

## LETTER OF AGREEMENT

BETWEEN THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL  
501, AFL-CIO (MOU NO. 09) AND THE CITY OF LOS ANGELES

### JUNETEETH HOLIDAY

Pending City Council action on a successor MOU 09, the parties agree to the addition of Juneteenth (June 19) as a paid City Holiday for Calendar Year 2023. The parties agree to the following terms, consistent with the 2018-2022 MOU 09, Article 7.6, Holidays and Holiday Pay:

#### ARTICLE 7.6 HOLIDAYS AND HOLIDAY PAY

- A. The following days shall be treated as holidays during the term of this MOU.
1. New Year's Day (January 1)
  2. Martin Luther King, Jr.'s Birthday (the third Monday in January)
  3. President's Day (the third Monday in February)
  4. Cesar E. Chavez' Birthday (the last Monday in March)
  5. Memorial Day (the last Monday in May)
  - 6. Juneteenth (June 19)**
  7. Independence Day (July 4)
  8. Labor Day (the first Monday in September)
  9. Indigenous Peoples Day (the second Monday in October)
  10. Veterans' Day (November 11)
  11. Thanksgiving Day (the fourth Thursday in November)
  12. The Friday after Thanksgiving Day
  13. Christmas Day (December 25)
  14. Any day or portion thereof declared to be a holiday by proclamation of the Mayor with the concurrence of the City Council by resolution.
  15. One unspecified holiday. Effective July 7, 2019, one additional unspecified holiday will be added for a total of two (2) unspecified holidays.
- B. Sunday Holiday - When any holiday from 1 through 13 above falls on a Sunday, it shall be observed on the following Monday.
- C. Saturday Holiday - When any holiday from 1 through 13 above falls on a Saturday, it shall be observed on the preceding Friday.
- D. Mayoral Holiday - Any holiday declared by proclamation of the Mayor, shall not be deemed to advance the last scheduled working day before a holiday for purposes of computing any additional time off.
- E. Standard Number of Hours for a Holiday - Whenever a holiday from 1 through 13 above occurs during an employee's regularly scheduled work week, eight (8) hours

of paid leave shall be credited for the purpose of computing overtime pay for work performed after forty (40) hours.

- F. Whenever a holiday listed under 14 and/or 15 above occurs during an employee's regularly scheduled work week, the appropriate number of hours of paid leave shall be credited for the purpose of computing overtime pay for work performed after forty (40) hours.
- G. Holiday Premium Pay - Any FLSA non-exempt employee who works on any holiday listed above will receive eight (8) hours (or portion thereof, as specified above in A.14) of holiday pay and one and one-half (1.5) the hourly rate for all hours worked on the observed holiday; provided, however, that the employee has (1) worked his or her assigned shift immediately before and his or her assigned shift immediately after the holiday, or, (2) prior to such holiday Management has authorized the employee to take paid leave time off in lieu of the requirement to work said shifts. Any employee who fails to meet these requirements will be paid at the rate of one hour for each hour worked. Employees shall not receive both overtime and holiday premium pay for the same hours.
- H. Excess work on a Holiday - An employee who works in excess of: eight (8) hours on any holiday listed from 1 through 13 above, or works in excess of any day or portion thereof declared to be a holiday by proclamation of the Mayor, shall be paid at the appropriate holiday premium pay rate for his or her class. Employees shall not receive both overtime and holiday premium pay for the same hours.
- I. Holiday on 9/80 or Modified Day Off - Whenever a holiday falls on an employee's 9/80 or modified day off, the employee shall take an alternate day off within the same workweek and calendar week as the holiday.
- J. For each holiday listed above which results in time off with pay for employees working a Monday through Friday work week, employees who are scheduled to work other than the Monday through Friday work week shall be entitled to such day off with pay or shall be compensated in accordance with all pertinent provisions (B through I. above). If such holiday falls on the employee's scheduled day off, an alternative day off in-lieu shall be scheduled within one year of the holiday.
- K. The additional compensation for work performed on a holiday as provided herein shall not apply to employees whose regular rate of pay is bonused to include pay for holidays worked.
- L. Compensation for holidays worked shall be in cash. Should an employee opt for time off, Management shall accommodate the employee's request to the extent possible, subject to operational requirements.
- M. Unspecified Holidays - The unspecified holidays shall be taken in accordance with the following requirements:

1. Each unspecified holiday must be taken in one full normal working day increment of eight (8) hours during the calendar year in which it is credited. The request for such time off, if timely submitted by the employee, will be promptly approved by Management subject to the operating needs of the employee's department, office or bureau. If an unforeseen operating requirement prevents the employee from taking such previously approved holiday, Management will reschedule the holiday so that it may be taken on some other reasonably satisfactory date within the calendar year.
2. Any break in service (i.e., resignation, discharge, retirement, suspension) prior to taking the holiday shall forfeit any right thereto.
3. The holiday shall not be utilized to extend the date of any layoff.
4. No employee shall be entitled to an unspecified holiday until he or she has completed six months of satisfactory service.
5. Employees who work in intermittent, on call, vacation relief, or seasonal positions shall not be entitled to any unspecified holiday.
6. No employee shall receive more than two unspecified holidays each calendar year. Thus (a) an employee transferring from the Department of Water and Power (DWP) to any other City department, office or bureau will not receive an unspecified holiday after taking such holiday prior to leaving DWP, and (b) employees who resign or are terminated and then rehired during the same calendar year, will not receive an additional unspecified holiday when rehired.

**FOR THE UNION:**

Jose Barba  
Jose Barba, Business Representative  
I.U.O.E. Local 501

5/25/2023  
Date

**FOR THE CITY:**

Matthew W. Szabo  
Matthew W. Szabo  
City Administrative Officer

June 2, 2023  
Date

**Approved as to Form and Legality:**

Office of the City Attorney  
Office of the City Attorney

6/1/2023  
Date