

BILL ANALYSIS

H.B. 1057
By: Anchia
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, firefighters in Dallas are not authorized to use business leave time accounts similar to those created for firefighters and police officers in other urban municipalities. As proposed, H.B. 1057 requires the City of Dallas to establish and maintain a business leave time account for the Dallas Firefighters Association and for other Dallas firefighter employee organizations that have approved the use of business leave time by their members and authorizes the members of those organizations who accumulate vacation or compensatory time to donate time to the account.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B.1057 amends the Local Government Code to authorize a firefighter who is a member of an employee organization in a municipality with a population of one million or more that has not adopted The Fire and Police Employee Relations Act and to which the municipal civil service law does not apply to donate up to one hour of accumulated leave time for each calendar quarter to the business leave time account of the organization if the constitution and bylaws of the organization authorize such a donation. The bill defines "business leave" to mean leave taken for the purpose of attending to the business of an employee organization. The bill defines "employee organization" to include the Dallas Fire Fighters Association, Dallas Black Fire Fighters Association, and Dallas Hispanic Firefighters Association. The bill requires the municipality to establish and maintain a separate business leave time account for each employee organization that has approved or ratified the use of business leave time and included a specific authorization in the organization's constitution and bylaws.

H.B.1057 specifies that only a firefighter who is a member of an employee organization is authorized to use the business leave time donated to the account of the employee organization and that a firefighter is authorized to use the donated time without receiving a reduction in salary and without reimbursing the municipality. The bill requires a request to use donated business leave time to be submitted in writing to the municipality by the president or equivalent officer of the employee organization or by that officer's designee. The bill requires a municipality to grant the request unless an emergency prevents granting it or granting it will result in having an insufficient number of firefighters to carry out the normal functions of the municipality. The bill requires the municipality to account for the time in each account and to credit and debit an account on an hour-for-hour basis regardless of the cash value of the time donated or used. The bill prohibits an employee organization from using more than 4,000 hours from its business leave time account in a calendar year unless the use is approved by the municipality. The bill clarifies that the prohibition does not prevent an organization from accumulating more than 4,000 hours but only addresses the total number of donated hours that an employee organization may use in any calendar year. The bill specifies that business leave used by a firefighter is not a break in service and is treated as any other paid leave.

H.B.1057 redefines "employee organization," in provisions of law applicable to a municipality with a population of one million or more that has not adopted The Fire and Police Employee Relations Act and to which the law relating to a legislative leave time account does not apply, to include the Black Police Association of Greater Dallas. The bill makes the authorization for a police officer to donate up to two hours for each month of accumulated vacation or compensatory time to the business leave time account of an employee organization contingent on whether the constitution and bylaws of the organization authorize the organization to participate in the establishment and maintenance of a business leave time account.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.