

**AN ORDINANCE BY COUNCILMEMBERS AMIR R. FAROKHI, JENNIFER N. IDE, AND MATT WESTMORELAND TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES SECTION 114-414, ENTITLED “HOLIDAYS” FOR THE PURPOSE DESIGNATING EVERY FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER A LEGAL HOLIDAY FOR CITY EMPLOYEES COMMENCING ON NOVEMBER 3, 2020; AND FOR OTHER PURPOSES.**

WHEREAS, municipal general elections in the City of Atlanta (“City”), as well as federal general elections, are held the first Tuesday after the first Monday in November; and

WHEREAS, there has been growing debate nationwide to make election day a legal holiday to increase voting access; and

WHEREAS, language in House Resolution 1, introduced in the 116<sup>th</sup> Congress, would make the Tuesday after the first Monday in November 2020, and each even-numbered year thereafter a legal public holiday; and

WHEREAS, it is the best interest to encourage employees to participate in voting process by designating the first Tuesday after the first Monday of each November a legal holiday in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA GEORGIA, to be read as follows:

SECTION 1: That the first Tuesday after the first Monday of November be designated a legal holiday for City employees.

SECTION 2: That Section 114-414 (“Holidays”) is hereby amended as follows (new language in bold):

Sec. 114-414. - Holidays.

(a) *Designation, effect.* The following days shall be legal holidays for employees of the city:

- (1) January 1, New Year's Day.
- (2) Third Monday in January, Martin Luther King, Jr.'s birthday.
- (3) Last Monday in May, Memorial Day.
- (4) July 4, Independence Day.
- (5) First Monday in September, Labor Day.

- (6) The first Tuesday after the first Monday in November, Election Day.
- (7) November 11, Veterans Day.
- (8) Fourth Thursday in November, Thanksgiving.
- (9) Day after Thanksgiving.
- (10) December 25, Christmas Day.

- (b) *Holidays observed.* Whenever any holiday shall fall on an employee's first normal weekly off-day, the preceding day will be taken as a holiday. If the designated holiday falls on an employee's regular second weekly off-day, the succeeding day will be taken as a holiday. All employees, except those who shall be necessary in order to carry on essential functions of the government of the city, shall receive a holiday on the days set forth in subsection (a) of this section. Those employees who are required to work on an observed holiday other than the designated holiday shall be given another day off within the calendar year for the holiday not observed.
- (c) *Premium payment for holiday work performed.* Employees shall be eligible for compensation for work performed on a holiday only if the employee works on the actual day designated as the holiday in subsection (a) of this section. For purposes of this section the holiday for premium pay purposes is the 24-hour period beginning at 12:01 a.m. and ending at 12:00 midnight of the designated day. Notwithstanding anything in this subsection, no employee may receive more than eight hours at premium pay rate for any one holiday, except for firefighters assigned to a 54-hour week, who may be paid premium pay for a maximum of 12 hours for each designated holiday worked.
- (d) *Necessary workers.* The department head shall determine those employees necessary to render service on a designated holiday. These employees who are required to work on a designated holiday as defined in subsection (a) of this section will be compensated as follows:
- (1) *Exempt employees.* Exempt employees who do not receive a holiday on any of the holidays named in subsection (a) of this section because of the necessity of their remaining on duty shall receive some other day in lieu of the holiday not received, and such holiday shall be given affected employees within the calendar year of the holiday not observed.
  - (2) *Nonexempt employees.* All nonexempt employees who do not receive a holiday on any of the holidays named in subsection (a) of this section because of the necessity of their remaining on duty shall be paid at a premium holiday rate equal to their regular rate plus one and one-half times their regular rate of pay for each hour of work for that day.
- (e) *Eligibility requirements.* An employee shall be entitled to regular pay on any holiday, provided the employee has worked the regularly scheduled workday immediately before and the regularly scheduled workday immediately after the holiday or is on approved leave with pay on those days. Holidays which shall occur during the time that an employee is on annual or sick leave shall not be charged against such holidays based upon the number of hours that such employees normally work each day. Temporary employees shall not be paid for holidays not worked.

- (f) *Exceptions.* Those city employees who are housed in buildings of other governments will observe the holidays of that government.

SECTION 3: That the provisions of this ordinance shall take effect on Tuesday, November 3, 2020.

SECTION 4: That all ordinances and parts of ordinances in conflict herewith are hereby repealed for purposes of this ordinance only and only to the extent of the conflict.

CITY COUNCIL  
ATLANTA, GEORGIA

19-O-1070

SPONSOR SIGNATURES



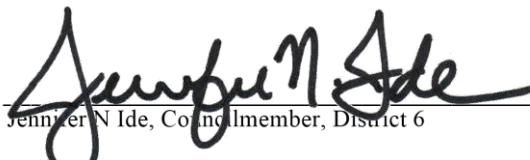
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Amir K Farokhi, Councilmember, District 2



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Matt Westmoreland, Councilmember, Post 2 At Large



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Jennifer N Ide, Councilmember, District 6

**CITY COUNCIL  
ATLANTA, GEORGIA**

19-O-1070

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**Workflow List:**

Clerk of Council	Completed	02/18/2019 4:16 PM
Atlanta City Council	Completed	02/18/2019 1:00 PM
Finance/Executive Committee	Pending	02/27/2019 1:00 PM
Mayor's Office	Pending	

**HISTORY:**

02/18/19	Atlanta City Council	REFERRED WITHOUT OBJECTION
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**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	