

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2021-49

A RESOLUTION OF THE UNALASKA CITY COUNCIL RECOGNIZING JUNETEENTH NATIONAL INDEPENDENCE DAY AS A CITY HOLIDAY AND GRANTING REGULAR FULL TIME AND PART TIME CITY EMPLOYEES AN ADDITIONAL PAID FLOATING HOLIDAY IN 2021

WHEREAS, Juneteenth commemorates June 19, 1865, when enslaved people in Galveston, Texas first learned about the Emancipation Proclamation formally freeing all enslaved individuals two and a half years earlier; and

WHEREAS, Juneteenth is a day to celebrate freedom and renew our efforts for a better future; and

WHEREAS, on June 17, 2021, President Biden signed the Juneteenth National Independence Day Act into law, recognizing the historical significance of the Juneteenth National Independence Day to the United States and that (1) history should be regarded as a means for understanding the past and solving the challenges of the future; and (2) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States; and

WHEREAS, the City Council is recommending that Juneteenth National Independence Day be a recognized as an annual holiday by the City of Unalaska.

NOW THEREFORE BE IT RESOLVED that the Unalaska City Council recognizes Juneteenth National Independence Day as a holiday and grants regular full-time and part-time employees an additional paid floating holiday in calendar year 2021, effective upon adoption of this resolution.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on June 22, 2021.


Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:


Marjie Veeder, CMC
City Clerk



MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: J. R. Pearson, Assistant City Manager
Through: Erin Reinders, City Manager
Date: June 22, 2021
Re: Resolution 2021-49: Recognizing Juneteenth National Independence Day as a City Holiday and Granting Regular Full Time and Part Time Employees an Additional Paid Floating Holiday in 2021

SUMMARY: On June 17, 2021, President Biden signed the Juneteenth National Independence Day Act into law. Most Federal holidays are currently recognized by the City of Unalaska. Juneteenth will provide Unalaskans a time to remember all those who have suffered in slavery, oppression, and systematic racism in the past and present. Resolution 2021-49 recognizes this new holiday and provides a floating holiday for city employees to honor Juneteenth in 2021. Staff recommends approval.

PREVIOUS COUNCIL ACTION: None

BACKGROUND: On June 17, 2021, President Biden signed the Juneteenth National Independence Day Act into law, recognizing the historical significance of the Juneteenth National Independence Day to the United States and that (1) history should be regarded as a means for understanding the past and solving the challenges of the future; and (2) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States.

There is a common misconception among Americans that Abraham Lincoln freed all the slaves when he signed the Emancipation Proclamation. Although the Emancipation Proclamation went into effect on January 1, 1863, it was two and a half years later, on June 19, 1865, when Union soldiers arrived in Galveston, Texas. It was then when they announced the end of the Civil War, and read aloud a general order freeing the quarter-million slaves residing in the state. It is likely that none of them had any idea that they had actually been freed more than two years before. It was truly a day of mass emancipation. This day has become known as Juneteenth.

DISCUSSION: The City of Unalaska recognizes nearly all Federal holidays with the exception of Columbus Day. Three additional holidays: Lincoln's Birthday, Seward's Day, and Alaska Day are recognized as floating holidays for City employees.

Adoption of this resolution, recognizes this holiday effective the current fiscal year (FY21) that can be used as a floating holiday through calendar year 2021 and provide the City time to amend UCO § 3.44.060 RECOGNIZED CITY HOLIDAYS and current CBAs to include this holiday in FY22 and future years.

ALTERNATIVES: Council may choose not to adopt Resolution 2021-49.

FINANCIAL IMPLICATIONS: If the resolution is adopted, this new holiday may need to be considered in upcoming personnel budgets.

LEGAL: Not needed at this time.

STAFF RECOMMENDATION: Staff recommends adopting the new holiday, Juneteenth National Independence Day.

PROPOSED MOTION: I move to adopt Resolution 2020-49.

CITY MANAGER'S COMMENTS: I support staff's recommendation to fully recognize this new Federal Holiday.

ATTACHMENTS: Memorandum form United States Office of Personnel Management



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

June 17, 2021

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: KATHLEEN M. McGETTIGAN
ACTING DIRECTOR

Subject: Juneteenth National Independence Day Holiday

Today, President Biden signed the Juneteenth National Independence Day Act (S. 475) into law, recognizing the historical significance of the Juneteenth National Independence Day to the United States and that (1) history should be regarded as a means for understanding the past and solving the challenges of the future; and (2) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States. The Act amends section 6103(a) of title 5, United States Code, to include “Juneteenth National Independence Day, June 19,” in the list of official holidays for Federal employees. The Juneteenth National Independence Day (“Juneteenth”) holiday and this memorandum apply to full-time and part-time Federal employees who are covered by section 6103.¹

This year, June 19 falls on a Saturday. When a Federal holiday falls on a nonwork day for a **full-time** employee (including a full-time employee on a flexible or compressed work schedule), an alternative or “in-lieu-of” holiday within the employee’s tour of duty is designated based on the rules in 5 U.S.C. 6103(b) and Executive Order 11582. Accordingly, employing agencies must apply these rules for determining the “in-lieu-of” holiday for full-time employees who do not have a regular workday on Saturday, June 19, subject to the limitations described in this memorandum. For employees with a Monday-through-Friday work schedule, the “in-lieu-of” holiday will be June 18 (Friday).

Part-time employees are not entitled to an “in-lieu-of” holiday. If an agency’s office or facility is closed due to an “in-lieu-of” holiday for full-time employees, the agency may grant administrative leave to part-time employees who are otherwise scheduled to work on that day.

For an explanation of how to identify the “in-lieu-of” holiday based on the employee’s work schedule, see [Fact Sheet: Federal Holidays - "In Lieu Of" Determination](#). We note that agency heads may prescribe rules that change the otherwise applicable “in-lieu-of” holiday under certain conditions for employees on a compressed work schedule. (See 5 U.S.C. 6103(d).)

Employees who are required to perform work on June 19 or an employee’s designated “in-lieu-of” holiday may be eligible for holiday premium pay as described by 5 U.S.C. 5546 and 5 CFR 550.131-132, subject to the limitations on premium pay under 5 U.S.C. 5547. For each hour of

¹ Agencies with independent authority for certain categories of employees may adopt the holiday without specific legislation.

qualifying holiday work, eligible employees receive holiday premium pay equal to an employee's rate of basic pay in addition to their rate of basic pay. Employees who are required to work on a holiday receive their rate of basic pay, plus holiday premium pay, for each hour of holiday work—i.e., double or 200 percent of their rate of basic pay. For more information, see [Fact Sheet: Federal Holidays - Work Schedules and Pay](#). (Note: Certain employees may be covered by different premium pay rules established under an agency's independent authority rather than under title 5 provisions.)

The following guidance pertains specifically to the implementation of the Juneteenth holiday on June 19, 2021:

- If full-time or part-time employees have a regular workday on June 19 (Saturday), they will either receive holiday time off or, if they are required to work, holiday premium pay for qualifying holiday hours on Saturday.
- For full-time employees who do not have a regular workday on June 19 (Saturday) but do have a regular workday on June 18 (Friday), the “in-lieu-of” holiday will generally be June 18 (Friday). Agencies should direct such employees to not report to work on Friday—unless the agency determines that their services are required. If employees are required to work during qualifying holiday hours, they will earn holiday premium pay.
- Some full-time employees who do not have a regular workday on June 18 (Friday) or June 19 (Saturday) may have an “in-lieu-of” holiday on June 17 (Thursday)—e.g., employees who have an Alternative Work Schedule day off on Friday. Any work such employees perform during qualifying holiday hours will generate holiday premium pay. Some of these employees may have been working a scheduled shift at the time the President signed the Act. Employing agencies may direct such employees to cease working and excuse them from duty for the remainder of the workday.²
- In rare circumstances, certain full-time employees could have a work schedule that would normally result in them having an “in-lieu-of” holiday on June 16 (Wednesday); however, because the Juneteenth National Independence Day Act was signed and took effect on June 17 (Thursday), a retroactive June 16 “in-lieu-of” holiday may not be implemented because it occurred before the Act took effect. Agencies should grant any such employees an appropriate amount of excused absence hours on their first workday after June 19.
- In rare circumstances, certain full-time employees may have an “in-lieu-of” holiday on June 20 (Sunday).
- An employee who was previously scheduled to take paid leave or other paid time off on June 19, 2021, will not be charged such leave or other paid time off for his or her scheduled workday. (This policy does not apply to employees who receive annual premium pay for standby duty under 5 U.S.C. 5545(c)(1) or to firefighters who are covered by the special pay provisions of 5 U.S.C. 5545b.)

² Because S. 475 does not have a specific effective date, it is effective at the beginning of the day on which it was signed.

- If an employee has an “in-lieu-of” holiday on Friday, June 18, and had a scheduled 9-hour workday under a flexible work schedule, an agency may grant 1 hour of administrative leave under these special circumstances, since the Juneteenth holiday was not established until June 17 near the end of a biweekly pay period, which did not allow the employee time to adjust his or her flexible schedule.

For general pay and leave administration guidance please refer to the following fact sheets:

- [Fact Sheet: Federal Holidays - Work Schedules and Pay](#)
- [Fact Sheet: Federal Holidays - "In Lieu Of" Determination](#)
- [Fact Sheet: Federal Holidays](#)
- [Flexible Work Schedules](#)
- [Compressed Work Schedules](#)
- [Premium Pay \(Title 5\)](#)
- [Compensation Main Page](#)

Employees of agencies not covered by title 5 authorities governing holidays and related matters (e.g., the U.S. Postal Service, the Federal Aviation Administration, and the Transportation Security Administration), as well as employees of Federal contractors should contact their supervisor (or contract officer) to obtain information on their pay and leave entitlements for the Juneteenth holiday. (Employees who submit personal inquiries will be directed to contact their agency human resources office.)

Additional Information

For additional information, agency headquarters-level human resources offices may contact OPM at pay-leave-policy@opm.gov. Component-level human resources offices must contact their agency headquarters for assistance. Employees must contact their agency human resources offices for further information on this memorandum.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, and Human Resources Directors

Attachment: [Juneteenth National Independence Day Act](#)