

**SIDE LETTER AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND
AFSCME LOCAL 127 ESTABLISHING JUNETEENTH AS A CITY HOLIDAY**

Pursuant to the provisions of the Meyers-Milias-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 AFSCME Local 127 (Local 127) to amend Article 24 of the Memorandum of Understanding (MOU) between the City and Local 127 approved by San Diego Resolution R-313570 dated June 11, 2021. The City and Local 127 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 and C of Article 24 of the MOU, as follows:

A. General

1. Pursuant to San Diego Municipal Code (SDMC) section 21.0104, except where otherwise specifically defined and provided in this MOU, the holidays in the City are:

a. Fixed Holidays

- i. January 1
- ii. Third Monday in January known as "Dr. Martin Luther King, Jr.'s Birthday"
- iii. Third Monday in February, known as "Washington's President's Day"
- iv. March 31, known as "Cesar Chavez Day"
- v. Last Monday in May, known as "Memorial Day"
- vi. **June 19, known as "Juneteenth"**
- vii. July 4th
- viii. First Monday in September, known as "Labor Day"
- ~~viii~~ ix. November 11, known as "Veterans' Day"
- ix. Fourth Thursday in November, known as "Thanksgiving Day"
- xi. December 25
- xii. Every day appointed by the City Council for a public fast, thanksgiving, or holiday.

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If January 1, March 31, **June 19**, July 4, November 11, or December 25 falls upon 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.

C. Work on Fixed Holidays at City Landfills

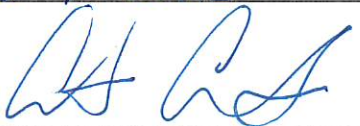
1. The parties recognize the City's right to operate the landfill on the following fixed holidays:
 - a. Dr. Martin Luther King, Jr.'s Birthday
 - b. ~~Washington's~~ President's Day
 - c. Memorial Day
 - d. **Juneteenth**
 - de. July 4th
 - ef. Labor Day
 - fg. Veteran's Day
 - gh. Cesar Chavez Day
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 Local 127-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 AFSCME Local 127

By: 

Timothy Douglass
President


Date: 2-7-2023

By: 

Andres Alva Cardenas
Business Labor Representative


Date: 2/7/23

For the City of San Diego

By: 

Timothy Davis
Lead Negotiator

Date: April 27, 2023

By: 

Abby Jarl-Veltz
Assistant Director, Human Resources

Date: 04/27/2023

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By: Manuel J. Quintero
Manuel Quintero
Senior Human Resource Officer

Date: April 27, 2023

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

MARA W. ELLIOTT, City Attorney

By: 
Miguel Merrell
Deputy City Attorney