

**SIDE LETTER AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND
MUNICIPAL EMPLOYEES ASSOCIATION ESTABLISHING JUNETEENTH AS A CITY HOLIDAY**

Pursuant to the provisions of the Meyers-Milius-Brown Act (MMBA) and Council Policy 300-06, this Side Letter Agreement (Agreement) is entered into between the City of San Diego (City) and the Municipal Employees Association (MEA) to amend Article 47 of the Memorandum of Understanding (MOU) between the City and MEA approved by San Diego Resolution R-313568 dated June 11, 2021, amended by a side letter agreement approved by San Diego Resolution R-314442 dated November 28, 2022. The City and MEA are collectively referred to as the "Parties."

Juneteenth commemorates June 19, 1865 as the date enslaved Black Americans in Galveston, Texas finally received news of their freedom more than two years after the Emancipation Proclamation was issued by President Abraham Lincoln on January 1, 1863.

President Joe Biden signed Senate Bill 475 on June 17, 2021, establishing Juneteenth as a federal holiday, and Governor Gavin Newsom signed Assembly Bill 1655 on September 29, 2022, establishing Juneteenth as a state holiday.

The City recognizes the significance of Juneteenth to a City that strongly upholds diversity, equality, and freedom among employees and constituents. Therefore, Mayor Todd Gloria recommends establishing Juneteenth as a City holiday effective June 19, 2023.

The Parties agree to the following:

1. The Parties have satisfied all obligations under the MMBA, Council Policy 300-06, and other applicable law and regulations to meet and confer in good faith on the subject of this Agreement.
2. The Parties agree to amend sections A(1) through A(3)(a) of Article 47 of the MEA MOU, as follows:

"A. Fixed Holidays.

1. Fixed Holidays will be:

- a. January 1;
- b. Third Monday in January, known as "Dr. Martin Luther King, Jr.'s Birthday";
- c. Third Monday in February, known as "Presidents' Day";
- d. March 31, known as "Cesar Chavez Day";
- e. Last Monday in May, known as "Memorial Day";
- f. **June 19, known as "Juneteenth";**
- g. July 4;
- h. First Monday in September, known as "Labor Day";
- i. November 11, known as "Veterans' Day";
- j. Fourth Thursday in November, known as "Thanksgiving Day";
- k. December 25; and
- l. Every day appointed by the City Council for a public fast, thanksgiving or holiday.

2. If January 1, March 31, **June 19**, July 4, November 11, or December 25 falls on a Sunday, the Monday following is the City-observed holiday. If any of the dates listed in this section fall on a Saturday, the preceding Friday is the City-observed holiday.

SIDE LETTER AGREEMENT BETWEEN THE CITY AND MEA ESTABLISHING JUNETEENTH AS A CITY HOLIDAY

Page 2

3. Holiday Pay for Dispatchers and Golf Operations Division Employees.

a. If January 1, March 31, **June 19**, July 4, November 11 or December 25 falls on either a Saturday or Sunday, then Dispatchers (Police, Fire and Public Works) and Golf Operations Division employees, shall receive holiday compensation, including premium overtime, for all hours worked on the fixed holiday when the employee is scheduled to work on that day. In such instances, holiday compensation will not be paid on the City-observed holiday.

3. The City will take all necessary actions to amend San Diego Municipal Code section 21.0104 and Personnel Manual Index Code H-2 to establish Juneteenth as a City holiday.
4. Unless expressly covered in this Agreement, all wages, hours and other terms and conditions of employment presently enjoyed by MEA-represented employees, whether stated in an MOU, Personnel Regulation, Administrative Regulation or in any other enforceable document, remain in full force and effect.
5. This Agreement is not binding on the Parties until it is approved by a two-thirds vote of the City Council, in accordance with San Diego Charter section 11.2.

For Municipal Employees Association

By: 

Ann Smith
Lead Negotiator

Date: February 21, 2023

By: 

Michael Zucchet
General Manager

Date: February 21, 2023

For the City of San Diego

By: 

Timothy Davis
Lead Negotiator

Date: April 27, 2023

By: 

Jonnabelle Domingo
Supervising Human Resources Officer

Date: 03/21/23

By: 

Abegaile Serafico
Senior Human Resources Officer

Date: 03/21/23

Approved as to form this 29th day of June, 2023.

MARA W. ELLIOTT, City Attorney

By: 

Miguel Merrell
Deputy City Attorney