

TEXAS

NEW LAW: Dallas, TX Passes Paid Sick Leave Ordinance

On April 24, 2019, the Dallas City Council passed a paid sick leave ordinance. Under this new law, which goes into effect on August 1, 2019, certain Dallas employers will be required to provide employees who perform at least 80 hours of work in a year within the city of Dallas with paid sick leave benefits.

The paid sick leave benefits that must be provided depend on the employer's size and are as follows:

Effective Date	Employer Size	Paid sick leave accrual and cap
August 1, 2019	15+ employees	Employees earn one hour of sick time for every 30 hours worked and employers must provide at least 64 hours of paid sick leave per year.
August 1, 2019	5-14 employees	Employees earn one hour of sick time for every 30 hours worked and employers must provide at least 48 hours of paid sick leave per year.
August 1, 2021	1-4 employees	Employees earn one hour of sick time for every 30 hours worked and employers must provide at least 48 hours of paid sick leave per year.

Dallas Paid Sick Leave Basics

- Employers may restrict an employee from using sick time during the first 60 days of employment if the employer provides the employee with a term of employment that is at least one year.
- Earned sick time carries over to the following year.
- Employers are not required, however, to allow an employee to use more than the annual cap (either 48 or 64 hours, depending on the employer's size) per year.
- Paid sick leave may be used for the following purposes:
 - To care for an employee's own physical or mental illness, physical injury, preventative medical or health care, or health condition
 - To care for an employee's own physical or mental illness, physical injury, preventative medical or health care, or health condition.
 - For the employee's family member's physical or mental illness, physical injury, preventative medical or health care, or health condition.
 - To seek medical attention, seek relocation, obtain victim services, or participate in legal action related to domestic abuse, sexual assault, or stalking involving the employee or a family member of the employee.
- Employees must provide a "timely request" to use paid sick leave before their scheduled work time. However, employers cannot prevent employees from using earned paid sick time for an unforeseen qualified absence.

Note To Dallas Employers

This paid sick leave ordinance is very similar to the one that Austin enacted a couple of years ago. The Austin paid sick leave ordinance is currently on hold, having been deemed unconstitutional by the state court of appeals. Given the similarities in the two laws, there is a possibility that the Dallas ordinance could meet the same fate, but it is recommended that Dallas employers prepare to provide paid sick leave to employees in accordance with the new law.