



## Legislation Text

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**File #:** O-272-22, **Version:** 1

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Exempt Employees' Paid Holidays  
HR Dept.- Tyrome Alexander (x1031)

### **Repealing current Toledo Municipal Code Section 2101.37; and enacting a new Toledo Municipal Code Section 2101.37; and declaring an emergency.**

#### **SUMMARY & BACKGROUND:**

Toledo Municipal Code Chapter 2101 governs the terms and conditions of employment for the City of Toledo's Classified Exempt and Executive Exempt employees. Specifically, TMC Section 2101.37 states the paid holidays for those employees. Most of those holidays conform with the holidays recognized by the Federal government for its employees. Recognizing that Juneteenth (June 19<sup>th</sup>) was recently declared a Federal holiday, and further recognizing that Columbus Day has been re-named Indigenous People's Day for many state and local jurisdictions, the City wishes to also conform to current times. Thus, this Ordinance repeals Section 2101.37 Paid Holidays, and enacts a new Toledo Municipal Code Section 2101.37, to replace Good Friday with Juneteenth and change the name of Columbus Day to Indigenous Peoples Day.

The current Toledo Municipal Code Section 2101.37 is hereby repealed and replaced with a new Section 2101.37, as indicated below.

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

SECTION 1. That Toledo Municipal Code Section 2101.37, which states as follows:

#### **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 Years 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 Toledo Municipal Code Section 2101.37 is enacted as follows:

**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, 2022, the paid holidays shall be:

New Year's Day; Martin Luther King Day (third Monday in January); Presidents Day (third Monday in February); Memorial Day (last Monday in May); Independence Day; Juneteenth (June 19<sup>th</sup>); Labor Day; Indigenous Peoples 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.

SECTION 3. This Ordinance is hereby declared to be an emergency measure and shall be in force and effect from and after its adoption. The reason for the emergency lay in the fact that same is necessary for the immediate preservation of 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