

EMERGENCY

City of Cincinnati

RDH *AWG*

An Ordinance No. 102 2022

AMENDING Section 308-9 of the Cincinnati Municipal Code, "Holidays for City Employees," for the purpose of adding Juneteenth as an official holiday for City of Cincinnati employees, commencing with the Juneteenth holiday to be commemorated on Sunday, June 19, 2022, and to be observed by the City workforce on Monday, June 20, 2022, and which City holiday shall be observed by represented City employees upon mutual agreement on this subject between the City and each impacted bargaining unit following good faith bargaining.

WHEREAS, Juneteenth Independence Day commemorates the end of slavery in the former secessionist states of the Confederacy; and

WHEREAS, President Abraham Lincoln issued the Emancipation Proclamation on January 1st, 1863, but it did not take effect in all Confederate states until June 19th, 1865; and

WHEREAS, slavery was not officially abolished in the United States until the ratification of the Thirteenth Amendment to the Constitution on December 6th, 1865; and

WHEREAS, June 19th has become a day for our nation to recognize the end of slavery in the United States; and

WHEREAS, Juneteenth is a day not just of celebration but of education, reflection, and inspiration; and

WHEREAS, on June 17th, 2021, President Biden officially recognized Juneteenth as a national holiday; and

WHEREAS, the Mayor and Council accordingly wish to commemorate, celebrate, and implement the Juneteenth holiday for City of Cincinnati employees, commencing with the holiday to be observed on June 20, 2022, subject to the provisions of any applicable collective bargaining agreements; and

WHEREAS, the Cincinnati Municipal Code requires that City employees covered by the terms of a Labor-Management Agreement with the City of Cincinnati will observe only those holidays as prescribed by the express terms of each bargaining agreement, thereby requiring negotiation with those City bargaining units prior to implementation of the Juneteenth holiday for the memberships of the various City unions; and

WHEREAS, holidays for unrepresented City employees are governed by the terms of Cincinnati Municipal Code Section 308-9, which also grants authority to the City Manager to declare additional holidays for the unrepresented City employees based on any official holidays

appointed and recommended by the Governor of the State of Ohio or the President of the United States; and

WHEREAS, the City Administration estimates that the direct personnel costs of an additional holiday will be approximately \$56,000 in Fiscal Year 2022, which cost will be offset by personnel savings currently projected by City departments; and

WHEREAS, sworn Police and sworn Fire Fighters have the option to bank holiday time and later re-sell such time to the City at then applicable wage rates, which may pose additional cost to the General Fund, estimated at up to \$578,000 if all sworn employees were to bank the additional 8 hours of holiday time and re-sell such time to the City at current wage rates; and

WHEREAS, Council finds that the personnel costs associated with adding a new City holiday are warranted based on the national and local significance of the Juneteenth holiday and the positive impact that declaration of the Juneteenth holiday will have on the City's workforce; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 308-9 of the Cincinnati Municipal Code, "Holidays for City Employees," is hereby amended as follows:

Sec. 308-9. Holidays for City Employees.

(a) By city employees not sworn members of the police division, fire division, or Division 1 employees presently covered by a collective bargaining agreement between the City of Cincinnati and A.F.S.C.M.E., nor any other city employees covered by the terms of a collective agreement with the City of Cincinnati:

- (1) New Year's Day, January 1;
- (2) Martin Luther King Day, the third Monday in January;
- (3) President's Day, the third Monday in February;
- (4) Memorial Day, the last Monday in May;
- (5) Juneteenth, June 19;
- ~~(5)~~ (6) Independence Day, July 4;
- ~~(6)~~ (7) Labor Day, the first Monday in September;
- ~~(7)~~ (8) Veteran's Day, November 11;

~~(8)~~ (9) Thanksgiving Day, the fourth Thursday in November;

~~(9)~~ (10) The Friday after the fourth Thursday in November; and

~~(10)~~ (11) Christmas Day, December 25.

And, subject to the discretion of the City Manager, any day appointed and recommended by the Governor of the State of Ohio or the President of the United States.

(b) By sworn members of the police division covered by a Labor-Management Agreement between the City of Cincinnati and the Fraternal Order of Police, Queen City Lodge No. 69, holidays are to be observed as prescribed by the pertinent terms of said agreement.

(c) By sworn members of the fire division covered by a Labor-Management Agreement between the City of Cincinnati and the Cincinnati Fire Fighter's Union Local No. 48, holidays are to be observed as prescribed by the pertinent terms of said agreement.

(d) By non-uniformed Division 1 employees covered by a Labor-Management Agreement between the City of Cincinnati and A.F.S.C.M.E., holidays are to be observed as prescribed by the pertinent terms of said agreement. By any other city employees covered by the terms of a Labor-Management Agreement with the City of Cincinnati, holidays are to be observed as prescribed by the pertinent terms of said agreement.

(e) When January 1, June 19, July 4, November 11 or December 25 falls on a Sunday, then the following Monday shall be observed as the official holiday. When any of these holidays falls on Saturday, then the preceding Friday shall be observed as the official holiday.

(f) Whole holidays shall extend from 12:01 a.m. to 12:00 midnight, and half holidays shall extend from 12:01 p.m. to 12:00 midnight.

(g) Subject to approval by the city manager, the personnel director shall make rules as necessary to provide equitable holiday observance for part-time or temporary employees, employees who work irregular shifts and employees not in pay status during the entire calendar year.


Section 2. That existing Section 308-9 of the Cincinnati Municipal Code is hereby repealed.

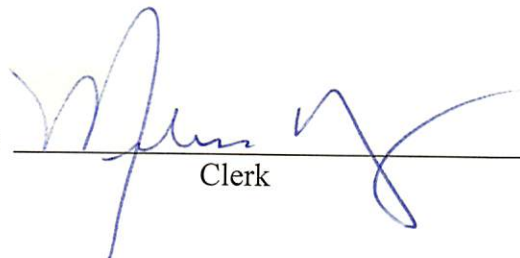
Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 and 2 hereof.

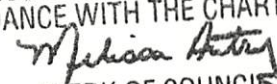
Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms

of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow for sufficient time for the City Administration to operationally prepare for implementation of an official City holiday to be observed on June 20, 2022.

Passed: June 15, 2022


Aftab Pureval, Mayor

Attest: 
Clerk

I HEREBY CERTIFY THAT ORDINANCE NO. 162-2022
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 6-23-2022

CLERK OF COUNCIL