

RESOLUTION NUMBER R- 315573

DATE OF FINAL PASSAGE JUN 1 1 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO RELATED TO THE PAYMENT OF UNUSED  
FLOATING HOLIDAY UPON SEPARATION OF  
EMPLOYMENT FOR ELIGIBLE UNREPRESENTED  
EMPLOYEES.

WHEREAS, San Diego Municipal Code (Municipal Code) section 21.0104 provides eligible City of San Diego employees a floating holiday, which is to be requested by the employee and approved by the appointing authority in accordance with provisions of the City's Personnel Manual; and

WHEREAS, Personnel Manual 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, the Council adopted Resolution R-315037 (July 14, 2023) which provides that eligible unrepresented employees 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, Index Code H-2, section II(B)(6)(b) provides: “Eligible employees who terminate their employment with the City between July 1st and the last day of the last full pay period in June and who have not used their accrued floating holiday credit shall receive pay in lieu”; and

WHEREAS, full-time, three-quarter time, and half-time employees who separate from employment and have not used their accrued floating holiday receive pay-in-lieu equivalent to eight hours, six hours, and four hours of floating holiday credit, respectively; and

WHEREAS, the City met and conferred with the San Diego Municipal Employees Association and the American Federation of State, County and Municipal Employees, AFL-CIO, Local 127, and reached tentative agreements that eligible employees will be paid for their unused floating holiday upon separation of employment based on their last regularly scheduled workday, up to 12 hours (Agreements); and

WHEREAS, the Agreements will be presented to the Council for approval with an effective date of July 1, 2024; and

WHEREAS, the Mayor recommends that effective July 1, 2024, all eligible unrepresented employees will be paid for their unused floating holiday upon separation of employment based on their last regularly scheduled workday, up to 12 hours; 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 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, 2024, unrepresented employees eligible to receive compensation for a floating holiday will be paid for their unused floating holiday upon separation of employment based on their last regularly scheduled workday, up to 12 hours.

APPROVED: MARA W. ELLIOTT, City Attorney

By  \_\_\_\_\_  
Miguel Merrell  
Deputy City Attorney

MM:jvg:jdf  
04/30/2024  
Or.Dept: Human Resources  
CC No. N/A  
Doc. No. 3637452

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 0'4 2024.

DIANA J.S. FUENTES  
City Clerk

By  \_\_\_\_\_  
Deputy City Clerk

Approved: 6/11/24 \_\_\_\_\_  
(date)

 \_\_\_\_\_  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 04 2024, 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"/>
Henry L. Foster III	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Date of final passage JUN 11 2024

**(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.

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

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(Seal)

By Krystelle Medina, Deputy

Office of the City Clerk, San Diego, California  
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