

Legislation Details (With Text)

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File created: 2/1/2022 **In control:** Government Accountability and Oversight Committee

On agenda: **Final action:** 5/17/2022

Enactment date: 6/2/2022 **Enactment #:** 19441

Title: AN ORDINANCE changing Indigenous Peoples' Day, a paid holiday for King County employees eligible for comprehensive leave benefits, from October 12 of each year to the second Monday in October of each year; and amending Ordinance 12014, Section 23, as amended, and K.C.C. 3.12.230.

Sponsors: Pete von Reichbauer

Indexes: Employee Benefits, Holidays, Indigenous People, King County

Code sections: 3.12.230 -

Attachments: 1. Ordinance 19441, 2. 2022-0013 transmittal letter, 3. 2022-0013 fiscal note, 4. 2022-0013 Legislative Review Form, 5. 2022-0013_SR_IndigenousPeoplesDay_5.5.2022, 6. 2022-0013_ATT2_AMD1_IndigenousPeoplesDay, 7. 2022-0013_REVISED_SR_IndigenousPeoplesDay

Date	Ver.	Action By	Action	Result
5/17/2022	2	Metropolitan King County Council	Passed	Pass
5/10/2022	1	Government Accountability and Oversight Committee	Recommended Do Pass Substitute Consent	Pass
2/1/2022	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE changing Indigenous Peoples' Day, a paid holiday for King County employees eligible for comprehensive leave benefits, from October 12 of each year to the second Monday in October of each year; and amending Ordinance 12014, Section 23, as amended, and K.C.C. 3.12.230.

STATEMENT OF FACTS:

1. Popular sentiment is emerging for more formal acknowledgement and celebration of populations long resident in the region that have been historically ignored or suppressed.
2. The land that became the United States has been home for tens of thousands of years to indigenous communities, who built lifeways deeply tied to the land.
3. Over time, those communities developed ways of knowing, ways of being, ways of

remembering, ways of praise and reverence, that were profoundly altered by European colonization starting in the seventeenth century.

4. The affirmation of these communities, and the remembrance of those ways contributes greatly to the ancient regional narrative and the store of human understanding and honors their continued contribution to the culture of the United States and King County.

5. In the 2020 US Census, approximately 60,000 people in King County identified as American Indian/Alaskan Native alone or in combination with one or more other race categories.

6. King County is situated on the historic lands of the Coast Salish peoples.

7. In November 2020, Ordinance 19208 stated that October 12 each year provides an opportunity for celebration of Indigenous Peoples' Day and established this date as an observed holiday for employees of King County.

8. Ordinance 19208 required that the office of equity and social justice consult with county employees who identify as Native American and with tribes located within King County on whether October 12 is the preferred date to designate the Indigenous Peoples' Day holiday with pay.

9. Ordinance 19208 also required that, after consulting with those employees and tribes located within King County, if the office determines that a different date is more appropriate to designate Indigenous Peoples' Day, then the office shall transmit necessary legislation to change the October 12 date to the council before December 31, 2021.

10. During 2021, the office of equity and social justice consulted with employees who identify as Native American through the Native American Leadership Council, and the executive, executive staff and other King County staff engaged in government-to-government consultation with the Muckleshoot, Suquamish, Tulalip, Duwamish, Puyallup and Snoqualmie tribes.

11. This engagement indicated either a preference for or no objection to establishing the second

Monday in October as Indigenous Peoples' Day rather than October 12.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12014, Section 23, as amended, and K.C.C. 3.12.230 are hereby amended to read as follows:

A. All employees eligible for comprehensive leave benefits shall be granted the following designated holidays with pay:

1. January 1, New Year's Day;
2. Third Monday in January, Martin Luther King, Jr., Day;
3. Third Monday in February, President's Day;
4. Last Monday in May, Memorial Day;
5. June 19, Juneteenth;
6. July 4, Independence Day;
7. First Monday in September, Labor Day;
8. Second Monday in October ((+2)), Indigenous Peoples' Day;
9. November 11, Veteran((-))s Day;
10. Fourth Thursday in November, Thanksgiving Day;
11. Friday after Thanksgiving, Day after Thanksgiving;
12. December 25, Christmas Day; and

13. For an employee who is eligible for comprehensive leave benefits, two personal holidays, which shall be added to the employee's vacation bank in the second full pay period of the calendar year or upon hire.

B. For holidays falling on a Saturday, the Friday before shall be a paid holiday. For holidays falling on a Sunday, the Monday following shall be a paid holiday.

C. An employee must be eligible for comprehensive leave benefits and in a pay status on the day before and the day following a holiday to be eligible for holiday pay. However, an employee who has successfully

completed at least five years of county service and who retires at the end of a month in which the last regularly scheduled working day is observed as a holiday, shall be eligible for holiday pay if the employee is in a pay status the day before the day observed as a holiday. An employee otherwise eligible for holiday pay shall not be ineligible as a result of not being in a pay status on the day before or after the holiday due to budgetary furlough.

D. When a holiday falls on the scheduled day off of a full-time employee entitled to comprehensive leave benefits who works other than a five-day, eight-hour schedule, the employee shall be given a deferred holiday. The employee's supervisor shall jointly select another day, preferably within the same pay period, for the employee to take as holiday. Deferred holidays for a part-time employee eligible for comprehensive leave benefits shall be prorated to the employee's schedule.