

**ORDINANCE NO. 3972**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ECC CHAPTER 2.35 (“VACATION AND SICK LEAVE”) TO ADOPT AN UNPAID HOLIDAY PROVISION; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

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WHEREAS, the State of Washington has recently amended RCW 1.16.050 “Legal holidays and legislatively recognized days” to include a provision providing for two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization for employees of the State of Washington and its political subdivisions; and

WHEREAS, the amendment to RCW 1.16.050 requires local government authorities to adopt by ordinance or resolution guidelines regarding the use of such unpaid holidays; and

WHEREAS, after review and discussion, the City Council has determined it appropriate to amend Chapter 2.35 of the Edmonds City Code (“ECC”) (“Vacation and Sick Leave”) to adopt a provision relating to these unpaid holidays; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN  
AS FOLLOWS:

Section 1. ECC 2.35 Vacation and Sick Leave is hereby amended to add Section 2.35.025 Unpaid holidays, which shall read as follows:

**2.35.025 Unpaid holidays.**

A. Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

B. The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term “undue hardship” has the meaning contained in the rule established by the Office of Financial Management at WAC 82-56-020.

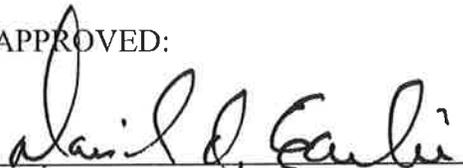
C. If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee’s department head a minimum of two (2) weeks prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee’s department head. The employee’s department head shall work with HR to evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of “undue hardship” developed by rule of the Office of Financial Management at WAC 82-56-020.

D. The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

  
MAYOR DAVID O. EARLING

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
\_\_\_\_\_  
JEFFREY B. TARADAY

FILED WITH THE CITY CLERK:	June 13, 2014
PASSED BY THE CITY COUNCIL:	June 17, 2014
PUBLISHED:	June 22, 2014
EFFECTIVE DATE:	June 27, 2014
ORDINANCE NO.	3972

**SUMMARY OF ORDINANCE NO. 3972**

of the City of Edmonds, Washington

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On the 17th day of June, 2014, the City Council of the City of Edmonds, passed Ordinance No. 3972. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ECC CHAPTER 2.35 (“VACATION AND SICK LEAVE”) TO ADOPT AN UNPAID HOLIDAY PROVISION; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 18<sup>th</sup> day of June, 2014.

  
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CITY CLERK, SCOTT PASSEY

# Everett Daily Herald

## Affidavit of Publication

State of Washington }  
County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of 570442 AMENDING ECC CHAPTER 2.35 (VACATION & SICK LEAVE) EDH as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 06/29/2014 and ending on 06/29/2014 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$24.08.

Subscribed and sworn before me on this 30 day of June,  
2014.

Debra Ann Grigg

DEBRA ANN GRIGG  
Notary Public  
State of Washington  
My Commission Expires  
October 31, 2017

Notary Public in and for the State of Washington.

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DATED this 18th day of June, 2014.

CITY CLERK, SCOTT PASSEY

Published: June 29, 2014. EDH670442

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