



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	05/04/2022	Department	City Council
Agenda Item	4.e) Consideration of making Juneteenth a municipal holiday		
Est. Cost	\$5,482.00 (Holiday pay)		

Background Information

This excerpt of the history of Juneteenth is from history.com:

"Juneteenth (short for "June Nineteenth") marks the day when federal troops arrived in Galveston, Texas in 1865 to take control of the state and ensure that all enslaved people be freed. The troops' arrival came a full two and a half years after the signing of the Emancipation Proclamation. Juneteenth honors the end to slavery in the United States ... On June 17, 2021, it officially became a federal holiday."

Juneteenth is now a state holiday in Maine beginning in June 2022. Because the holiday falls on a Sunday, it will be celebrated on 6/20/2022 with both federal and state offices closed for the day. Please also find a tally of which municipalities around us recognize it as a local holiday. Finally, I have also added a tally of what some public libraries throughout the state are doing.

City employees currently enjoy 12 holidays throughout the year. The pertinent pages from the Employee Handbook are attached to this agenda item.

Requested Action	"I move to make Juneteenth (6/19) a municipal holiday beginning 6/19/22 with the holiday celebrated on 6/20/22. Furthermore, I move to adjust the Employee Handbook and all Union contracts to reflect this additional holiday."
City Manager and/or Finance Review	The Acting City Manager approves the above action.
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

April 20, 2022

Surrounding municipalities closed for Juneteenth, 2022 (Celebrating on 6/20/22)

Augusta:	Closed
Farmingdale:	Closed
Hallowell:	Closed
Litchfield:	Pending as of 4/19/22
Pittston:	Closed
Randolph:	Closed
Waterville	Closed
West Gardiner:	Closed

Juneteenth will be celebrated by the State of Maine on 6/20/22 as a holiday for the state employees. All state offices are closed.

Juneteenth will be celebrated by the Federal Government on 6/20/22 as a holiday for the federal employees. This would include no postal service that day as well.

LIBRARY NAME?	IS THE LIBRARY CLOSED?	
Yarmouth Public Library	YES	
McArthur Library	YES	
Bangor Public Library	YES	
Falmouth Memorial Library	YES	
Wells Public Library	NO	
Thomaston Public Library	YES	
Walker Memorial Library	YES	
Peavey Memorial Library	YES	
Camden Public Library	YES	
Freeport Public Library	YES	
Lithgow (Augusta) Public Libr	YES	
Lewiston Public Library	YES	
Berwick Public Library	YES	
Edythe Dyer Community Libr	YES	
Rockland Public Library	YES	
Waterboro Public Library	YES	
Belfast Free Library	YES	
Witherle Memorial Library	YES	
Rice Public Library	YES	
York Public Library	YES	
Norway Memorial Library	Starts in 2023	
Baxter Memorial Library	YES	
South Portland Public Library	YES	
Fryeberg Public Library	YES	
Bailey Library	YES	
Fort Fairfield Public Library	YES	

Dispute Resolution

In consideration that a dispute, complaint, or problem may arise periodically concerning working conditions, policies and practices, or decisions made by City representative that effect an employee's job, the City has established the following dispute resolution procedure. It is the intent of this policy and procedure to afford employees a voice in those matters that have a potential adverse, unjust, or inequitable effect on their employment conditions. The City desires solving problems as promptly, justly, objectively and confidentially as possible.

The three (3) steps involved in the dispute resolution procedure are:

1. Discuss the dispute with the immediate supervisor including the nature of the concern and possible appropriate remedies. If a satisfactory solution cannot be reached within ten (10) working days, or if the nature of the problem is not within the supervisor's authority, the employee will proceed to step 2.
2. Present the issue in writing to the Department Head, who will investigate, examine, and evaluate the factual basis of the situation in an attempt to reach a satisfactory solution. Every effort will be made to provide the employee with a written decision, and the reasons thereof, within ten (10) working days. If the Department Head's decision is not satisfactory to the employee, the employee will proceed to step 3.
3. Within five (5) working days following the receipt of the Department Head's decision, the employee may arrange an appointment to present and discuss the issue with the City Manager. On the basis of information provided in this meeting, or related written documents, the City Manager may conduct further inquiries to fully consider all relevant facts and circumstances, followed by a final decision to the employee and others concerned within fifteen (15) working days. The City Manager's decision shall be the final internal appeal.

VII. Holidays and Leaves

A. Holidays - All regular, full-time employees shall be entitled to the following paid holidays:

- New Years Day
- Martin Luther King Day
- Presidents' Day
- Patriot's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- The day following Thanksgiving Day
- Christmas Day

For non-emergency personnel (i.e. Police and Fire/Rescue), whenever the holiday falls upon a Saturday, the employee shall have off the preceding Friday. When the holiday falls upon a Sunday, the employee shall have the succeeding Monday off.

In order to be eligible for holiday pay, employees must work their last regular scheduled work day immediately preceding and their first regularly scheduled work day immediately following the holiday, unless they are excused in writing by the City Manager or Department Head from compliance with this requirement. Excuses shall be granted for failure to work either the day before and /or day after a holiday because of vacation leave, personal leave, sick leave, or other approved leaves with pay. Excuses may be granted for other reasons at the sole and absolute discretion of the City Manager or Department Head, and neither the granting nor the failure to grant such a discretionary excuse shall be subject to the grievance procedure. Employees who are not excused as provided above shall be considered ineligible.

Depending upon work requirements which demand immediate or special attention, an employee may be required by the City Manager to work on a holiday. In such a case, the employee will be paid holiday pay for the time worked or allowed compensatory time off for the hours worked, up to a maximum of 8 hours.

B. Paid Leaves

1. Vacation - The City's vacation accrual is as follows:

	<u>37.5/week</u>	<u>40/week</u>
Employees with less than 5 yrs of service	7.5/hr/mo	8/hr/mo
Employees who have completed 5 years, but less than 10 years	9.38/hr/mo	10/hr/mo
Employees who have completed 10 years, but less than 15 years	11.25/hr/mo	12/hr/mo
Employees who have completed 15 years, but less than 20 years	13.13/hr/mo	14/hr/mo
Employees who have completed 20 years of service	15/hr/mo	16/hr/mo

All vacation will be accrued in hours and credited on the last payday of the month worked. The City Manager shall have discretion to provide additional vacation time to a non-union employee, including the Department Head(s) upon his/her hire and/or as part of his/her annual evaluation that is not contingent upon years of service.

It is preferred that employees give two weeks advanced notice of intent to take vacation time on vacation request forms. However, employees must request vacation time at least 72 hours in advance of the time off. The Department Head may waive the 72 hour advanced notice in the event of an emergency or other extenuating circumstance. Scheduling and/or approval of vacation leave is the responsibility of the Department Head who shall ensure that vacations do not significantly interfere with the efficiency of the department. The City retains the right to approve, deny, schedule and cancel all vacations.

An employee may carry up to one year's vacation accumulation on the books at any one time. The City Manager may, at the employer's sole discretion, allow one (1) additional week to be carried over.

In lieu of taking all vacation earned during any one year, the City will pay an employee at their regular rate of pay for up to half of their annual accrued vacation, with the permission of the Department Head or City Manager.

2. Sick Leave - The City recognizes that from time to time, employees may be absent as a result of their own illness or injury or that of immediate family members. Therefore each regular employee is provided with paid leave to accommodate periods of illness or injury. Misuse or abuse of sick leave shall be cause for disciplinary action.

- a. Sick Leave Accrual - Each regular employee shall be entitled to accrue one day of paid sick leave per month, beginning with the date of employment. Employees working 37.5 hours per week will accrue 7.5 hours per month. Employees working 40 hours per week will accrue 8 hours per month. For employees hired prior to July 1, 2013, accrued sick leave may accrue from one year to the next up to a maximum of 120 days (900 hours for employees working 37.5 hours per week and 960 hours for employees working 40 hours per week). Employees will be paid for 1/2 of any sick days earned over 120 days. Upon voluntary separation, death, or retirement, employees may credit up to 30 days accumulated sick leave towards earnable compensation for determining Maine Public Employees Retirement System, and will be paid 1/2 of any remaining accumulated sick days. For employees hired on or after July 1, 2013, accrued sick leave may accrue from one year to the next up to a maximum of 60 days (450 hours for employees working 37.5 hours per week and 480 hours for employees working 40 hours per week). These employees will not be paid for any unused sick time. Upon voluntary separation, death, or retirement, employees may credit up to 30 days accumulated sick leave towards earnable compensation for determining Maine Public Employees Retirement System.