

Wellesley Housing Authority Special Board Meeting

Online Remote Meeting Minutes

Thursday, June 3, 2021 – 9:30 AM

<https://www.wellesleymedia.org/live-streaming.html>

View on TV on Comcast 8/Verizon 40

1. Roll Call

Janice G Coduri, Chairperson

Kim Maire, Vice-Chairperson

Renee Spencer, Treasurer

Odessa Sanchez, Assistant Treasurer

Other Attendees:

Sean G Barnicle, Executive Director

2. Resolution #2021-25: Adoption of new state holiday “Juneteenth Independence Day” to be added to list of state holidays recognized by the Wellesley Housing Authority.

- a. Upon a duly made motion to adopt the new state holiday “Juneteenth Independence Day” to be added to list of state holidays recognized by the Wellesley Housing Authority made by Commissioner Odessa Sanchez, and seconded by Commissioner Renee Spencer, the motion was approved by the following vote: 4-0

3. Adjournment

- a. Upon a duly made motion to adjourn made by Commissioner Kim Maire and seconded by Commissioner Renee Spencer, the motion was approved by the following vote: 4-0

Next Meeting Date: Thursday June 24, 2021





Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

PHN 2021-09

To: All Local Housing Authority (LHA) Executive Directors and Board Members
From: Ben Stone, Director, Division of Public Housing
Re: Juneteenth Independence Day Guidance
Date: May 20, 2021

Need to Know:

1. New state holiday of June 19th ("Juneteenth Independence Day") for Commonwealth Employees (see <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleI/Chapter4/Section7>.)
2. LHA employees are not Commonwealth employees. If the applicable labor agreements and/or personnel policy do not already automatically provide paid leave for all state holidays referenced in M.G.L. c. 4, sec. 7, cl. 18, the Board has discretion to vote on whether or not to add the newly recognized Juneteenth holiday to its personnel policy. Please note that changes to labor agreements must be collectively bargained before they can be implemented.
3. If LHA board votes to include June 19th/Juneteenth as a paid holiday for any employees, DHCD strongly recommends it do so for all employees. Note guidance below on treatment in Executive Director (ED) contracts.

New State Holiday

"Juneteenth Independence Day" is now an official Massachusetts state holiday. Governor Baker signed the holiday into [law](#) on July 24, 2020, to recognize "[the continued need to ensure racial freedom and equality](#)." Juneteenth is an annual celebration that commemorates the emancipation of the last slaves in the former Confederate territory on June 19, 1865, a full two and a half years after the Emancipation Proclamation.

June 19, 2021 will be the first day Juneteenth is celebrated officially in Massachusetts, and Commonwealth employees will receive paid holiday benefits for it this year. The holiday will fall on a Saturday this year and be observed on the Saturday. Next year, Juneteenth will fall on Sunday, June 19, 2022, and like all state holidays falling on Sunday, it will be observed on the following Monday (June 20, 2022).

How Does This Affect the LHA?

- A) First, the LHA will need to ensure that it follows any legal obligations that currently exist to recognize the holiday. LHA's are not automatically obligated by state law to provide employees with holiday pay for Juneteenth, as they are not Commonwealth employees, but they may be obligated to do so under their existing personnel policies and/or collective bargaining agreement(s) ("CBA"). An LHA's obligation to provide holiday pay and/or paid time off for this new state holiday ultimately depends on the language in its personnel policy and/or CBAs. LHAs should review their CBAs/personnel policy to see if it expressly includes by reference the state holiday

law (M.G.L. c. 4, sec. 7, cl. 18.) or holidays defined by another entity such as the Commonwealth or their municipality.

- B) If the LHAs personnel policy only includes a paid day off for specifically enumerated holidays, the LHA Board may vote to add Juneteenth to their paid holiday list for employees, if it determines that this is in the best interest of the LHA after considering all relevant factors including, but not limited to, finances, labor relations, leadership, morale and peer organization standards.

Additional Considerations

For LHAs with unionized staff, if the LHA Board does not vote to add the Juneteenth Independence Day holiday acting on its own, the union will have to bargain with the LHA to include Juneteenth as a paid holiday. LHAs are encouraged to consult with their labor attorney regarding this new holiday, particularly if they are preparing for or engaged in contract negotiations.

If the holiday is added to the LHA's holiday list, Juneteenth Independence Day must be treated equivalently by the LHA to all other similarly bracketed holidays in Massachusetts, which include New Years Day, Memorial Day, July 4th, and Labor Day. DHCD also strongly recommends that if the board elects to add the holiday for any employee the holiday should be made available to all employees of the LHA on an equivalent basis.

For Executive Directors whose holiday days are defined by contract rather than by reference to the personnel policy holiday list, the Board may vote to add the holiday through a contract addendum. The LHA does not need to submit this addendum to DHCD so long as it contains no other terms; as this PHN constitutes DHCD's written approval of a contract amendment whose sole purpose is to add this holiday. As the state NAGE 6 bargaining unit has received this new holiday as an additional paid day off it is an approvable benefit for LHA EDs under DHCD guidance in [PHN 2019-29: Clarification of DHCD Standards for Reviewing Benefits Provisions of LHA ED Contracts](#).

VII. ABSENCES FROM WORK

A. HOLIDAYS

The following paid holidays will be observed:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents' Day	Veteran's Day
Patriot's Day	Thanksgiving
Memorial Day	Christmas Day
Independence Day	

If a holiday falls on a Sunday, it shall be observed on the following Monday. If a holiday falls on a Saturday, it shall be observed on the previous Friday.

If a holiday falls within a leave of absence, sick time or period of disability, affected employees shall not be eligible for holiday pay.

If a holiday falls within an unpaid leave of absence, affected employees shall not be eligible for holiday pay.

B. VACATION LEAVE

The vacation year of the Authority shall be the calendar year.

During the probationary period all full-time permanent employees shall accrue but cannot use vacation leave and shall be entitled to paid vacations as follows: Amended January 31, 2008

For employees with less than four (4) years of continuous service, vacation leave shall be credited on the last day of each month at the rate of 5/6 day per month.

For employees with four (4) but less than ten (10) years of continuous service, vacation leave shall be credited on the last day of each month at the rate of one and one quarter (1 1/4) days per month.

After an employee's tenth (10) year of service, vacation leave will accrue at the rate of one and two-thirds (1 2/3) days per month.

After an employee's twentieth (20) year of service, vacation leave will accrue at the rate of two and one twelfth (2 1/12) days per month.

Part-time permanent employees shall also be accorded vacation with pay. Vacation time earned will be commensurate with the weekly hours worked and the overall length of service.

Accrued vacation time should be taken during each calendar year. Accrued vacation leave may not be carried over from one calendar year to the next without the prior written approval of the Executive Director. The Executive Director may carry over accrued vacation leave only with the prior approval of the Board of Commissioners.

Housing Authority			
	Has your LHA voted to recognize the Juneteenth Holiday?	Does your personnel Policy Automatically provide paid leave for all state holidays referenced in M.G.L. c. 4, Sec. 7, cl.18?	Does your LHA plan NOT to recognize the Juneteenth Holiday?
Yarmouth HA	Yes	Yes	
North Attleboro HA	Yes	Yes	
Randolph HA	Yes	Yes	
Plymouth HA	Yes		
Braintree HA	Yes		
Norwood HA	Yes		
Wrentham HA	Yes		
Fairhaven HA	Yes		
Dedham HA	Yes		
Norfolk HA	Yes		
Canton HA	Yes		
Franklin HA	Yes		
Attleboro HA		Yes	
Somerset HA		Yes	
Falmouth HA		Yes	
Darmouth HA	Yes		
Easton HA	Yes		
Barnstable HA	Yes		
Wellesley HA	Yes		

new 6/1/2021

new 6/3/2021