



**City of Dallas**

# **Personnel Rules Updates**

**Approved December 13, 2023**

Human Resources  
City of Dallas

# Background/History



The Department of Human Resources and the City Attorney's Office review and modify Chapter 34 of the Dallas City Code (City of Dallas Personnel Rules) to address:

- Outdated and/or obsolete information
- Changes to federal and state laws
- Modifications to City processes and procedures



Dallas City Council approved the following changes on December 13, 2023.



# Purpose



Updates to the Personnel Rules will:



- Remove obsolete terminology and correct errors
- Allow employment of 15-year-olds as lifeguards
- Clarify how overtime and eligibility for Attendance Incentive Leave is affected by leaves
- Expand the professionals who can approve Mental Health Leave and the access to Compassionate Leave
- Revise language for clarity in the Come Back clause
- Include teleworking in the Rules of Conduct
- Increase the executives able to hear grievances and appeals



# Issues/Operational Concerns Addressed



- Flex time terminology is no longer used in the current Human Resources Information System.
- The computation of overtime and compensatory leave is not addressed for compassionate leave, injury leave, mental health leave, and paid parental leave.
- Limited types of professionals who can approve the need for mental health leave due to an on-the-job traumatic event.
- There is a typographical error in the date of implementation of paid parental leave.
- Other municipalities and private employers hire 15-year-olds for lifeguard positions.



# Issues/Operational Concerns



- There is a need to clarify the age of enrollment for age pre-65 retirees and the definition of a spouse to enroll in continued health benefits (Come Back clause).



- Telework should be listed in instances of unexcused absence or tardiness.
- The titles of deputy city manager and chief financial officer should be included in the reference for assistant city manager when identifying staff who can hear grievances and appeals.



# Approved Changes



- Sec. 34-4. Definitions
  - Remove **flex time**
  - Remove reference to peace officers in mental health leave reference for paid leave definition
- Sec. 34-6. Requirements for Induction
  - Allow the employment of applicants 15 years of age for a seasonal position as a summer lifeguard in the Parks and Recreation Department, in accordance with state and federal laws governing employment of persons aged 15 years.



# Approved Changes



## Changes to Clarify Overtime Calculation for Mental Health Leave and Compassionate Leave

- Changes to multiple sections in Personnel Rules to address allowing overtime calculation for use of Mental Health Leave, Injury Leave, Quarantine Leave, and Compassionate Leave:
  - Sec 34-17 Overtime and Paid Leave for Civilian Employees
  - Sec 34-19 Work Hours, Paid Leave and Overtime For Public Safety Employees



# Approved Changes



- Sec. 34-17 Overtime and Paid Leave for Civilian Employees
  - Include **compassionate leave, injury leave, mental health leave, and quarantine leave** as leaves that will be included for the purposes of computing overtime or compensatory leave.
  - Identify that **paid parental leave** and **sick leave** will not be counted as work time for purposes of computing overtime or compensatory leave





# Approved Changes



- Sec. 34-19 Work Hours, Paid Leave, and Overtime for Public Safety Employees.
  - Include **compassionate leave, injury leave, mental health leave, and quarantine leave** for the purposes of computing overtime or compensatory leave.
  - Identify that **paid parental leave** and **sick leave** will not be counted as work time for purposes of computing overtime or compensatory leave.



# Approved Changes



- Sec. 34-22.3 Mental Health Leave



- Include **licensed mental health professionals** to be able to verify the need for mental health leave.

- Sec. 34-24.2. Paid Parental Leave

- Correct the typographical error for the implementation date of **October 1, 2021**, for paid parental leave.



# Approved Changes



- **34-22.4. Compassionate Leave.**
- Expand the eligibility for compassionate leave for employees not expected to return to work to include employees who may be able to return to work in the future after an extended period-of-time of 20 weeks or more.



# Approved Changes



- Sec. 34-32 Health Benefits Plan
  - (c) Notice of retirees' rights to purchase continued health benefits.
    - Amend Sec (5) to clarify the enrollment period for health benefits is at **age 65** and not older than age 65.
    - Remove Sec (5) (B) clause which required the spouse to be married at the time of separation.



# Approved Changes



- Sec. 34-36. Rules of conduct.
  - (b) Unacceptable conduct.
    - (1) Unsatisfactory attendance:
      - Include **telework** in instances of unexcused absence or tardiness.
- 34-38. Grievance and Appeals.
  - (k) Reference to assistant city manager.
    - Include **deputy city manager** and **chief financial officer** to be included in the reference.





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# **Addendum Detailed Changes**

**Approved December 13, 2023**

Human Resources  
City of Dallas

# Addendum



Personnel Rules Reference	Personnel Rule Wording (Current)	Recommended Personnel Rule Wording	Reason
34-4 (21) DEFINITIONS	FLEX TIME means a balancing time entry process that provides exempt employees with the opportunity to substitute additional hours worked outside of his or her normal work schedule for time not worked during the same pay period in order to meet the total 80 hours required in a pay period. Flex time is a balancing entry only and is not paid leave.	<del>FLEX TIME means a balancing time entry process that provides exempt employees with the opportunity to substitute additional hours worked outside of his or her normal work schedule for time not worked during the same pay period in order to meet the total 80 hours required in a pay period. Flex time is a balancing entry only and is not paid leave.</del> (21) Reserved.	Remove FLEX TIME from definitions list. Terminology and process are not used in current Human Resources Information Systems timekeeping processes. Reserve the number to keep number references consistent.
34-4 DEFINITIONS	(35) PAID LEAVE means sick leave, vacation leave, holiday leave, court leave, death-in-family leave, no more than 21 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.	(35) PAID LEAVE means sick leave, vacation leave, holiday leave, court leave, death-in-family leave, no more than 21 days of military leave each fiscal year as required by state law, parental leave, quarantine leave, mental health leave <del>for peace officers</del> , compassionate leave, and mandatory city leave.	Mental health leave is not restricted to only peace officers.
SEC. 34-6 REQUIREMENTS FOR INDUCTION	REQUIREMENTS FOR INDUCTION. To obtain employment with the city, an applicant must: (1) Be at least 16 years of age, unless otherwise approved under a federally-sponsored program;	REQUIREMENTS FOR INDUCTION. To obtain employment with the city, an applicant must: (1) Be at least 16 years of age, unless otherwise approved under a federally-sponsored program, <u>or be at least 15 years of age for employment in a seasonal position as a summer lifeguard in the Parks and Recreation Department, in accordance with state and federal laws governing employment of persons age 15 years;</u>	Allow the employment of persons age 15 in the seasonal position of lifeguard.



# Addendum



Personnel Rules Reference	Personnel Rule Wording (Current)	Recommended Personnel Rule Wording	Reason
SEC. 34-16. WORK HOURS.	(f) <u>Flex time</u> . Rules regarding the use and application of flex time are addressed in the administrative directives of the city.	<del>(f) <u>Flex time</u>. Rules regarding the use and application of flex time are addressed in the administrative directives of the city.</del> Reserved	Terminology and process are not used in current Human Resources Information Systems timekeeping processes.
SEC. 34-17. OVERTIME AND PAID LEAVE FOR CIVILIAN EMPLOYEES.	(b) Paid leave. An employee is charged with paid leave only on days the employee would otherwise have been scheduled to work. If the employee is assigned to a standard work week, no more than 40 hours paid leave may be charged in one work week. If the employee is assigned to an approved alternate work schedule, the hours charged in one work week as paid leave may not exceed the maximum hours contained in the alternate work week during which the leave was taken. Except for holiday leave, mandatory city leave, and court leave pursuant to Section 34-26, paid leave will not be counted as work time for purposes of computing overtime or compensatory leave.	(b) Paid leave. An employee is charged with paid leave only on days the employee would otherwise have been scheduled to work. If the employee is assigned to a standard work week, no more than 40 hours paid leave may be charged in one work week. If the employee is assigned to an approved alternate work schedule, the hours charged in one work week as paid leave may not exceed the maximum hours contained in the alternate work week during which the leave was taken. Except for holiday leave, <u>mental health leave, compassionate leave, injury leave, quarantine leave,</u> mandatory city leave, and court leave pursuant to Section 34-26, paid leave will not be counted as work time for purposes of computing overtime or compensatory leave.	Add quarantine leave, mental health leave and compassionate leave to the categories of leave counted as work time for overtime calculation.





# Addendum



Personnel Rules Reference	Personnel Rule Wording (Current)	Recommended Personnel Rule Wording	Reason
<p><b>SEC. 34-19. WORK HOURS, PAID LEAVE, AND OVERTIME FOR PUBLIC SAFETY EMPLOYEES.</b></p>	<p>(a) Police Department (3) Paid leave. Any sworn employee of the police department is charged with paid leave only on days the employee would otherwise have been scheduled to work. If the employee is assigned to a standard work week, no more than 40 hours paid leave may be charged in one work week. If the employee is assigned to an approved alternate work schedule, the hours charged in one work week as paid leave may not exceed the maximum hours contained in the alternate work week during which the leave was taken. Authorized attendance incentive leave, vacation leave, holiday leave, leave with pay as defined by Section <a href="#">34-29</a>, compensatory leave, court leave pursuant to Section <a href="#">34-26</a>, mandatory city leave, military leave, and death-in- family leave will be counted as work time for purposes of computing overtime or compensatory leave.</p>	<p>(a) Police Department (3) Paid leave. Any sworn employee of the police department is charged with paid leave only on days the employee would otherwise have been scheduled to work. If the employee is assigned to a standard work week, no more than 40 hours paid leave may be charged in one work week. If the employee is assigned to an approved alternate work schedule, the hours charged in one work week as paid leave may not exceed the maximum hours contained in the alternate work week during which the leave was taken. Authorized attendance incentive leave, vacation leave, holiday leave, leave with pay as defined by Section <a href="#">34-29</a>, compensatory leave, court leave pursuant to Section <a href="#">34-26</a>, mandatory city leave, military leave, <del>and</del> death-in- family leave, <u>compassionate leave, injury leave, mental health leave, and quarantine leave</u> will be counted as work time for purposes of computing overtime or compensatory leave. <u>Paid parental leave and sick leave will not be counted as work time for purposes of computing overtime or compensatory leave.</u></p>	<p>Add compassionate leave, injury leave, mental health leave, and quarantine leave to the categories of leave counted as work time for overtime calculation. Reorder leaves in alphabetical order. Clarify that paid parental leave and sick leave are counted a sick leave when computing overtime or compensatory leave.</p>



# Addendum



Personnel Rules Reference	Personnel Rule Wording (Current)	Recommended Personnel Rule Wording	Reason
<p><b>SEC. 34-19. WORK HOURS, PAID LEAVE, AND OVERTIME FOR PUBLIC SAFETY EMPLOYEES.</b></p>	<p>(b) Fire Department(9) Authorized attendance incentive leave, vacation leave, holiday leave, leave with pay as defined by Section <a href="#">34-29</a>, compensatory leave, court leave pursuant to Section <a href="#">34-26</a>, mandatory city leave, military leave, and death-in-family leave will be counted as work time for purposes of computing overtime or compensatory leave.</p>	<p>(b) (9) Authorized attendance incentive leave, vacation leave, holiday leave, leave with pay as defined by Section <a href="#">34-29</a>, compensatory leave, court leave pursuant to Section <a href="#">34-26</a>, mandatory city leave, military leave, <del>and</del> death-in-family leave, <u>compassionate leave, injury leave, mental health leave, and quarantine leave</u> will be counted as work time for purposes of computing overtime or compensatory leave. <u>Paid parental leave and sick leave will not be counted as work time for purposes of computing overtime or compensatory leave.</u></p>	<p>Add mental health leave and compassionate leave to the categories of leave counted as work time for overtime calculation. Reorder leaves in alphabetical order. Clarify that paid parental leave and sick leave are counted a sick leave when computing overtime or compensatory leave.</p>



# Addendum



Personnel Rules Reference	Personnel Rule Wording (Current)	Recommended Personnel Rule Wording	Reason
<b>34-22.3 MENTAL HEALTH LEAVE</b>	(a) <u>Eligibility.</u> An employee who experiences a traumatic event while on duty if the need for mental health leave is verified by a licensed psychiatrist or psychologist.	(a) <u>Eligibility.</u> An employee who experiences a traumatic event while on duty if the need for mental health leave is verified by a licensed psychiatrist, <del>or licensed</del> psychologist, or <u>licensed mental health professional.</u>	Add “licensed mental health professional” to professional who can provide documentation for mental health leave. Expand type of professional who can verify need for mental health leave.
<b>34-22.4. COMPASSIONATE LEAVE.</b>	(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	(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 <u>for an extended period of time or indefinitely.</u>	Expand the eligibility for compassionate leave to include employees who may be able to return to work in the future.
<b>34-24.2. PAID PARENTAL LEAVE</b>	On or after January 1, 2021, a maximum of six weeks paid parental leave is available to employees...	On or after <del>January 1, 2022</del> <u>October 1, 2021</u> , a maximum of six weeks paid parental leave is available to employees...	Correct date of implementation for paid parental leave.



# Addendum



Personnel Rules Reference	Personnel Rule Wording (Current)	Recommended Personnel Rule Wording	Reason
<b>34-32 (c) (5) HEALTH BENEFITS</b>	A retiree who is age 65 or older may enroll in the city's post-65 plan after separating from employment under the "come-back option" if, within 30 days of timely enrolling in the Medicare...	A retiree who is age 65 <del>or older</del> may enroll in the city's post-65 plan after separating from employment under the "come-back option" if, within 30 days of timely enrolling in the Medicare...	Remove "or older" after "age 65" for enrollment in city's post-65 plan. Eligibility to enroll only happens at age 65.
<b>34-32 (c) (5) (B) HEALTH BENEFITS</b>	(B) Only the spouse to whom the retiree was legally married at the time of separation of employment will be eligible for enrollment under this come back option.	<del>(B) Only the spouse to whom the retiree was legally married at the time of separation of employment will be eligible for enrollment under this come back option.</del> <u>Reserved</u>	Remove requirement for spouse of retiree to married at time of separation from the City. Spouse needs to be married when retiree turns 65 not when retiree leaves the City.
<b>34-36 (b) (1) (A) RULES OF CONDUCT</b>	<u>34-36 (b) (1) Unsatisfactory attendance</u> is exemplified by, but is not limited to, the following violations: (A) unexcused absence or tardiness	34-36 (b) (1) Unsatisfactory attendance is exemplified by, but is not limited to, the following violations: (A) unexcused absence or tardiness <u>including during telework;</u>	Include reference to teleworking in absence or tardiness clause for unsatisfactory attendance



# Addendum



Personnel Rules Reference	Personnel Rule Wording (Current)	Recommended Personnel Rule Wording	Reason
<b>34-38 (k) GRIEVANCE AND PROCEDURES</b>	For purposes of this section only, a reference to an assistant city manager also refers to a non-sworn managerial chief designated by the city manager, including, without limitation, chief of economic development and housing, chief of community services, and chief of staff to the city manager.	For purposes of this section only, a reference to an assistant city manager also refers to a non-sworn managerial chief designated by the city manager, including, without limitation, <u>deputy city manager</u> , chief of economic development and housing, chief of community services, <u>chief financial officer</u> , and chief of staff to the city manager.	Include “deputy city manager” and “chief financial officer” to executives who can hear grievance and appeal





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# Updates to Personnel Rules

**Approved December 13, 2023**

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