



SAN ANTONIO PAID SICK LEAVE UPDATE:

On November 22, 2019, a San Antonio judge entered a temporary injunction blocking the [San Antonio Paid Sick Leave Ordinance](#) from taking effect. This temporary injunction will remain in place until a full trial on the merits of the Ordinance is held. For now, San Antonio employers do not need to take any steps to comply with the Ordinance.

Please contact [Marcus Fettinger](#) with any questions or concerns.

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- Earned sick leave up to 56 hours must carry over to the following year.
- Employers are not required to provide additional paid sick leave to employees if they maintain a paid time off (PTO) policy that meets the accrual, yearly cap, and usage requirement of this ordinance.
- Employees may use paid sick leave for any of the following:
 - An employee's own illness, injury or preventative care
 - The illness, injury or preventative care of a family member
 - If the employee or a relative is a victim of domestic abuse and the time will be used to seek medical care, to relocate, to attend legal proceedings or to secure victim's services.
- Upon notice of a complaint, employers will have 10 business days to resolve the subject matter of the complaint by paying an employee for sick time that was taken and not paid for or provide an additional period of sick time to what was denied or taken without pay.
- Employers must include a notice of an employee's rights and remedies under this ordinance in their employee handbook (if the employer has one), and, if the City makes such signage available, all employers must post a notice describing employees' rights under this ordinance in a conspicuous location.
- On at least a monthly basis, employers must provide each employee a statement showing the amount of the employee's available earned paid sick time or PTO balance that may be used in the same manner as sick leave.

WHAT SAN ANTONIO EMPLOYERS SHOULD DO

Although the revised ordinance's long-term future may be in doubt, given the outstanding legal challenges, employers must prepare to comply. Employers should take the following steps in preparation:

- Revise employee handbooks in accordance with this ordinance
- Post the required notice in a conspicuous location (once the City provides the official notice)
- Ensure that current PTO policies meet the accrual, yearly cap, and usage requirements of this ordinance
- Train all managers and human resources staff on the requirements of this ordinance
- Ensure that employees receive statements outlining their accrued paid leave or PTO balance at least on a monthly basis.

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