

AS AMENDED IN BOARD
4/16/01

FILE NO. 010529

ORDINANCE NO.

1 [Creating an official holiday for March 31st, the birthday of Cesar Chavez.]

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3 **Ordinance amending Chapter 16, Article 1 of the San Francisco Administrative Code by**
4 **adding section 16.5 to create an official holiday for March 31st, the birthday of Cesar**
5 **Chavez.**

6 Note: This entire section is new.
7 Board amendment additions are double underlined.

8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. The San Francisco Administrative Code is hereby amended by adding
10 Chapter 16, Article 1, Section 16.5, to read as follows:

11 Sec. 16.5. Cesar Chavez Day. (a) March 31st shall be a holiday, known as “Cesar
12 Chavez Day.”

13 (b) This section shall create a paid holiday for represented employees of the City and
14 County of San Francisco only to the extent allowed by ratified Memoranda of Understanding
15 between the City and the affected recognized employee organizations. This section will not
16 create a paid holiday for City employees until funds have been allocated for such a holiday.

17 (c) The process for establishing a paid holiday for City employees is the following:

18 (1) For employees represented by an employee organization whose labor
19 contract (Memorandum of Understanding, or MOU) contains the following, or a similar,
20 provision

21 “[A]ny day declared to be a holiday by proclamation of the Mayor after
22 such day has heretofore been declared a holiday by the Governor...or the President...”
23 the Mayor may, by proclamation, provide a paid holiday for those employees covered by the
24 MOU.

25 (2) For employees represented by an employee organization whose MOU does

1 not contain the language included in subparagraph (1) above, or if the Mayor does not
2 exercise her or his authority under the language in subparagraph (1) above, the Mayor,
3 through the Department of Human Resources, may meet and confer with employee
4 representatives and propose an amendment to the MOU that will provide a paid holiday for
5 those employees covered by the MOU. Such a proposed MOU amendment, if agreed upon
6 by the labor organization and the Mayor, must be approved, or rejected, by the Board of
7 Supervisors, and would become effective the following fiscal year.

8 (3) For employees who are not represented by an employee organization, the
9 City, by an ordinance approved by the Board of Supervisors, may amend the Unrepresented
10 Employees Ordinance to provide an additional paid holiday for unrepresented City employees.

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12 APPROVED AS TO FORM:
13 LOUISE H. RENNE, City Attorney

14 By: _____
15 Theodore R. Lakey
16 Deputy City Attorney

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