

**Ordinance to Amend Section 42- 16(a) of the
Durham City Code Relating to City Holidays**

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL AS FOLLOWS:

Section 1. Section 42-16 (a) of the Durham City Code is hereby amended to read as follows:

(a) Legal holidays. Legal holidays observed by city government are New Years' Day, Dr. Martin Luther King, Jr., Day; Good Friday, Memorial Day, Independence Day, Labor Day, **Veteran's Day**, Thanksgiving Day, the day after Thanksgiving Day, Christmas Day; and such other times as may be authorized by action of the city council. Dr. Martin Luther King, Jr., Day will be observed on the third Monday of January, beginning in 1985. **Veteran's Day will be observed beginning in 2016.**

Section 2. This ordinance is effective July 1, 2016. All ordinances in conflict herewith are hereby rescinded.

Sec. 42-16. - City holidays.

- (a) *Legal holidays.* Legal holidays observed by city government are New Year's Day, Dr. Martin Luther King, Jr., Day; Good Friday, Memorial Day, Independence Day, Labor Day, [Veteran's Day](#), Thanksgiving Day, the day after Thanksgiving Day, Christmas Day; and such other times as may be authorized by action of the city council. Dr. Martin Luther King, Jr., Day will be observed on the third Monday of January, beginning in 1985. [Veteran's Day will be observed beginning in 2016.](#)
- (b) *Holiday observance.* When a holiday other than Christmas falls on a Saturday, it shall be observed on the preceding Friday. When a holiday other than Christmas falls on a Sunday, it shall be observed on the following Monday. When Christmas Day falls on:
- (1) A Monday, then Monday and Tuesday shall be observed as holidays;
 - (2) A Tuesday, then Monday, Tuesday and Wednesday shall be observed as holidays;
 - (3) A Wednesday, then Monday, Tuesday and Wednesday shall be observed as holidays;
 - (4) A Thursday, then Wednesday, Thursday and Friday shall be observed as holidays;
 - (5) A Friday, the Thursday and Friday shall be observed as holidays;
 - (6) A Saturday, then Friday and Monday shall be observed as holidays;
 - (7) A Sunday, then Friday and Monday shall be observed as holidays.

(c) *Holidays shall equal:*

7.5 hours for full-time regular employees assigned to a 37.5-hour workweek;

10.0 hours for full-time regular employees assigned to a 40-hour workweek;

Other full-time regular employees as covered in subsection (d) of this section. Workweek designations are indicated in the city compensation plan.

(d) *Holiday hours will granted as follows:*

7.5 hours for employees assigned to a 37.5-hour workweek;

8.0 hours for employees assigned to a 40.0-hour workweek (5-day schedule);

10.0 hours for employees assigned to a 40-hour workweek;

12.0 hours for employees assigned to a 42-hour workweek;

12.0 hours for employees assigned to a 56-hour workweek.

Employees will receive holiday time equal to the hours in their normal workday schedule. Workweek designations are listed in the city compensation plan.

- (e) *Separation from employment.* If an employee as described in subsection (d) of this section separates from employment prior to December 31, after using all holiday hours, a deduction for the legal holidays remaining will be made at the rates indicated in subsection (d) of this section. If an employee described in subsection (d) of this section separates from employment prior to December 31, without using holiday hours for legally observed holidays which have passed, he or she will be paid for unused, but past holiday hours, based on the rates indicated in subsection (d) of this section. No additional holiday hours shall be given.
- (f) *Holiday hours.* Holiday hours shall not be carried over from one calendar year to the next.
- (g) *Administrative procedures and guidelines.* For part-time/temporary employees who have worked for six consecutive months the holidays observed in subsection (a) of this section will be granted on a prorated basis. Administrative procedures and guidelines will be established by the city manager.
- (h) *Floating holiday.* In addition to the legal holidays listed in subsection (a) of this section; one additional day, a floating holiday, may be observed by city employees. The city manager shall

establish administrative procedures for the scheduling of floating holidays so as to ensure that city government services maintain normal operations.

(Code 1982, § 14-16; Ord. No. 6141, § 1, 6-20-1983; Ord. No. 6383, § 1, 4-17-1984; Ord. No. 6813, § 1, 10-21-1985; Ord. No. 7289, § 1, 7-27-1987; Ord. No. 7714, § 1, 2-6-1989; Ord. No. 7846, § 1, 6-28-1989; Ord. No. 9209, § 7, 4-15-1991; Ord. No. 10257, § 2, 8-1-1994; Ord. No. 11770, § 1, 6-21-1999; Ord. No. 11859, § 1, 11-15-1999)