

**ORDINANCE NO. 2021-**

**AN ORDINANCE** amending the City of Yakima Municipal Code Section 2.40.080 Holidays with Pay to add Juneteenth as a paid holiday

**BE IT ORDAINED BY THE CITY OF YAKIMA:**

**Section 1.** Section 2.40.080 of the City of Yakima Municipal Code is hereby amended to read as follows:

**2.40.080 Holidays with pay.**

A. The following days are established as holidays with pay for all eligible employees of the city of Yakima: the first day of January (New Year's Day), the third Monday of January (Martin Luther King, Jr. Day), third Monday of February (Presidents Day), the last Monday of May (Memorial Day), nineteenth day of June (Juneteenth), fourth day of July (Independence Day), first Monday of September (Labor Day), eleventh day of November (Veterans Day), fourth Thursday of November (Thanksgiving Day), the day immediately following Thanksgiving Day, and the twenty-fifth day of December (Christmas).

B. In addition to the days specified in subsection A of this section, all eligible employees shall be entitled to one paid personal holiday to be selected by the employee subject to the following conditions:

1. The employee has been or is scheduled to be continuously employed for the city for more than six months;

2. The employee has given not less than fourteen calendar days of written notice to the appointing authority; provided, however, the employee and the appointing authority may agree on an earlier date;

3. The appointing authority has approved the day;

4. The day selected does not prevent a department from providing continued public service and does not interfere with the efficient operation of the department;

5. The personal day must be taken during the calendar year or entitlement to the day will lapse except when an employee has requested a personal holiday and the request has been denied; and

6. The personal holiday is not taken off immediately before or immediately after another holiday unless approved by the appointing authority.

7. Management employees who are not members of PERS 1 are not eligible for the personal holiday in this subsection B.

8. Beginning January 1, 2016, all management employees who are members of PERS 1 will be eligible for a second paid personal holiday subject to the conditions of subsection B of this section.

C. Except as provided by subsections I and J of this section, whenever any holiday specified in subsection A of this section falls on a Saturday, the preceding Friday shall be scheduled as a holiday for part of the employees of each city department, and the remaining employees of each department shall be granted another day off within thirty days after any such holiday, with such day off to be scheduled for each employee entitled thereto at a time determined at the discretion of the department manager to be practical so as not to interfere with service to the public, but so as to give the employee the choice of the day preferred if possible.

D. Except as provided by subsections I and J of this section, whenever any holiday specified in subsection A of this section falls on a Sunday, the succeeding Monday shall be scheduled as a holiday; provided, that if a service must be provided for the convenience or necessity of the public on that Monday, the department providing such service may assign an appropriate number of employees to work and such employees will be granted an equivalent day off within thirty days of the holiday with such day off to be scheduled for each employee entitled thereto at a time determined by the department head but giving the employee the choice of the day preferred if possible.

E. Eligible employees shall receive one day's holiday pay at the straight time rate for each holiday specified in subsection A of this section on which those employees perform no work; if the eligible employee performs work on a holiday, that employee shall receive holiday pay plus overtime pay for all hours worked, except for employees covered by subsections I and J of this section. The holiday shall be included as "time worked" at straight time for the purpose of determining whether an employee has worked forty hours in a week.

F. When eligible employees below the level of division head other than those working on jobs where employees are scheduled to work in shifts in a service that is rendered seven days per week and twenty-four hours per day are required to work on a holiday, they shall be paid for such work at the rate of time and one-half in addition to their regular pay.

G. In the event that a holiday occurs during a period of annual leave of an employee, such holiday shall not be charged as a day of leave.

H. No employee shall be paid for a holiday unless such employee is in a pay status both the workday before and the workday after such holiday except for employees working special schedules wherein holidays are worked as a part of that schedule.

I. In the police and fire departments, holiday leave shall be governed by the applicable collective bargaining agreement.

J. A management employee in the police department shall be granted time off in lieu of holidays in an amount equal to the actual number of holidays enjoyed by other employees during the calendar year. The amount of time off in lieu of holidays to be granted during each year shall be computed each January and scheduled to be taken during the calendar year. The amount of time off in lieu of holidays to be granted an employee who is employed for a partial calendar year shall be prorated for the period of the calendar year during which that individual is employed and a deduction shall be taken from the salary of any employee who ceases employment and who has taken time off in lieu of holidays in excess of the pro rata amount to be granted the employee by the

provisions of this section. Any time off in lieu of holidays not taken by December 31st of each year shall be forfeited unless the city manager extends the time within which such time off may be taken because of an emergency or other unusual circumstances.

K. In the event that a holiday falls on an employee's regular day off, the employee shall have equal time off to be scheduled within ninety days.

**Section 2.** This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

**PASSED BY THE CITY COUNCIL**, signed and approved this 19<sup>th</sup> day of October, 2021.

ATTEST:

\_\_\_\_\_  
Patricia Byers, Mayor

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Sonya Claar Tee, City Clerk

Publication Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_