~ or ~~[Chapter]~~ 613 of the Texas Government Code, as amended.”

SECTION 6. That Section 34-38, “Grievance and Appeal Procedures,” of Article VI, “Discipline, Grievance, and Appeal Procedures,” of Chapter 34, “Personnel Rules,” of the Dallas City Code is amended by adding a new Subsection (k) to read as follows:

“(k) For purposes of this section only, a reference to an assistant city manager also refers to a non-sworn managerial chief designated by the city manager, including, without limitation, chief of economic development and housing, chief of community services, and chief of staff to the city manager.”

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SECTION 7. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 8. That Chapter 34 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9 That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 10. That this ordinance shall take effect on October 1, 2017, and it is accordingly so ordained.

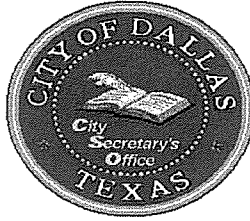
APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By  _____
Assistant City Attorney

SEP 27 2017

Passed _____



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL SEP 27 2017

ORDINANCE NUMBER 30657

DATE PUBLISHED SEP 30 2017

ATTESTED BY: