

9-30-21

ORDINANCE NO. 32035

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Section 34-4 and adding new Sections 34-22.2 through 34-22.4, and 34-24.2; amending the definitions; adding provisions for quarantine leave, mental health leave for peace officers, compassionate leave, and paid parental leave; 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 Paragraph (35) of Section 34-4, "Definitions," of Article I, "General Provisions," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended to read as follows:

"(35) PAID LEAVE means sick leave, vacation leave, holiday leave, court leave, death-in-family leave, no more than 21 [fifteen] days of military leave each fiscal year as required by state law, parental leave, quarantine leave, mental health leave for peace officers, compassionate leave, and mandatory city leave."

SECTION 2. That Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended by adding a new Section 34-22.2, "Quarantine Leave," to read as follows:

"SEC. 34-22.2. QUARANTINE LEAVE.

(a) Eligibility. A sworn member of the fire department or police department, or an emergency medical technician or detention officer as defined in this section, who is ordered to quarantine or isolate by the employee's supervisor or the city's health authority due to a possible or known exposure to a communicable disease while on duty, is eligible to receive paid quarantine leave for the duration of the ordered quarantine or isolation.

(b) Definitions.

In this section:

(1) **DENTENTION OFFICER** means an individual employed by the city, and whose job responsibilities include the care and custody of individuals incarcerated in the city's municipal jail.

(2) **EMERGENCY MEDICAL TECHNICIAN** means an individual who is employed by the city and certified as an emergency medical technician in accordance with Chapter 773 of the Texas Health and Safety Code.

(3) **HEALTH AUTHORITY** means a physician appointed by the city to administer state and local laws relating to public health within the city's jurisdiction.

(c) **Entitlements.** Eligible employees under this section who are required to quarantine or isolate by their supervisor or the city's health authority due to a possible or known exposure to a communicable disease while on duty are entitled to receive:

(1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the city; and

(2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.

(d) **Effect on leave balances.** The city will not reduce an eligible employee's sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance in connection with paid quarantine leave taken in accordance with this section.

(e) **Reimbursements.** An employee may be required to provide receipts or proof of payment with a request for reimbursement of expenses and may be denied reimbursement for any expenses that the city deems unreasonable or unrelated to quarantine."

SECTION 3. That Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended by adding a new Section 34-22.3, "Mental Health Leave for Peace Officers," to read as follows:

"SEC. 34-22.3. MENTAL HEALTH LEAVE FOR PEACE OFFICERS.

(a) **Eligibility.** An employee of the police department, fire department, or marshal's office, who holds an active peace officer license with the Texas Commission on Law Enforcement, shall be allowed up to five days of paid mental health leave per fiscal year, if they experience a traumatic event while on duty, and if the need for leave is verified by a licensed psychiatrist or psychologist. Each department of the city that employs licensed peace officers may develop additional departmental rules to carry out the provisions of this policy.

(b) Confidentiality. The city will keep requests for mental health leave and any medical information related to mental health leave in accordance with this section confidential to the extent allowed by law and separate from the employee's personnel or departmental file. The city cannot guarantee confidentiality of information that is otherwise public or necessary to carry out the city's obligations under the law.

(c) Effect on leave balances. The city will not reduce an eligible employee's sick leave, vacation leave, holiday, or other paid leave balance for mental health leave taken in accordance with this section."

SECTION 4. That Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended by adding a new Section 34-22.4, "Compassionate Leave," to read as follows:

"SEC. 34-22.4. COMPASSIONATE LEAVE.

(a) Purpose. Compassionate leave is intended for employees with a serious medical condition or injury that prevents the employee from performing any type of work and, due to the employee's medical condition, it is anticipated that the employee will not be able to return to work.

(b) Eligibility. An employee who has exhausted all accrued leave balances, has completed a minimum of one year of city employment, and accumulated a minimum of 40 hours of sick leave at any time prior to the occurrence of the condition for which the compassionate leave is requested.

(c) Maximum leave allowed. For employees who are approved for compassionate leave, the maximum amount of compassionate leave that may be awarded is 348 hours for a sworn employee in the emergency response bureau of the fire department, and 232 hours for any other employee. An employee may only be awarded compassionate leave once.

(d) Required approval. An employee's request for compassionate leave must be approved by the employee's department director and the director of human resources. Specific procedures and requirements for the administration of compassionate leave are outlined in the administrative directives of the city."

SECTION 5. That Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended by adding a new Section 34-24.2, "Paid Parental Leave," to read as follows:

“SEC. 34-24.2.

PAID PARENTAL LEAVE.

On or after January 1, 2022, a maximum of six weeks of paid parental leave is available to employees following the birth of the employee’s child or to care for the child after birth, or for the placement of a child with the employee for adoption or foster care or to care for the child after placement. Specific procedures and requirements for the administration of paid parental leave are outlined in the administrative directives of the city.”

SECTION 6. That Chapter 34 of the Dallas City Code shall remain in full force and effect, save, and except as amended by this ordinance.

SECTION 7. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 8. 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 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By  Assistant City Attorney

Passed **OCT 27 2021**



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 OCT 27 2021

ORDINANCE NUMBER 32035

DATE PUBLISHED OCT 30 2021

ATTESTED BY: