



## ERIE COUNTY WATER AUTHORITY INTEROFFICE MEMORANDUM

To: Jerome D. Schad, Chair  
Peggy A. LaGree, Vice Chair  
Michele M. Iannello, Treasurer

CC: Terrence D. McCracken, Secretary  
Russell Stoll, COO  
Karen A. Prendergast, CFO  
Daniel J. NeMoyer, Director of Human Resources  
Mark S. Carney, Attorney

From: Jacqueline C. Mattina, Associate Attorney,  
of counsel to  
Mark S. Carney, General Counsel

Date: May 3, 2022

Subject: Amendment to Policy 40.0 Holidays

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On November 24, 2021, the Board approved and authorized the execution of a new five-year collective bargaining agreement ("CBA") with White-Collar employees represented by the Civil Service Employees' Association ("CSEA") Local 1000, AFSCME, AFL-CIO effective April 1, 2022. Under the terms of the new CBA, White Collar employees have been granted two (2) new holidays- Juneteenth and the day after Thanksgiving, in exchange for giving up Columbus Day and the one-half (1/2) day's holiday pay for the last scheduled workday before New Year's Day.

Coordinating of holiday schedules of employees would be beneficial to the efficient operation of the Authority and management of Authority employees. Accordingly, the Executive staff is recommending to the Board that the non-represented employees holiday schedule be amended to coincide with that of the White-Collar employees. To achieve this, the Board would need to amend the provisions of Policy 40.0 Holidays for non-represented employees by removing Columbus Day and the one-half (1/2) day's paid vacation for the last scheduled workday before New Year's Day in exchange for granting two (2) new holidays, Juneteenth, and the day after Thanksgiving. The new Policy is now identified as Policy 40 to be consistent with the proposed changes to the HR Policy and Procedures Manual presently under revision.

A resolution is on the May 19, 2022, Board meeting, for your review and approval.

ERIE COUNTY WATER AUTHORITY  
AUTHORIZATION FORM  
For Approval/Execution of Documents  
(check which apply)

**Contract:** \_\_\_\_\_ **Project No.:** \_\_\_\_\_  
**Project Description:** Amending Human Resource Policy 40 to remove Columbus Day and  
½ day for last workday before New Year's Day in order to grant Juneteenth and the full day after  
Thanksgiving as paid holidays.

**Item Description:**





- |   |  |   |                                       |
|---|--|---|---------------------------------------|
| <input type="checkbox"/> Agreement  | <input type="checkbox"/> Professional Service Contract | <input type="checkbox"/> Amendment          | <input type="checkbox"/> Change Order |
| <input type="checkbox"/> BCD  | <input type="checkbox"/> NYSDOT Agreement              | <input type="checkbox"/> Contract Documents | <input type="checkbox"/> Addendum     |
| <input type="checkbox"/> Recommendation for Award of Contract                               | <input type="checkbox"/> Recommendation to Reject Bids |   |                                       |
| <input type="checkbox"/> Request for Proposals  |  |   |                                       |
| <input checked="" type="checkbox"/> Other <u>Request to amend Human Recourses Policy 40</u> |  |   |                                       |

**Action Requested:**

- |  |  |
|--|--|
| <input type="checkbox"/> Board Authorization to Execute                                | <input type="checkbox"/> Legal Approval                              |
| <input type="checkbox"/> Board Authorization to Award                                  | <input type="checkbox"/> Execution by the Chairman                   |
| <input type="checkbox"/> Board Authorization to Advertise for Bids                     | <input type="checkbox"/> Execution by the Secretary to the Authority |
| <input type="checkbox"/> Board Authorization to Solicit Request for Proposals          |  |
| <input checked="" type="checkbox"/> Other <u>Board amends and adopts Policy No. 40</u> |  |

**Approvals Needed:**

**APPROVED AS TO CONTENT:**

<input type="checkbox"/> Other (if Applicable)	_____	Date: _____
<input checked="" type="checkbox"/> Chief Operating Officer	<u></u>	Date: <u>5/6/2022</u>
<input type="checkbox"/> Executive Engineer	_____	Date: _____
<input type="checkbox"/> Director of Administration	_____	Date: _____
<input checked="" type="checkbox"/> Human Resources Director	<u></u>	Date: <u>5/9/22</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u></u>	Date: <u>05/04/2022</u>
<input checked="" type="checkbox"/> Legal	<u></u>	Date: <u>5/9/2022</u>

**APPROVED FOR BOARD RESOLUTION:**

<input checked="" type="checkbox"/> Secretary to the Authority	<u></u>	Date: <u>5/9/22</u>
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**Remarks:** \_\_\_\_\_  
\_\_\_\_\_

**Resolution Date:** \_\_\_\_\_ **Item No:** \_\_\_\_\_

**ERIE COUNTY WATER AUTHORITY**  
**HR Policies/Procedures**

**Re:           HOLIDAYS**

**Policy No.:   40**

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**Application:   Non-Represented  
                  Employees**

## **PURPOSE**

To recognize the observance of certain holidays as a day off with pay for employees not subject to a Collective Bargaining Agreement (CBA).

## **POLICY**

It is the policy of the Authority to observe certain holidays each year. Each holiday observed by the Authority will be a day off with pay.

## **PROCEDURE**

### **Section 1       Holiday Schedule.**

**1.1       Employees not subject to a CBA** shall receive a regular day's pay for the following holidays, even though not worked:

New Year's Day	Labor Day
Washington's Birthday (Presidents Day)	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Juneteenth	Christmas Eve Day
Independence Day	Christmas Day

**1.2       Employees subject to a CBA** should refer to their applicable CBA.

## **Section 2      Eligibility for Holiday Pay.**

**2.1**          An employee is eligible for holiday pay provided he/she worked his/her last scheduled workday immediately preceding the holiday and on his/her next scheduled workday immediately after the holiday unless an employee's absence on these days is an excused absence with pay within the terms of this manual.

## **Section 3      Observation of Holiday.**

**3.1**          Whenever one of the foregoing holidays falls on a Saturday, such holiday shall be observed on the preceding Friday.

**3.2**          Whenever one of the foregoing holidays falls on a Sunday, such holiday shall be observed on the following Monday.

## **Section 4      Working on an Observed Holiday.**

**4.1**          An employee requested to work on a day celebrated as a holiday, shall be paid at the rate of time and one-half for all hours worked on said day in addition to the holiday pay.

## **Section 5      Periods of Worship or Commemoration.**

**5.1**          The Authority recognizes that an employee may wish to observe, as periods of worship or commemoration, certain days which are not included in the holiday schedule. Accordingly, an employee who desires to take a day off for such reason shall be permitted to do so, provided the employee's absence from work does not result in an undue hardship in the conduct of the Authority's business. Employees may use vacation or a personal leave day on such occasions, or they may request a leave of absence without pay.