

..Number

131630

..Version

PROPOSED SUBSTITUTE B

..Reference

..Sponsor

ALD. ZIELINSKI

..Title

A substitute ordinance establishing an optional holiday for employees to observe the birthday of Cesar E. Chavez.

..Sections

350-2-1.5 cr

..Analysis

This ordinance designates March 31 annually as "Cesar E. Chavez Day" in observance of the birthday of Cesar E. Chavez, and establishes that day as an optional holiday for city employees. Upon authorization from a department head, an employee may take Cesar E. Chavez Day as a paid holiday in lieu of any other paid holiday that same fiscal year. The observance of Cesar E. Chavez Day does not change the total number of paid holidays granted annually to any employee.

..Body

Whereas, Cesar E. Chavez, born on March 31, 1927, brought national attention to the unsafe and unfair working conditions of farm workers, and inspired millions of people of all races to join in the movement for farm workers' rights; and

Whereas, As a champion for civil rights, labor rights, voting rights, and women's rights, Cesar E. Chavez empowered workers to seek advancement in education and politics, and served as an inspiration for others working to better human rights; and

Whereas, The observance of a holiday in honor of Cesar E. Chavez will encourage all people to model his legacy of engaging in nonviolent action for workers' rights, civil rights, and environmental justice, and the empowerment of the poor and disenfranchised; now, therefore

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 350-2-1.5 of the code is created to read:

350-2. Holidays, General Provisions.

1.5. OPTIONAL HOLIDAY.

a. March 31 of each year shall be designated as "Cesar E. Chavez Day" in observance of the birthday of Cesar E. Chavez.

b. If Cesar E. Chavez Day falls on a day on which the offices of a department are open, the department shall remain open and conduct the operations of the department. Each

department head shall, as long as adequate staffing levels are maintained as determined by the department head, allow an eligible employee who complies with that department's advance notification requirements and who requests the day off to receive that day as a paid holiday in lieu of receiving a paid holiday for one of the other holidays specified under s. 350-1 that the employee designates, as long as the designated day is within the same fiscal year.

c. On the holiday an eligible employee designates in substitution for Cesar E. Chavez day, the employee shall use either vacation or compensatory time-off for that day.

d. An eligible employee under this section shall be one who is eligible for holiday pay, subject to the city's collective bargaining obligations, as applicable, under s. 111.70, Wis. Stats.

e. This subsection shall not change the total number of holidays with pay granted annually.

..LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____

..Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____

..Requestor

..Drafter
LRB151274-3
Mary E. Turk
3/14/14