

City of Cincinnati



Interdepartment
Correspondence Sheet

FOR YOUR INFORMATION

December 29, 2006

TO: Mayor and Members of Council

FROM: Milton Dohoney, Jr., City Manager *MS*

Copies to: Deborah Holston, Scott Stiles, Assistant City Managers; City Department and Division Heads

RE: **National Day of Mourning Declared by President Bush**

President George Bush has declared a National Day of Mourning to be observed on January 2, 2007, to honor the memory of former President Gerald Ford. The declaration by President Bush means that all federal offices will be closed on Tuesday, January 2, 2007.

Pursuant to the terms of Cincinnati Municipal Code ("CMC") Section 308-9, non-represented City employees shall be given a holiday on "any day appointed and recommended by the governor of the State of Ohio or the president of the United States." Based on the declaration by President Bush, all non-represented City employees shall be granted a holiday on January 2, 2007. The City's collective bargaining agreements, however, generally provide that the authority to grant special holidays, including those for Days of Mourning, shall rest with the City Manager. The City Manager is not declaring a holiday, but is complying with CMC Section 308-9 based upon the President's declaration. Therefore, due to budgetary constraints, only employees whose designated holidays are governed by CMC Section 308-9 shall be entitled to have January 2, 2007, as a holiday. Accordingly, pursuant to CMC Section 308-9, this will include only employees in Division 0 (non-CODE), 5, 6, 7, 8 and 9.

Previously, when President Bush declared a Day of Mourning or a national holiday, City Council passed a notwithstanding ordinance to preclude the necessity of granting a holiday to City employees, due to budget necessities. With regard to the National Day of Mourning for President Ford, due to the coming weekend and national holiday on New Year's Day, there is no opportunity to convene a meeting of Council to consider passage of a notwithstanding ordinance prior to January 2, 2007.

In order to address this inconsistency and avoid similar occurrences in the future, the Administration will submit an ordinance for Council consideration, which would give the City Manager the discretion in the future to determine whether non-represented employees, as well as collective bargaining employees, will be granted an extra holiday on days declared to be national holidays or Days of Mourning.

cc: J. Rita McNeil, City Solicitor *JR*