

COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2021-54

By Chris McManis Sponsored By Mayor Cyril M. Kleem
Councilwoman Kim Smith

AN ORDINANCE

REPEALING AND RECONSTITUTING SECTION 183.10, HOLIDAY LEAVE, OF CHAPTER 183, EMPLOYMENT PROVISIONS, OF TITLE VIII, PERSONNEL PLAN, OF THE CODIFIED ORDINANCES OF THE CITY OF BREA, TO DESIGNATE JUNE 19 AS AN OFFICIAL CITY HOLIDAY.

WHEREAS, on June 17, 2021, President Joseph R. Biden signed the Juneteenth National Independence Day into law; and

WHEREAS, June 19, known as Juneteenth, marks the anniversary of slavery's abolition in the United States; and

WHEREAS, as the Nation approached its third year of a bloody civil war, on January 1, 1863, President Abraham Lincoln issued the Emancipation Proclamation declaring "that all persons held as slaves" within the rebellious states "are, and henceforward shall be free"; and

WHEREAS, despite the expansive wording, the Emancipation Proclamation was limited in many ways, and the freedom it promised depended upon the advance of Union soldiers; and

WHEREAS, enforcement of President Lincoln's Proclamation had little impact in Texas, because, as the most remote state in the Confederacy, there was a minimal number of Union troops to enforce the order; and

WHEREAS, on June 19, 1865, some two and one-half years after the issuance of the Emancipation Proclamation, Union soldiers, led by Major General Gordon Granger, landed at Galveston, Texas, which was the last state of the Confederacy with institutional slavery, and issued General Order No. 3, stating:

"The people of Texas are informed that, in accordance with a proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of personal rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and hired labor"; and

WHEREAS, today Juneteenth commemorates African American freedom and emphasizes education and achievement, combined with celebrations, such as picnics and family gatherings; and

WHEREAS, people of all races, nationalities and religions are joining hands to truthfully acknowledge a period in our history that shaped and continues to influence our society today; and

WHEREAS, the Council of the City of Berea, the Mayor and the Administration, wish to commemorate and celebrate Juneteenth by joining President Biden, a unanimous Senate and a growing number of States and municipalities in designating June 19 as an official holiday.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That June 19 (Juneteenth) is hereby designated as an official holiday of the City of Berea.

SECTION 2. That Section 183.10, Holiday Leave, of Chapter 183, Employment Provisions, of Title VIII, Personnel Plan, of the Codified Ordinances of the City of Berea, which has heretofore read as designated in Exhibit "A", which is attached hereto and incorporated by reference, be and the same is hereby expressly repealed in its entirety and reconstituted to read as designated in Exhibit "B", which is attached hereto and incorporated by reference.

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SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance shall take effect, and be in force, from and after the earliest period allowed by law.

PASSED: October 18, 2021


President of Council

ATTEST: Allyson
Clerk of Council

APPROVED: October 19, 2021

Mayor

Approved as to Form:

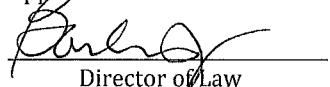

Director of Law

EXHIBIT A

183.10 HOLIDAY LEAVE

Each full-time employee, except the Municipal Court, shall receive Holiday Leave, with regular compensation, on the following workdays:

January 1	Labor Day
Martin Luther King Day	Veterans Day
Presidents' Day	Thanksgiving Day
The Friday immediately proceeding Easter Sunday	The Friday succeeding Thanksgiving
Memorial Day	December 24
July 4	December 25

Each full-time employee of the Municipal Court shall receive Holiday Leave, with regular compensation, on the following workdays:

January 1	Columbus Day
Martin Luther King Day	$\frac{1}{2}$ day Election Day
Presidents' Day	Veterans Day
$\frac{1}{2}$ day Good Friday	Thanksgiving
Memorial Day	The Friday succeeding Thanksgiving
July 4	December 24
Labor Day	December 25

Should Holiday Leave granted herein occur on a Sunday, the following Monday shall be the holiday. If the scheduled Holiday Leave granted herein occurs on a Saturday, the preceding Friday shall be the holiday. If the scheduled Holiday Leave occurs during scheduled vacation leave, the employee shall be entitled to take such Holiday Leave at another time as may be approved by the Director of the department. Similarly, should an employee be regularly scheduled for work on a day defined hereinabove as Holiday Leave, such employee shall be entitled to take such Holiday Leave at another time as may be approved by the Director of the department.

Unused Holiday Leave may be carried over into the following year or may be compensated in cash money, at the discretion of the Mayor, or in the case of the Municipal Court, by the Judge or Clerk of Court. If Holiday Leave is paid in cash money, it shall be paid at the rate applicable to the employee on the date the holiday was accrued and shall be paid not later than January 31 of the following year.

EXHIBIT B

183.10 HOLIDAY LEAVE

Each full-time employee, except employees of the Berea Municipal Court, shall receive Holiday Leave, with regular compensation, on the following workdays:

1. January 1
2. Martin Luther King Day
3. Presidents Day
4. Friday preceding Easter Sunday
5. Memorial Day
6. Juneteenth - June 19
7. July 4
8. Labor Day
9. Veterans Day
10. Thanksgiving Day
11. Friday after Thanksgiving Day
12. December 24
13. December 25

Each full-time employee of the Berea Municipal Court shall receive Holiday Leave, with regular compensation, on the following workdays:

1. January 1
2. Martin Luther King Day
3. President's Day
4. $\frac{1}{2}$ day - Friday preceding Easter Sunday
5. Memorial Day
6. Juneteenth – June 19
7. July 4
8. Labor Day
9. Columbus Day
10. $\frac{1}{2}$ day – Election Day
11. Veterans Day
12. Thanksgiving Day
13. Friday after Thanksgiving Day
14. December 24
15. December 25

Should Holiday Leave granted herein occur on a Sunday, the following Monday shall be the holiday. If the scheduled Holiday Leave granted herein occurs on a Saturday, the preceding Friday shall be the holiday.

If the scheduled Holiday Leave occurs during scheduled vacation leave, the employee shall be entitled to take such Holiday Leave at another time as may be approved by the Director of the

department. Similarly, should an employee be regularly scheduled for work on a day defined hereinabove as Holiday Leave, such employee shall be entitled to take such Holiday Leave at another time as may be approved by the Director of the department.

Unused Holiday Leave may be carried over into the following year or may be compensated in cash money, at the discretion of the Mayor, or in the case of the Municipal Court, by the Judge or Clerk of Court. If Holiday Leave is paid in cash money, it shall be paid at the rate applicable to the employee on the date the holiday was accrued and shall be paid not later than January 31 of the following year.