

3-2-22

ORDINANCE NO. 32158

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Section 34-22.3; expanding paid mental health leave for peace officers to all city employees; providing a saving clause; providing a severability clause; and providing an effective date. Now, Therefore,

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

SECTION 1. That Section 34-22.3, "Mental Health Leave for Peace Officers," of Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended to read as follows:

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

(a) Eligibility.

(1) ~~An employee who [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]~~ experiences a traumatic event while on duty is eligible to receive paid mental health leave~~[, and]~~ if the need for mental health leave is verified by a licensed psychiatrist or psychologist. Paid mental health leave is allowed as follows:

(A) up to 60 hours for sworn employees in the emergency response bureau of the fire department; and

(B) up to 40 hours for all other employees.

(2) In this section, TRAUMATIC EVENT means actual or threatened death, serious injury, or physical abuse, either of one's self or of another, during the employee's scope of employment that is outside the typical experiences of the employee's routine work environment and causes the employee to experience unusually strong emotional reactions or feelings that have the potential to cause lasting adverse effects on their functioning and mental, physical, social, or emotional well-being. A traumatic event does not include routine work-related events or incidents, personality conflicts, or disagreements between or among supervisors or co-workers.

(3) ~~[Each department of the e]~~City departments ~~[that employs licensed peace officers]~~ may develop additional departmental rules to carry out the provisions of this policy, subject to the approval of the director of the human resources department and the city attorney's office.

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

SECTION 3. 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 4. 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.

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SECTION 5. 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 MAR 09 2022



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 MAR 09 2022

ORDINANCE NUMBER 32158

DATE PUBLISHED MAR 12 2022

ATTESTED BY: