

RESOLUTION NUMBER R- 315037

DATE OF FINAL PASSAGE JUL 14 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO INCREASING THE HOURS OF FLOATING
HOLIDAYS FOR ELIGIBLE UNREPRESENTED
EMPLOYEES.

WHEREAS, on May 13, 1980, the San Diego City Council (City Council) approved Memoranda of Understanding between the City of San Diego (City) and its recognized employee organizations to provide for the addition of a floating holiday in lieu of a holiday for Columbus Day; and

WHEREAS, the City Council amended the San Diego Municipal Code (Municipal Code) by San Diego Ordinance O-15301 (July 28, 1980) to provide all eligible City employees a floating holiday to be requested by the employee and approved by the appointing authority in accordance with provisions of the City's Personnel Manual; and

WHEREAS, the current Municipal Code section 21.0104(m) continues to provide the same terms for floating holidays; and

WHEREAS, Personnel Manual Index Code H-2 (Index Code H-2), section II(A)(1) provides: "All City employees, except those paid on an hourly basis, are entitled to receive compensation for all City observed holidays as designated in the Municipal Code"; and

WHEREAS, Index Code H-2, section II(A)(4) provides: "Credit for the floating holiday shall be accrued on July 1st of each year. Eligibility to receive such credit shall be limited to employees who: (a) are on the City payroll on July 1st of each year; and (b) work, are on compensated leave, or take time off without pay as part of a work furlough program authorized by the mayor, on July 1st, their last scheduled workday before July 1st, or their first scheduled

workday after July 1st; and (c) are otherwise eligible for compensation for City observed holidays”; and

WHEREAS, Index Code H-2, section II(B) provides: “The following holiday benefits apply unless otherwise provided in a current ratified memorandum of understanding. (1) Full-time employees are entitled to eight hours compensation for each City observed holiday. (2) Three-quarter and half-time employees are entitled to six and four hours compensation, respectively, for each City observed holiday”; and

WHEREAS, the City met and conferred with the San Diego Municipal Employees Association (MEA) and the American Federation of State, County and Municipal Employees Local 127 (Local 127) on successor Memoranda of Understanding regarding terms and conditions of employment for fiscal years 2024 through 2026, and reached agreement that eligible employees will accrue credit for a floating holiday each fiscal year that is equal to the hours worked in the employee’s regularly scheduled shift, up to 12 hours; and

WHEREAS, the Mayor recommends that effective July 1, 2023, all unrepresented employees be offered up to 12 hours of credit for a floating holiday as MEA and Local 127 represented employees; and

WHEREAS, the Personnel Department, which oversees the Personnel Manual, was consulted and supports the Mayor’s recommendation; and

WHEREAS, the reference to the Personnel Manual in Municipal Code section 21.0104(m) regarding floating holidays for all City employees does not mean that unclassified/unrepresented employees are under the Classified Service; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and

verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that effective July 1, 2023, unrepresented employees eligible to receive compensation for City holidays will accrue up to 12 hours of credit for use on a floating holiday based on the employee's regularly scheduled shift.

BE IT FURTHER RESOLVED, that City staff will take all necessary action to carry out the purpose of this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By Miguel Merrell
Miguel Merrell
Deputy City Attorney

MM:jvg
June 27, 2023
Or.Dept: Human Resources
CC No. N/A
Doc. No. 3342190

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 11 2023.

DIANA J.S. FUENTES
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 7/14/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 11 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

JUL 14 2023

Date of final passage _____.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Joselle Medina*, Deputy

Office of the City Clerk, San Diego, California

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