

# What You Need to Know About Austin's New Paid Sick Leave Ordinance

03.06.18

On February 15, 2018, the Austin City Council approved a new ordinance requiring private employers in Austin to provide paid sick leave for employees—a first for Texas cities. The Ordinance, which is not effective until October 1, 2018 for employers with more than five employees and October 1, 2020 for employers having five employees or less, will undoubtedly be attacked by Texas lawmakers. State Rep. Paul Workman, R-Austin, for one, has indicated that he will file legislation on the first day possible to reverse the Ordinance. Of course, that would not be until the start of the legislative session in 2019. In the meantime, here is a summary of the Ordinance's requirements:

- Definition of employee: an individual who performs at least 80 hours of work for pay within the City of Austin in a calendar year for an employer
- Applies to any employees working in the City of Austin regardless of where the employer is based
- Amount of paid sick leave and accrual
  - 64 hours or 8 work days per year if employer employs more than 15 employees
  - 48 hours or 6 work days per year if employer employs 15 or fewer employees
  - One hour of sick time is accrued for every 30 hours worked and can be granted in one-hour increments
  - Employees can use earned sick leave to care for a family member
  - Employees can carry over unused earned sick leave to the following year
- Employers can utilize existing paid time off benefits to meet this requirement
- Record keeping and notice requirements
  - Employers may adopt reasonable verification procedures for requests to use earned sick time for more than 3 consecutive work days
  - On at least a monthly basis, the employer must provide each employee a statement showing the amount of the employee's available earned sick time
  - If the employer has an employee handbook, the handbook must include a notice of employee rights and remedies under this ordinance
  - Employers must display a sign describing the requirements of the Ordinance in all appropriate languages in a conspicuous place where notices to employees are customarily posted (the City of Austin will make the signage available on its website)
- Penalty: \$500 fine for each violation

[CLICK HERE TO VIEW THE ORDINANCE](#)

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