



City of Dallas

Sample Language for an Employee Handbook

Section 20-7(b) of the City of Dallas Earned Paid Sick Time Ordinance requires that “[a]n employer who provides an employee handbook to its employees must include a notice of an employee’s rights and remedies under this chapter in that handbook.” This section does not require employers who do not have an employee handbook to create a handbook. Below is an example of language that employers may use to satisfy Section 20-7(b). Other language could satisfy Section 20-7(b). Additionally, employers who do not have handbooks but still want to give employees information about the Ordinance may share this language.

Example for an employer with 15 or fewer employees that uses the accrual method:

Notice of Employee’s Rights and Remedies Under the City of Dallas Earned Paid Sick Time Ordinance (Chapter 20 of the Dallas City Code)

Hours

- An employee who works for Employer¹ for at least 80 hours within the geographic boundaries of the City of Dallas is entitled to earned paid sick time under the Earned Paid Sick Time Ordinance (Chapter 20 of the Dallas City Code).
- An employee begins earning paid sick time on August 1, 2019² or when the employee begins working for Employer, whichever is later. An employee will earn paid sick time at a rate of 1 hour of paid sick time for every 30 hours³ an employee works within the geographic boundaries of the City of Dallas. An employee can begin using paid sick time as soon as the employee has worked at least 80 hours within the geographic boundaries City of Dallas and the paid sick time is earned.⁴
- Because Employer has 15 or fewer employees that work at least 80 hours within the geographic boundaries of the City of Dallas in a year,⁵ Employer is required to allow employees to earn up to 48 hours of paid sick time and to carryover up to 48 hours of paid sick time to the next year. This means employees will not have to start accruing hours from 0 at the beginning of the new benefit year. Employees can carryover unused hours accrued from the previous benefit year. An employee stops earning paid sick time once

¹ Insert employer’s name.

² This is for employers with 6 or more employees. For employers with 5 or fewer employees, the Ordinance goes into effect on August 1, 2021.

³ Employers can allow employees to earn paid sick time in smaller increments (e.g., 15 minutes), but must put this in writing. An employer may provide the minimum number of hours up front (i.e., “front-load”). If an employer is using this accrual method, please see the following example.

⁴ If the employer can establish that the term of employment is at least one year, then the employer can require the employee to wait 60 days before using their paid sick time.

⁵ This is for employers with 15 or fewer employees. Employers with more than 15 employees can substitute this language: “Because Employer has 16 or more employees that work at least 80 hours within the geographic boundaries of the City of Dallas in a year, Employer is required to allow employees to earn up to 64 hours of paid sick time and to carryover up to 64 hours of paid sick time to the next year. An employee stops earning paid sick time once they reach 64 hours. After they use some earned paid sick time hours, an employee may earn more hours until they reach 64 hours of paid sick time.”

they reach 48 hours. An employee may earn more hours of paid sick time until 48 hours is reached.

Uses

- An employee can use paid sick time (1) for the employee's physical or mental illness, physical injury, preventative medical or health care, or health condition; (2) to care for the employee's family member's physical or mental illness, physical injury, preventative medical or health care, or health condition; and (3) for the employee's or the employee's family member's need to seek medical attention, seek relocation, obtain services of a victim services organization, or participate in legal or court ordered action related to an incident of victimization from domestic abuse, sexual assault, or stalking involving the employee or the employee's family member.
- If an employee uses paid sick time for a use not authorized by the ordinance and Employer discovers it before payday, Employer may refuse to pay the employee for the paid sick time the employee used.⁶ If Employer discovers that the employee used paid sick time for an unauthorized use after payday, Employer may deduct the number of hours the employee used from the employee's earned paid sick time balance.⁷

Notification

- To use earned paid sick time, an employee must notify the supervisor at least 7 days before the employee needs to use the paid sick time hours.⁸ Employer may not prevent an employee from using their paid sick time for an unforeseen qualified absence (e.g., an employee wakes up ill). However, an employee should still notify their manager as soon as practicable, and another person may notify the employee's supervisor on behalf of the employee.
- An employee can use paid sick time in 1-hour increments.⁹
- Employer may tell an employee if the employee does not have any or enough available earned paid sick time when the employee requests to use paid sick time.

Verification and Confidentiality

- If an employee misses more than 3 consecutive days on which the employee was scheduled to work and instead used earned paid sick time, Employer may verify that the earned paid sick time was used for one of the purposes permitted under the ordinance (listed above) after the 3rd day. Verification, such as a doctor's note, is due 7 days after the employee returns to work.¹⁰
- Employer is prohibited from requiring an employee to explain the nature of the domestic abuse, sexual assault, stalking, illness, injury, health condition, or other health need. Employer will take steps to protect the confidentiality of the information in an employee's verification.

⁶ This is an example. There are other permissible methods to address unauthorized use of paid sick time.

⁷ This is an example. There are other permissible methods to address unauthorized use of paid sick time.

⁸ This is an example. There are other permissible leave request and call-in procedures.

⁹ This is an example. There are other permissible increments.

¹⁰ This is an example. There are other permissible verification methods and timeframes.

Notice and Rights

- An employee will receive a statement with an employee's balance with the employee's paycheck stub,¹¹ which will include the name of employee, Employer [the name of the employer], the statement's date, the statement period, the number of hours worked in the City of Dallas during the statement period, the amount of paid sick time earned during the statement period, the amount of paid sick time used during the statement period, and the amount of the employee's available earned paid sick time.
- Employer is required to post posters about earned paid sick time in English, Spanish, and any other languages primarily spoken by employees in a place where employees can see them.
- Employer shall not retaliate against an employee for requesting paid sick time, using paid sick time, filing a complaint, participating in an investigation, or doing anything else that is protected under the Earned Paid Sick Time Ordinance.
- An employee may file a complaint with the City of Dallas Office of Fair Housing and Human Rights if an employee believes their rights under the Ordinance have been violated.

Example for an employer with 16 or more employees that front-loads:

Notice of Employee's Rights and Remedies Under the City of Dallas Earned Paid Sick Time Ordinance (Chapter 20 of the Dallas City Code)

Hours

- An employee who works for Employer¹² for at least 80 hours within the geographic boundaries of the City of Dallas is entitled to earned paid sick time under the Earned Paid Sick Time Ordinance (Chapter 20 of the Dallas City Code).
- An employee begins earning paid sick time on August 1, 2019¹³ or when the employee begins working for Employer, whichever is later. An employee can begin using paid sick time as soon as the employee has worked at least 80 hours within the geographic boundaries City of Dallas.¹⁴
- Because Employer has 16 or more employees that work at least 80 hours within the geographic boundaries of the City of Dallas in a year,¹⁵ Employer will provide

¹¹ Employers are required to give each employee a written or electronic statement at least once per month. The statement does not need to be on the paycheck.

¹² Insert employer's name.

¹³ This is for employers with 6 or more employees. For employers with 5 or fewer employees, the Ordinance goes into effect on August 1, 2021.

¹⁴ If the employer can establish that the term of employment is at least one year, then the employer can require the employee to wait 60 days before using their paid sick time.

¹⁵ This is for employers with 16 or more employees. Employers with 15 or fewer employees can substitute this language: "Because Employer has 16 or more employees that work at least 80 hours within the geographic boundaries of the City of Dallas in a year,¹⁵ Employer will provide 48 hours of earned paid sick time to employees on October 1 to use until September 30 of the following year. Employees who are working for Employer on August 1, 2019 will receive a prorated number of hours to use until October 1, 2019. employees will receive a prorated number of hours to use (8 hours) until October 1 when employees

64 hours of earned paid sick time to employees on October 1 to use until September 30 of the following year.¹⁶ Employees who are working for Employer on August 1, 2019 will receive a prorated number of hours to use until October 1, 2019. Employees will receive a prorated number of hours to use (10 hours and 40 minutes) until October 1 when employees will receive the full 64 hours. Employees who begin working after August 1, 2019 will receive a prorated number of hours to use until the next October 1. Employees may not carryover hours to the following year under this method of accrual.

Uses

- An employee can use paid sick time (1) for the employee's physical or mental illness, physical injury, preventative medical or health care, or health condition; (2) to care for the employee's family member's physical or mental illness, physical injury, preventative medical or health care, or health condition; and (3) for the employee's or their family member's need to seek medical attention, seek relocation, obtain services of a victim services organization, or participate in legal or court ordered action related to an incident of victimization from domestic abuse, sexual assault, or stalking involving the employee or the employee's family member.
- If an employee uses paid sick time for a use not authorized by the ordinance and Employer discovers it before payday, Employer may refuse to pay the employee for the paid sick time the employee used.¹⁷ If Employer discovers that the employee used paid sick time for an unauthorized use after payday, Employer may deduct the number of hours the employee used from the employee's earned paid sick time balance.¹⁸

Notification

- To use earned paid sick time, an employee must call the leave hotline at least 2 weeks before the employee needs to use paid sick time hours.¹⁹ Employer may not prevent an employee from using paid sick time for an unforeseen qualified absence (e.g., an employee needs to leave work to pick up their sick child from school). However, an employee should still notify the manager as soon as practicable, and another person may notify the employee's manager on behalf of the employee.
- An employee can use paid sick time in 15-minute increments.²⁰
- Employer may tell an employee if the employee does not have any or enough available earned paid sick time when the employee requests to use paid sick time.

will receive the full 48 hours. Employees who begin working after August 1, 2019 will receive a prorated number of hours to use until the next October 1. Employees may not carryover hours to the following year.”

¹⁶ Employer uses its fiscal year, October 1 to September 30, as its benefit year. Other benefit years are acceptable (e.g., calendar year, anniversary of employee's start date, etc.).

¹⁷ This is an example. There are other permissible methods to address unauthorized use of paid sick time.

¹⁸ This is an example. There are other permissible methods to address unauthorized use of paid sick time.

¹⁹ This is an example. There are other permissible leave request and call-in procedures.

²⁰ This is an example. There are other permissible increments.

Verification and Confidentiality

- If an employee misses more than 3 consecutive days on which the employee was scheduled to work and instead used earned paid sick time, Employer may verify that the earned paid sick time was used for one of the purposes permitted under the ordinance (listed above) after the 3rd day. To verify that an employee has used their earned paid sick time properly, Employer will require an employee to complete a form certifying the paid sick time hours were for a permissible use under the Ordinance.²¹
- Employer is prohibited from requiring an employee to explain the nature of the domestic abuse, sexual assault, stalking, illness, injury, health condition, or other health need. Employer will take steps to protect the confidentiality of the information in an employee's verification.

Notice and Rights

- An employee will receive a statement once per month,²² which will include the name of employee, Employer [the name of the employer], the statement's date, the statement period, the number of hours worked in the City of Dallas during the statement period, the amount of paid sick time used during the statement period, and the amount of the employee's available earned paid sick time.
- Employer is required to post posters about earned paid sick time in English, Spanish, and any other languages primarily spoken by employees in a place where employees can see them.
- Employer shall not retaliate against an employee for requesting paid sick time, using paid sick time, filing a complaint, participating in an investigation, or doing anything else that is protected under the Earned Paid Sick Time Ordinance.
- An employee may file a complaint with the City of Dallas Office of Fair Housing and Human Rights if an employee believes their rights under the Ordinance have been violated.

²¹ This is an example. There are other permissible verification methods and timeframes.

²² Employers are required to give each employee a written or electronic statement at least once per month.