



ORDINANCE NO. 28794

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the
2 Tacoma Municipal Code to provide for the addition of June 19th “Juneteenth”
as a paid holiday for City employees beginning in calendar year of 2022.

3 WHEREAS the recognition of “Juneteenth” has become a central topic of
4 discussion at the national, state, and local levels as many communities have
5 begun to recognize the significance of this historical event within the greater
6 context of American history, and
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8 WHEREAS, President Abraham Lincoln signed the Emancipation
9 Proclamation in 1863, which was designed to liberate more than three million
10 enslaved African people in the Confederate states, and it was not until northern
11 soldiers arrived in Galveston, Texas, on June 19, 1865, more than two years after
12 the proclamation, that the state’s residents finally learned that slavery had been
13 abolished, and that day has been celebrated to commemorate the abolishment of
14 slavery and the contributions of African Americans to society, now known as
15 “Juneteenth” and celebrated across the nation, and
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17 WHEREAS in April of 2021, the Washington State Legislature passed
18 legislation marking Juneteenth as a paid legal holiday for State employees
19 beginning in 2022, and a month later the federal government also designated
20 Juneteenth as a national holiday for federal employees, and
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22 WHEREAS The establishment of an annual Juneteenth paid holiday
23 centers the experiences and historical realities for African American employees
24 while offering the full City of Tacoma workforce an opportunity to mark,
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26



recognize, and learn about a critical turning point in American history in the
1 cause of liberation, and

2 WHEREAS celebration of this holiday marks a substantial commitment
3 by the City of Tacoma to recognize a turning point in U.S. history, aligns with,
4 and is informed by the Anti-Racist Transformation message contained in City
5 Council Resolution No. 40622.
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7 BE IT ORDAINED BY THE CITY OF TACOMA:

8 Section 1. That Section 1.12.200 of the Tacoma Municipal Code is hereby
9 amended, effective January 1, 2022, as provided in Exhibit "A."
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11 Passed _____

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13 _____

Mayor

14 Attest:

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16 _____

City Clerk

17 Approved as to form:

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19 _____
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Deputy City Attorney

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EXHIBIT "A"

1.12.200 Holidays with pay.

A. Holidays.

1. The following are holidays for all full-time or part-time regular, probationary, project, temporary pending exam, or appointive employees of the City, except for certain employees of the Tacoma Belt Line Railway, as defined in Section 1.12.210, who are not eligible for holiday pay. Part-time employees shall receive holiday pay prorated based on the hours that he or she was hired to work. Such holidays are in conformance with the state of Washington as prescribed by RCW 1.16.050:

New Year's Day (January 1)

Martin Luther King Day (3rd Monday in January)

Presidents' Day (3rd Monday in February)

Memorial Day (last Monday in May)

Juneteenth (June 19)

Fourth of July (July 4)

Labor Day (1st Monday in September)

Veterans Day (November 11)

Thanksgiving Day (4th Thursday in November)

The Day Immediately Following Thanksgiving Day

Christmas Day (December 25)

2. Employees shall receive a total of two paid floating holidays, in addition to those specified above, per calendar year, said days to be mutually agreed upon by employee and employer. To be eligible for said floating holidays, an employee must have been, or be scheduled to be, continuously employed by the City for more than four months as a full-time or part-time regular, probationary, project, temporary pending exam, or appointive employee during the calendar year of entitlement. Part-time employees shall receive floating holiday pay prorated on the hours that he or she was hired to work. Employees retiring on May 1 or thereafter of each year shall be eligible for the floating holidays. Upon separation from the City service, an employee shall not be eligible for compensation for any unused floating holidays.

In addition, employees, as specified above, shall be granted such additional holidays as may be determined by the City Council from time to time by resolution or official proclamation.

3. The following are holidays for temporary employees after six months of continuous City service, except for certain employees of the Tacoma Belt Line Railway, as defined in Section 1.12.210, who are not eligible for holiday pay and except for temporary hiring-hall workers for whom benefits are administered through their unions.

New Year's Day (January 1)

Martin Luther King Day (3rd Monday in January)

Presidents' Day (3rd Monday in February)

Memorial Day (last Monday in May)

Juneteenth (June 19)

Fourth of July (July 4)

Labor Day (1st Monday in September)

Veterans Day (November 11)

EXHIBIT "A"

Thanksgiving Day (4th Thursday in November)

The Day Immediately Following Thanksgiving Day

Christmas Day (December 25)

Temporary employees are not eligible for floating holidays.

B. An employee shall receive pay for the holiday provided he or she is in a paid status for the entire shift on both the regular scheduled work day immediately preceding the holiday and the regular scheduled work day immediately following the holiday; provided, however, for commissioned Police Department and Fire Department personnel who are covered by a collective bargaining agreement, an employee shall receive pay for the holiday provided he or she is in a paid status for the entire shift on either the regular scheduled work day immediately preceding the holiday or the regular scheduled work day immediately following the holiday; provided, that employees hired into a part-time status after January 1, 1983, shall receive holiday pay or time off in lieu thereof prorated based on the hours the employee was hired to work.

C. Time Off in Lieu of Holiday. Members of the Police Department and Fire Department services may be granted days off in lieu of holidays. Holidays or time off in lieu of holidays shall be scheduled so as to meet the operating requirements of the respective departments and, as far as practicable, the preferences of the employees. In the event time off in lieu of holidays has been scheduled for the end of the year and an employee is unable to use such days off in lieu of holidays due to continuous illness or disability, with a written request submitted to the Human Resources Department prior to the end of the calendar year in which the days off in lieu of holidays could not be used, such unused days off may be carried over for use in the following year. In order to meet necessary scheduling of personnel, the Police Department and Fire Department may permit their members to take time off in lieu of holidays in advance of the occurrence of the holiday; provided, that upon termination of the member who has been paid in advance for a holiday or holidays, such payments shall be deducted from any wages, vacation leave, or sick leave accrual payments to which the member would otherwise be entitled; or, in the event that there are no such payments due, the member shall repay the City such unearned advance holiday payments. Upon separation from the City service in good standing, a regular, probationary, project, temporary pending exam, or appointive employee shall be compensated for any unused holidays or days off in lieu thereof to which he or she is entitled as set forth in this section.

D. Holidays Falling on Saturday and Sunday. When one of the holidays listed in this section falls on a Saturday, the day preceding will be observed as a holiday with pay and when one of the holidays listed in this section falls on Sunday, the next day following will be observed as a holiday with pay.

E. Overtime Rate for Holiday Work. Employees who normally are scheduled to work on any of the above listed holidays, who are eligible for compensation for overtime work, shall, in addition to their regular holiday pay, be compensated either in compensatory time off or in cash, as the case may be, at the straight time rate for the actual hours worked, except as otherwise provided in a collective bargaining agreement; provided, that work in excess of the normal hours of their shift shall be compensated at their designated overtime rate. Employees whose functions do not normally require holiday work, required to work on a holiday and who are eligible for compensation for overtime work, shall, in addition to their regular holiday pay, be compensated either in compensatory time off or in cash, as the case may be, according to their designated overtime rate for the actual hours worked.

F. Rate of Pay for Holidays. Employees not required to work on holidays shall be paid for holidays at the rate he or she was receiving the day before the holiday.

G. Hours granted for holidays. Employees eligible for holiday pay, pursuant to this section, will receive compensation or time off for holidays based on a standard eight-hour work day or as provided in a collective bargaining agreement. Part-time employees receive time off for a holiday prorated on the number of hours that he or she was hired to work.