

MEMORANDUM

Agenda Item No. 9(A)(1)


TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing that the County Mayor implement the Juneteenth holiday for 2021 for County employees working within collective bargaining units by obtaining the written consent of the applicable collective bargaining agents and directing the County Mayor to negotiate the inclusion of the annual Juneteenth holiday in the County's collective bargaining agreements


The accompanying resolution was prepared by the Human Resources Department and placed on the agenda at the request of Prime Sponsor Vice-Chairman Oliver G. Gilbert, III.


Geri Bonzon-Keenan
County Attorney

GBK/smm

Date: May 4, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Approval to implement the Juneteenth Holiday for 2021 for County employees working within collective bargaining units by obtaining written consent of the applicable collective bargaining agents (Unions).

Recommendation

It is recommended that the Board approve the implementation of the Juneteenth Holiday for 2021 for County employees working within collective bargaining units by obtaining written consent of the applicable collective bargaining agents. The specific collective bargaining units include the Metro-Dade International Association of Firefighters, Local 1403, Dade County Police Benevolent Association (Rank & File and Supervisory Units), Transport Workers Union (TWU) Local 291, Government Supervisors Association of Florida, OPEIU, Local 100 Professional/Supervisory Employees Units, the American Federation of State, County and Municipal Employees A.F.L. – C.I.O. (AFSCME), Local 121 – Water & Sewer Employees; AFSCME Local 199 – General Employees; AFSCME Local 1542 - Miami-Dade County Aviation Department Employees; and AFSCME Local 3292, Solid Waste Management Employees Local 3292.

It is additionally recommended that the collective bargaining agreements with the above-listed collective bargaining agents be negotiated to include an annual Juneteenth Holiday.

Scope

The impact of this item is countywide in nature.

Delegation of Authority

The resolution delegates the authority to implement the Juneteenth holiday with the collective bargaining units to the Mayor. The Mayor delegates the authority to implement the resolution to the Human Resources Department.

Fiscal Impact /Funding Source

There is no fiscal impact associated with the provisions included in this item.

Track Record/Monitor

Tyrone W. Williams, Director of Labor Relations and Records for the Human Resources Department, monitors and oversees the administration of the collective bargaining agreements.

Background

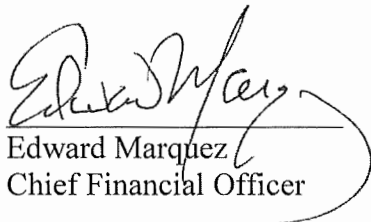
On October 20, 2020, this Board adopted Resolution R-1124-20 that directed the County Mayor or County Mayor’s designee to recognize and designate Juneteenth as a paid County holiday to be observed on June 19 of each year (or the following Monday, if it falls on the weekend) for non-bargaining employees and all other employees covered by collective bargaining agreements whose agreements provide for this holiday. The existing collective bargaining agreements covering County employees do not currently provide for the Juneteenth holiday. The authorization to implement the Juneteenth Holiday

Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners
Page No. 2

for 2021 is being sought because these collective bargaining agreements are in the process of being negotiated and such negotiations are unlikely to be completed before the Juneteenth holiday occurs in 2021.

Related County Policy Changes

This provision will require amendments to the County Leave Manual and County Pay Plan that will be presented for approval for all collective bargaining units that have consented in writing to the Juneteenth holiday for 2021.



Edward Marquez
Chief Financial Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 9(A)(1)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 9(A)(1)
5-4-21

RESOLUTION NO. _____

RESOLUTION DIRECTING THAT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE IMPLEMENT THE JUNETEENTH HOLIDAY FOR 2021 FOR COUNTY EMPLOYEES WORKING WITHIN COLLECTIVE BARGAINING UNITS BY OBTAINING THE WRITTEN CONSENT OF THE APPLICABLE COLLECTIVE BARGAINING AGENTS AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE THE INCLUSION OF THE ANNUAL JUNETEENTH HOLIDAY IN THE COUNTY'S COLLECTIVE BARGAINING AGREEMENTS

WHEREAS, this Board adopted Resolution No. R-1124-20 on October 20, 2020, which directed the County Mayor or County Mayor's designee to recognize and designate Juneteenth as a paid County holiday to be observed on June 19 of each year for non-bargaining employees and all other employees covered by collective bargaining agreements whose agreements provide for this holiday; and

WHEREAS, the existing collective bargaining agreements covering County employees do not currently provide for the Juneteenth holiday; and

WHEREAS, these collective bargaining agreements are in the process of being negotiated; and

WHEREAS, important rights are at stake in negotiating collective bargaining agreements and such negotiations involve numerous provisions making it unlikely that agreements including the Juneteenth holiday will be ratified in time for the Juneteenth holiday in 2021; and

WHEREAS, to ensure that the Juneteenth holiday is implemented for all employees in 2021, this Board concludes that it is in the best interest of the County to take such action as is necessary to provide the Juneteenth holiday in 2021 for employees in units that are covered by a collective bargaining agreement by obtaining the written consent of the applicable collective bargaining agents,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the County Mayor or County Mayor’s designee to implement the Juneteenth holiday in 2021 for employees within collective bargaining units by obtaining the written consent of the applicable collective bargaining agents to provide the Juneteenth holiday in 2021 to bargaining unit employees.

Section 2. Directs the County Mayor or County Mayor’s designee to negotiate the inclusion of the annual Juneteenth holiday recognized by Resolution No. R-1124-20 in the negotiation of the County’s collective bargaining agreements.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of May, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Eric A. Rodriguez