

PROPOSED  
ORDINANCE NO. 57-22

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 9-3-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ADDING JUNETEENTH AND PRESIDENTS' DAY TO THE OFFICIAL HOLIDAYS OBSERVED BY THE CITY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 9-3-3 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 9-3-3. – Holidays.

- (a) *Official holidays.* The city shall observe the following official holidays: New Year's Day, Martin Luther King, Jr.'s birthday, Presidents' Day, Good Friday, Memorial Day, Juneteenth, the Fourth of July, Labor Day, Veteran's Day, Thanksgiving, the day after Thanksgiving, Christmas and the day after Christmas. The mayor is hereby authorized in his or her discretion to close non-essential city facilities on days adjacent to official holidays and to provide non-essential employees who are not subject to collective bargaining agreements with the flexibility of utilizing personal holidays, personal time off, or leave without pay on those dates. Employees who may elect to take leave without pay on dates adjacent to official holidays shall be able to take such official holidays without penalty.
- (b) *Weekend observance.* Unless otherwise directed by the mayor, when the holiday falls on Saturday, the city's official observance will be on Friday, and when the holiday falls on Sunday, Monday will be the day of observance.
- (c) *Qualification.* Except when on approved paid leave, employees must work the last fully scheduled day prior to the holiday and the first fully scheduled day immediately following the holiday in order to qualify for holiday benefits.
- (d) *Additional holiday compensation.* Employees who are on rotating or permanent shifts, who may be scheduled for duty on an official holiday as designated in subsection (a) of this section, and who accrue additional personal time off (PTO) leave as provided in section 9-3-4(b)(4) shall not be granted any additional compensation in the form of overtime pay or compensatory time off, except for the

holidays of Martin Luther King Jr.'s birthday and Veterans Day for which overtime shall be paid when applicable.

- (e) *Additional leave compensation.* Except as provided in subsections (d) and (f) of this section, all employees who because of the nature of their work are regularly unable to observe city holidays shall be compensated as provided under section 9-3-4(b)(4).
- (f) *Overtime compensation.* Except as provided in subsections (d) and (e) of this section, all employees who because of the nature of their work are occasionally unable to observe city holidays shall be compensated as provided by the city.
- (g) *Personal holiday.* There shall be two additional personal holidays observed by each employee on a workday of the employee's choosing subject to approval in advance by the department director. The personal holiday must be taken within the calendar year. It cannot be carried over to the next calendar year nor can the employee be compensated if the personal holiday is not taken.
- (h) *Anniversary day.* Employees shall receive one day of leave at the completion of each five-year interval of service (i.e. 5, 10, 15, 20, etc.). The anniversary day must be taken within one year of reaching the milestone anniversary or the day will be forfeited.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk