

Memorandum



CITY OF DALLAS

DATE October 26, 2026

TO Honorable Chair and Members of the Finance Committee

SUBJECT **Chapter 34 Amendment – Graduated Employee Cost Sharing for Administrative Law Judge (ALJ) Appeal Hearings: Alignment with 2024 Charter Amendment**

Purpose / Requested Action

Approve an ordinance amending, Chapter 34. Personnel Rules of the Dallas City Code, Section 34-40, to replace the flat 50% employee share for administrative law judge (ALJ) appeal hearings with a graduated, income-sensitive schedule, and to align the pre-hearing deposit with the same percentage of the estimated ALJ fee.

(Attachment: Draft Ordinance – Chapter 34, §34-40(a)(5)(C) Appeals to the Trial Board or Administrative Law Judge)

Background

In November 2024, Dallas voters approved Charter Proposition P, which amended Chapter XVI, Section 12.1 of the City Charter to delete the requirement that a city employee who appeals a discharge or reduction in grade to an administrative law judge (ALJ) pay one-half of the costs attributed to the ALJ conducting the appeal hearing and deferred the governing procedures to ordinance. The City Auditor's [Audit of Personnel Complaints Resolution](#) recommended policy updates to improve the affordability, access and clarity of the appeals process. The Civil Service Department administers both Trial Board and ALJ appeal hearings; this action preserves employee choice of forum while making the ALJ route more accessible without compromising cost discipline.

What Changes (Ordinance Summary)

- Graduated employee share by salary (applied to the ALJ fee):

Appealing Employee's Annual Salary	Employee Pays (% of ALJ fee)
≤ \$60,000	15% (\$60)
\$60,001 - \$100,000	30% (\$120)
> \$100,000	50% (\$200)

- The employee deposits the same percentage of the estimated ALJ fee prior to scheduling the hearing. Any overage is refunded, and any shortfall is collected after the hearing.
- No change to ALJ selection or contract rate. The Trial Board option remains available to employees at no cost.

Rationale & Operational Benefits

- **Affordability & access:** Reduces the financial barrier for lower-salary employees while maintaining appropriate cost-sharing at higher salary levels.
- **Impartiality & trust:** Preserves predictable access to a neutral, legally trained adjudicator.

- **Administrative clarity:** A single percentage applied to the total fee estimate simplifies intake and speeds scheduling.
- **Predictability:** Supports budgeting and ALJ capacity planning.
- **Alignment:** Consistent with the Charter amendments and the City Auditor's recommendation.
- ALJ Hearings scheduled:

Fiscal Year	Number of ALJ Hearings
FY 2021-22	2 Hearings
FY 2022-23	3 Hearings
FY 2023-24	9 Hearings
FY 2024-25	10 Hearings
FY 2025-26	7 Hearings

Fiscal/Administrative Impact

- **Net impact:** A modest shift of costs to the City for lower-salary appellants, offset by gains in fairness and operational predictability.
- **Administration:** The Civil Service Department will update forms, guidance materials, and staff scripts. The Board Secretary will continue deposit reconciliation after hearings.
- **Budget:** Tracked within the departments exiting appeals program budget. No new appropriation is requested with this item. Staff will monitor utilization post-implementation and report back as needed.

If you have any questions, please contact me at jarred.davis@dallas.gov or 214-670-3749.

Best regards,



Jarred D. Davis, MS
Board Secretary & Director
Civil Service | Talent Central

c: Jack Ireland, Chief Financial Officer
Sarah Mendola, Executive Assistant City Attorney
Daniel T. Moore, Assistant City Attorney
Laura Morrison, Assistant City Attorney

DRAFT

DATE

ORDINANCE NO. _____

An ordinance amending Chapter 34, “Personnel Rules,” of the Dallas City Code by amending Section 34-40; providing a graduated scale for the percentage an appealing employee must pay to cover the cost of having an administrative law judge conduct an appeal; 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 Subparagraph (C) of Paragraph (5), “Designating Whether an Appeal is Heard by a Trial Board or an Administrative Law Judge,” of Subsection (a), “General Provisions, Applicability, and Jurisdiction,” of Section 34-40, “Appeals to the Trial Board or Administrative Law Judge,” of Article VI, “Discipline, Grievance, and Appeal Procedures,” of Chapter 34, “Personnel Rules,” of the Dallas City Code is amended to read as follows:

“(C) By choosing to have a hearing before an administrative law judge, the appealing employee agrees to pay a percentage [~~one-half~~] of the administrative law judge’s fee for the hearing according to the table below, based on a rate established by contract with the city. Before a hearing will be held before an administrative law judge, the employee must deposit with the civil service board secretary a cash amount equal to the designated percentage of [~~one-half~~] the estimated fee of the administrative judge as determined by the secretary based on the estimated length of the hearing. If the deposit exceeds the actual cost of the hearing, the employee shall be refunded the difference. If the deposit is insufficient to cover the actual cost of the hearing, the employee must pay the additional amount.

<u>APPEALING EMPLOYEE’S ANNUAL SALARY*</u>	<u>PERCENTAGE PAID</u>
<u>Up to \$60,000</u>	<u>15 percent</u>
<u>\$60,001 to \$100,000</u>	<u>30 percent</u>
<u>More than \$100,000</u>	<u>50 percent</u>

*For an employee who earns an hourly rate, that employee’s annual salary is equal to the hourly rate multiplied by the average number of hours worked per week and by the average number of weeks worked per year.

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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.

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:

BERTRAM VANDENBERG, City Attorney (I)

By _____
Assistant City Attorney

Passed _____