



Legislation Details (With Text)

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On agenda: 8/17/2021 **Final action:** 5/24/2022
Title: Repealing Section 2101.37 of the Toledo Municipal Code; enacting a new Section 2101.37 and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Speaking Points, 2. Amendment redline

Date	Ver.	Action By	Action	Result
5/24/2022	1	City Council	relieve of Committee	Pass
5/24/2022	1	City Council	Passage	Pass
5/24/2022	1	City Council	Emergency	Pass
8/17/2021	1	City Council		
8/17/2021	1	City Council		

Paid Holiday Schedule -Juneteenth
Human Resources
Tyrome Alexander (x1031)

Repealing Section 2101.37 of the Toledo Municipal Code; enacting a new Section 2101.37 and declaring an emergency.

SUMMARY & BACKGROUND:

Currently, Section 2101.37 of the Toledo Municipal Code, which address “Paid Holidays” for administrative and managerial staff (“exempts”). The current Code identified the following thirteen (13) city holidays: New Year’s Day; Martin Luther King Day (third Monday in January); Presidents Day (third Monday in February); Good Friday; Memorial Day (last Monday in May); Fourth of July; Labor Day; Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day; Friday after Thanksgiving; Christmas Eve (the last regular work day before Christmas Day); Christmas Day.

On June 17, 2021, President Biden signed Senate Bill 475 officially recognizing “Juneteenth National Independence Day” as a national holiday. Quickly following suit, Governor Mike DeWine and the Lucas County Commissioners issued statements recognizing Juneteenth as a state holiday. Mayor Kapszukiewicz issued a formal proclamation recognizing Juneteenth holiday.

To be celebrated on June 19, Juneteenth commemorates the 1865 Emancipation Proclamation, marking the end of slavery in the United States. To support the importance of this significant holiday, the City wishes to follow suit with the Federal and State Government by declaring Juneteenth a paid holiday.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Toledo Municipal Code Section 2101.37 which states the following:

2101.37 Paid Holidays.

(a) Employees who have completed their probationary period shall be entitled to fifteen (15) paid holidays as set forth below. To be entitled to receive pay for holidays the employee shall have worked or be on a compensated day off on the day before and the day after the holiday.

Effective January 1, 1994, the paid holidays shall be:

New Year's Day; Martin Luther King Day (third Monday in January); Presidents Day (third Monday in February); Good Friday; Memorial Day (last Monday in May); Fourth of July; Labor Day; Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day; Friday after Thanksgiving; Christmas Eve (the last regular work day before Christmas Day); Christmas Day.

(b) In addition to the above listed holidays, the employee shall be entitled to two (2) discretionary holidays to be selected by the employee and scheduled with adequate notification to the appropriate supervision. The employee shall schedule these holidays in such a way as not to impair the operations of the work unit, but the holidays shall be scheduled and the employee shall be permitted to take the holidays at some time during the calendar year.

(c) For all employees observing the regular Monday through Friday work schedule, in the event any of the above holidays falls on Saturday, the City shall celebrate the holiday on Friday, and in the event the holiday falls on Sunday, the City shall celebrate the holiday on Monday.

(d) In lieu of the provisions of subsections (a), (b) and (c) above, Police Deputy Chiefs and Fire Deputy Chiefs covered by this Chapter, and the Chief-Fire and Chief-Police shall have the option of having up to fifteen (15) days off scheduled during the year or of having a lesser number of days off and receive pay for the difference between the number of scheduled days off and the fifteen (15) holidays to which he/she is entitled up to a maximum of ten (10) days for which he/she may elect to receive pay. In the event the employee elects to take days off, they are to be scheduled in a way as not to impair the operation of the shift or bureau. If the employee has elected to work up to ten (10) of these extra days in lieu of days off, then he/she shall be compensated at his/her regular rate for having worked on those days. He/she shall be paid a bonus of one and one-quarter (1 1/4) days for each of the extra days scheduled. The employee who elects to take the bonus payment in lieu of the extra scheduled days off shall receive up to twelve and one-half (12 1/2) days of bonus pay to be distributed to him/her at the time he/she takes his/her regular vacation. The days shall be payable at the rate of pay the employee earns for his/her vacation period.

Is hereby repealed.

SECTION 2. That a new Section 2101.37 of the Toledo Municipal Code is hereby enacted to state as follows:

2101.37 Paid Holidays.

(a) Employees who have completed their probationary period shall be entitled to **sixteen (16) paid holidays** as set forth below. To be entitled to receive pay for holidays the employee shall have worked or be on a compensated day off on the day before and the day after the holiday.

Effective **May 24, 2022**, the paid holidays shall be:

New Year's Day; Martin Luther King Day (third Monday in January); Presidents Day (third Monday in February); Good Friday; Memorial Day (last Monday in May); **Juneteenth (June 19)**; Fourth of July; Labor Day; Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day; Friday after Thanksgiving; Christmas Eve (the last regular work day before Christmas Day); Christmas Day.

(b) In addition to the above listed holidays, the employee shall be entitled to two (2) discretionary holidays to be selected by the employee and scheduled with adequate notification to the appropriate supervision. The employee shall schedule these holidays in such a way as not to impair the operations of the work unit, but the

holidays shall be scheduled and the employee shall be permitted to take the holidays at some time during the calendar year.

(c) For all employees observing the regular Monday through Friday work schedule, in the event any of the above holidays falls on Saturday, the City shall celebrate the holiday on Friday, and in the event the holiday falls on Sunday, the City shall celebrate the holiday on Monday.

(d) In lieu of the provisions of subsections (a), (b) and (c) above, Police Deputy Chiefs and Fire Deputy Chiefs covered by this Chapter, and the Chief-Fire and Chief-Police shall have the option of having up to **sixteen(16)** days off scheduled during the year or of having a lesser number of days off and receive pay for the difference between the number of scheduled days off and the **sixteen (16) holidays** to which he/she is entitled up to a maximum of ten (10) days for which he/she may elect to receive pay. In the event the employee elects to take days off, they are to be scheduled in a way as not to impair the operation of the shift or bureau. If the employee has elected to work up to ten (10) of these extra days in lieu of days off, then he/she shall be compensated at his/her regular rate for having worked on those days. He/she shall be paid a bonus of one and one-quarter (1 1/4) days for each of the extra days scheduled. The employee who elects to take the bonus payment in lieu of the extra scheduled days off shall receive up to twelve and one-half (12 1/2) days of bonus pay to be distributed to him/her at the time he/she takes his/her regular vacation. The days shall be payable at the rate of pay the employee earns for his/her vacation period.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure and shall take effect and be in full force from and after its passage. The reason for this emergency lies in the fact that this Ordinance is necessary for the immediate preservation of the public peace, health, safety and property.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council