



Brainerd City Council Agenda Request

MEETING DATE: June 5, 2023

TITLE OF ITEM: Update on Juneteenth Holiday

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert & Jennifer Bergman

DEPARTMENT: Human Resources

PRESENTER: Kris Schubert

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE:

Juneteenth will be recognized as a state holiday in 2023. The law was originally supposed to go into effect on August 1, 2023, but a provision to amend the effective date of the new law was adopted and recently signed by the Governor. Cities are scrambling to try to implement this and there are a lot of unknowns at this time.

By State Law, we are required to close City offices and business cannot be conducted on June 19, 2023, in observance of the Juneteenth holiday. Attached is the Article 15 of our Employee Policy Manual regarding Holidays. Staff is recommending to amend the Employee Policy Manual to include Juneteenth as a Holiday. We are working with our Attorney and the League of MN Cities to provide more information specifically how this affects union contract negotiations. We hope to provide an update at the Council meeting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

As a reminder, per law, no public business can be transacted on any holiday, except in case of necessity, including the new Juneteenth holiday. In addition to closing city offices that day, the Council meeting normally scheduled for that evening will be delayed to Tuesday, June 20th, as is our customary practice when holidays are observed on a Monday. Staff will publish a special meeting notice for the June 20th meeting to comply with Open Meeting Law requirements.

RECOMMENDED ACTION/MOTION:

Motion to acknowledge that the City of Brainerd will recognize Juneteenth as a State Holiday on June 19, 2023 by amending Article 15 – Holidays of the Employee Policy Manual to include Juneteenth as a Holiday.

FINANCIAL IMPACT:

Is there a cost associated with this request: Yes

What is the total cost, with tax and shipping: Unknown at this time

Is this budgeted? (Please Explain) No – this is an unfunded mandate from the State

receiving monthly retirement benefits under the provisions of PERA as of the date of his or her retirement shall be granted severance pay based on the following conditions and rates:

Section 13.02 Conditions

- A. Retirement - voluntary and in good standing, as defined in ARTICLE 12.
- B. Voluntary retirement or termination of employment in good standing, as defined in ARTICLE 13, due to health reasons, service-connected injury, or illness.

Section 13.03 Rates

All regular employees, regardless of the date of hire, shall be entitled to 100 percent of their unused sick leave as severance pay, with a maximum of nine hundred sixty (960) hours, upon retirement in good standing, as defined in ARTICLE 12, or if they become disabled and must terminate their employment, with written proof by a physician. In the event of death, severance pay shall be paid to the beneficiary. Pay for unused sick leave shall be based on existing annual wage as described in Exhibit C or applicable union contract.

ARTICLE 14. MEAL AND COFFEE BREAKS

All hourly employees shall receive one (1) fifteen (15) minute rest period during each four (4) consecutive hours of work. Rest periods are part of the paid work shift. An employee shall not be compensated additional wages or time off for not taking a scheduled rest period. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time, end time, or meal time, including any standard meal time designated by a specific Department—or accrue compensatory time—by saving these breaks. Breaks should be scheduled so as to not interfere with work requirements.

In general, City employees working a scheduled full-time shift are entitled to a one (1) hour uncompensated meal period. Meal periods shall be scheduled by the department head or supervisor. Employees will not be permitted to adjust work start time or accrue compensatory time by skipping or shortening meal breaks.

ARTICLE 15. HOLIDAYS

The following holidays, or days observed as such, shall be considered paid holidays for all regular employees:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day

Memorial Day
Veterans' Day
Independence Day
Labor Day
Thanksgiving Day
Friday after Thanksgiving Day
Christmas Day
2 "Floating" holidays

When an official holiday recognized in this policy falls on a Saturday, the preceding Friday shall be declared a holiday for employees whose normal work schedule is Monday through Friday. When an official holiday recognized in this policy falls on a Sunday, the following Monday shall be declared a holiday for employees whose normal work schedule is Monday through Friday.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Union employees shall be compensated for holiday time according to the terms and conditions of their collective bargaining agreement.

Requests for floating holidays shall require three (3) days' written notice to the Department Head. Such requirement may be waived when absence of the employee will not unduly affect the functioning of the department.

Employees will be accredited their floating holidays on January 1st of each year and may use them at any time during the year.

New employees whose first working day is between January 1st and June 30th, inclusively, shall receive two (2) floating holidays and new employees whose first working day is between July 1st and December 31st, inclusively, shall receive one (1) floating holiday.

All floating holidays must be taken in one (1) day (or eight (8) hour) increments. Floating holidays are not carried over year-to-year and must be used in the calendar year that they are received. Floating holidays not used by December 31 of the calendar year they were received are forfeited.

ARTICLE 16. REGULAR VACATION

Section 16.01 General Vacation Rules

A. When Taken