



INFORMATIONAL MEMORANDUM

TO: Finance and Governance Committee

FROM: Rachel Bianchi, Deputy City Administrator

CC: Mayor Ekberg

DATE: March 7, 2022

SUBJECT: Adding Juneteenth to the List of Legal Holidays

ISSUE

On June 15, 2020 the City Council adopted Resolution 1992, commemorating Juneteenth of each year as an annual celebration of African American emancipation. Since then, many jurisdictions including the Federal and State governments, King County, City of Seattle and other smaller jurisdictions in the State and around the country have added Juneteenth as a paid holiday. Collectively, these jurisdictions have designated Juneteenth as a way to commemorate the end of slavery in the United States and the profound impact of slavery and subsequent emancipation on generations of Americans.

BACKGROUND

Current City paid holidays are codified in the Tukwila Municipal Code (TMC) 2.52.030, which could be amended by ordinance. State law allows for local legislative bodies to determine local holiday schedules pursuant to RCW 1.16.050(6) which states, in pertinent part:

(6) Nothing in this section may be construed to have the effect of adding or deleting the number of paid holidays provided for in an agreement between employees and employers of political subdivisions of the state or as established by ordinance or resolution of the local government legislative authority.

DISCUSSION

Any changes to City paid holidays would need to be bargained with the City's labor partners. It is unlikely that any labor group would agree to replace Juneteenth with another holiday. The City conceded adding the Juneteenth holiday to the Commanders, Sergeants and United Steelworkers contracts at their request during this past bargaining cycle.

In drafting the proposed ordinance, staff noticed that the TMC is not current with the number of floating holidays provided to staff. The TMC indicates one floating holiday, but collective bargaining agreements and years of past practice afford staff two floating holidays. It is unclear why this change was not made when the second floating holiday was enacted, but staff recommends making this change to the TMC now.

FINANCIAL IMPACT

While there is a financial impact associated with adding another paid holiday to the City's offerings, it is difficult to determine the actual cost. There would be hard costs associated with the Police (largely the Patrol division, with minor impact on Records) and Fire (Suppression only) Departments as those departments collectively cannot take specific days off in the same way as other City employees. In addition, there would be a small increase in standby pay for Public Works staff. For the other unions there could be soft costs associated with the loss of those hours, and that is variable across departments and individuals. Staff estimates the financial cost to be under \$100,000 per year.

RECOMMENDATION

The Committee is being asked to approve the proposed ordinance and send the item for discussion at the Committee of the Whole on Monday, April 11, 2022. Should the Council agree, the item could be adopted at the April 18, 2022 Regular Meeting.

ATTACHMENTS

Proposed ordinance adding Juneteenth to the list of City holidays

DRAFT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING ORDINANCE NO. 1663 §1, SUBPARAGRAPH A, "LEGAL HOLIDAYS," AS CODIFIED AT TUKWILA MUNICIPAL CODE SECTION 2.52.030.A, TO ADD THE NINETEENTH OF JUNE, RECOGNIZED AS JUNETEENTH, TO THE LIST OF LEGAL HOLIDAYS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Legislature recently passed House Bill 1016, effective July 25, 2021, and codified as RCW §1.16.050(f), establishing the Nineteenth of June, recognized as Juneteenth, or "Juneteenth Independence Day," as a state legal holiday. This holiday memorializes when news of the Emancipation Proclamation and the end of the Civil War reached Galveston, Texas and all enslaved persons were freed; and

WHEREAS, in furtherance of the sentiments expressed in City of Tukwila Resolution No. 1992, passed June 15, 2020, Juneteenth celebrates African American emancipation, provides an opportunity to celebrate freedom and liberty, and serves as a reminder of our collective history and our responsibility to never stop advocating for, and working towards, true racial equality; and

WHEREAS, to recognize this important day, the City Council desires to amend the Tukwila Municipal Code to establish Juneteenth as a legal holiday for the City; and

WHEREAS, clarifying language regarding floating holidays is needed to align with current City practice, policy, and agreements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. TMC Section 2.52.030.A Amended. Ordinance No. 1663 §1, as codified at Tukwila Municipal Code Section 2.52.030, subparagraph A, "Legal Holidays," is hereby amended to read as follows:

A. Unless otherwise provided in applicable collective bargaining agreements, all employees shall receive the following holidays off with 8 hours' compensation at their regular straight-time hourly rate of pay:

New Year's Day January 1
 Martin Luther King, Jr. Day 3rd Monday of January
 President's Day 3rd Monday of February
 Memorial Day Last Monday of May
Juneteenth..... June 19
 Independence Day July 4
 Labor Day 1st Monday of September
 Veteran's Day November 11
 Thanksgiving Day 4th Thursday of November
 Day after Thanksgiving Day Friday
 Christmas Day December 25
~~One~~ Two (2) Floating Holidays At employee's choice

Section 2. Corrections by City Clerk or Code Reviser Authorized. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 4. Effective Date. This ordinance or a summary thereof shall be published in the official newspaper of the City and shall take effect and be in full force five days after passage and publication as provided by law. Consistent with Washington State House Bill 1016, Juneteenth shall be first recognized as a City holiday on June 19, 2022.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this _____ day of _____, 2022.

ATTEST/AUTHENTICATED:

 Christy O'Flaherty, MMC, City Clerk

 Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____

Passed by the City Council: _____

Published: _____

Effective Date: _____

Ordinance Number: _____

 Office of the City Attorney