

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING BUNCOMBE COUNTY'S PERSONNEL ORDINANCE

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WHEREAS, pursuant to N.C. Gen. Stat. § 153A-94, a county may by ordinance adopt personnel rules that promote the hiring and retention of capable, diligent and honest career employees;

WHEREAS, the Buncombe County Personnel Ordinance was originally adopted by the Buncombe County Board of Commissioners on October 15, 1996;

WHEREAS, the beginnings of chattel slavery in America can be traced back as far as 1619. Accordingly, for over 200 years black people, some kidnapped from Africa as well those born into slavery on American soil, suffered torture and atrocities while legally enslaved here in America. On July 4, 1776, the Second Continental Congress unanimously adopted the Declaration of Independence, announcing the colonies' separation from Great Britain. Almost 87 years later, President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863. The proclamation declared "that all persons held as slaves" within the rebellious states "are, and henceforward shall be free;"

WHEREAS, nevertheless, for at least 2 years after the signing of that proclamation many were illegally bound in slavery. On June 19, 1865, Union soldiers landed in Galveston, Texas and told the enslaved that they were free. That day, acknowledged as Juneteenth, is a day celebration of liberation, emancipation and freedom for African Americans and the oldest nationally celebrated commemoration of the ending of slavery in the United States;

WHEREAS, during the spring of 2020, multiple requests and suggestions were made to consider adding a county holiday in celebration of Juneteenth. A commitment was made by Human Resources and County Management to review this request for consideration in 2021.

WHEREAS, at this time, after research completed by the Buncombe County Equity & Inclusion workgroup and aligned with the Buncombe County Strategic Plan, County leadership is requesting that the Friday on or before June 19<sup>th</sup> is a County-paid holiday annually to represent an authentic and more inclusive history of freedom in America; and

WHEREAS, the Buncombe County Board of Commissioners desires to amend the Personnel Ordinance for the limited purpose of including Juneteenth as a paid holiday.

NOW THEREFORE, BE IT ORDAINED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. The Personnel Ordinance of Buncombe County as referenced in Section 3-1 of the Buncombe County Code of Ordinances on file with Buncombe County Clerk to the Board of Commissioners shall be amended as follows:

ARTICLE VI. HOLIDAYS AND LEAVE, Section 1. Paid Holidays Observed, is amended by including Juneteenth as a paid holiday to be observed on Friday on or the Friday immediately preceding June 19th on each year as follows.

**Section 1. Paid Holidays Observed**

A. The following days and such other days as the Board of Commissioners may designate are holidays with pay for full-time regular employees and officers of the County working the standard workweek.

- New Year's Day
- Martin Luther King Jr. Birthday (Observed)
- Easter
- Memorial Day
- Juneteenth (Observed)
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving (2 days: Thanksgiving and the following Friday)
- Christmas (3 days)

Section 2. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Section 3. Should any provision of the attached personnel ordinance be declared invalid or unconstitutional by any court of any competent jurisdiction, such declaration shall not affect the validity of the personnel ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 4. That the ordinance amendments set forth above shall be effective upon adoption.

This the 4<sup>th</sup> day of May, 2021.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Lamar Joyner, Clerk

By: \_\_\_\_\_  
Brownie Newman, Chairman

APPROVED AS TO FORM

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County Attorney