

## Dallas Follows Austin and San Antonio & Enacts Ordinance on Mandatory Paid Sick Leave

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On April 24, 2019, Dallas followed Austin and San Antonio to become the third city in Texas to adopt a mandatory paid sick leave ordinance (the “ordinance”). The ordinance, set to go into effect on August 1, 2019, provides:

- All private employers with 15 or more employees must provide 8 days of earned sick time (“EST”) annually to employees who work at least 80 hours per calendar year within the City of Dallas. Employers with less than 15 employees must provide 6 days of EST per year.
- Employees will accrue one hour of EST for every 30 hours worked, unless an employer’s policies establish an accrual rate of a fraction of an hour increment.
- Employees will become eligible to accrue EST at the commencement of employment, or the effective date of the ordinance, whichever is later, and can begin using EST as soon as it accrues. However, employers can implement a 60-day waiting period for new hires so long as that employee’s term of employment will be at least one year.
- Employees may use EST for their own, or a family member’s, physical or mental health or preventative care; or for medical attention, services, or legal actions as a result of domestic abuse, sexual assault or stalking.
- Employees may carry over accrued but unused EST, up to the maximum yearly cap, unless the employer grants the employee at least the minimum required amount of EST at the beginning of each year.
- Employers must: (i) provide monthly statements to employees regarding an employee’s accrued EST; (ii) post a notice of the ordinance; and (iii) include notice of the ordinance and its requirements in the employers’ handbooks.
- The ordinance provides for a civil penalty of up to \$500 for each violation. Importantly however, penalties will not be assessed until April 1, 2020 unless an employer’s violation is related to the anti-retaliation provision of the ordinance.



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### What's Next?

Dallas business groups have voiced concerns regarding the ordinance, and may file suit to attempt to enjoin it. However, the ordinance is currently set to become effective August 1, and employers would do well to begin preparing now to comply with the new sick leave requirements.

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