



Allegheny County Council

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Legislation Details (With Text)

File #: 12480-22 **Version:** 1 **Name:**

Type: Ordinance **Status:** Defeated

File created: 10/21/2022 **In control:** Committee on Government Reform

On agenda: 10/25/2022 **Final action:**

Title: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, §5-1009.08, entitled "Paid County Holidays," in order to designate the second Monday in October as "Indigenous Peoples' Day," rather than "Columbus Day."

Sponsors: Olivia Bennett, Anita Prizio

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/19/2023	1	County Council	Defeated	Fail
12/14/2023	1	Committee on Government Reform	Affirmatively Recommended	Pass
10/25/2022	1	County Council	Referred by Chair	

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, §5-1009.08, entitled "Paid County Holidays," in order to designate the second Monday in October as "Indigenous Peoples' Day," rather than "Columbus Day."

Whereas, more and more communities across the country are opting to recognize Indigenous Peoples' Day, including the city of Pittsburgh in 2014 and the federal government in 2021; and

Whereas, as of the date of introduction of this Ordinance, numerous states have opted to celebrate Indigenous Peoples' Day or other named days instead of or in addition to Columbus Day, as follow: Hawaii (Discoverers' Day, since 1988), South Dakota (Native American Day, since 1989), Alaska (Indigenous Peoples' Day, since 2015), Minnesota (Indigenous Peoples' Day, since 2016), Vermont (added Indigenous Peoples' Day in 2016, and ceased celebrating Columbus Day in 2019), Iowa and North Carolina (both began celebrating Indigenous Peoples' Day in 2018), California (recommended observance by private employers only, since 2019), the District of Columbia, Maine and New Mexico (all three of which began celebrating Indigenous Peoples' Day instead of Columbus Day in 2019), Louisiana, Michigan, Oklahoma and Wisconsin (all four of which added Indigenous Peoples' Day in 2019), Nebraska and Virginia (both of which added Indigenous Peoples' Day in 2020), Oregon and Texas (both of which added Indigenous Peoples' Day in 2021), and Massachusetts (which added Indigenous Peoples' Day in 2022); and

Whereas, numerous cities and local governments throughout the United States began following the same practice as early as Berkeley, CA in 1992; and

Whereas, while Christopher Columbus is often generally credited with the "discovery" of America, large populations of indigenous people were already living in North America, South America, and throughout the Caribbean well before 1492; and

Whereas, significant evidence exists that Columbus was preceded in reaching the New World by other explorers, perhaps most notably Leif Eriksson, roughly 500 years before Columbus' voyages; and

Whereas, Christopher Columbus never stepped foot on United States soil; and

Whereas, instead of reaching what is now the United States, Columbus landed in the Bahamas, where he and his men ultimately enslaved and killed significant numbers of individuals native to the area, and treated them with extreme violence and brutality; and

Whereas, according to some modern estimates (*see, e.g.,* Diaz Soler, Luis Manuel (1950). *Historia De La Esclavitud Negra en Puerto Rico* (Thesis). LSU Historical Dissertations and Theses), between 80% and 90% of the Taino people native to the Caribbean died within 30 years of first contact with Columbus and his men; and

Whereas, Columbus thus introduced European exploration and a culture of slavery and genocide that has killed countless Native Americans as well as African American slaves; and

Whereas, while Council is cognizant that some individuals may regard Columbus Day as an inherently Italian holiday, Council also remains aware that Columbus was not Italian, as the nation of Italy did not exist until 1861. Columbus himself claimed the Republic of Genoa as his home, which was an independent republic throughout his life (and was not formally discontinued as a republic until June 14, 1797); and

Whereas, it is the judgment of Council that the story of indigenous peoples is often a forgotten or ignored piece of history, and the lack of representation and information about native peoples perpetuates damaging myths and stereotypes; and

Whereas, it is further the hope of Council that recognition of Indigenous Peoples' Day as a County holiday will in some small way prompt the people of the County to seek additional information about the people and cultures that thrived in the Americas prior to European contact;

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1. Incorporation of the Preamble.

The provisions set forth in the Preamble to this Ordinance are incorporated by reference in their entirety herein.

SECTION 2. Amendment of the Administrative Code.

The Administrative Code of Allegheny County, §5-1009.08, entitled "Paid County Holidays" is hereby amended as follows:

§ 5-1009.08. Paid County Holidays.

- A. County employees shall be granted paid holidays for the following days in each calendar year:
1. New Years Day, on January 1st;
 2. Dr. Martin Luther King Day, on the third Monday in January;
 3. Presidents' Day, on the third Monday in February;
 4. Memorial Day, on the last Monday in May;
 5. Juneteenth National Freedom Day, on June 19th;
 6. Independence Day, on July 4;
 7. Labor Day, on the first Monday in September;
 8. ~~Columbus~~ Indigenous Peoples' Day, on the second Monday in October;
 9. Veterans Day, on November 11th;
 10. Thanksgiving Day, on the fourth Thursday in November; and
 11. Christmas Day, on December 25th.
- B. In addition to the holidays designated in Subsection A., any independently elected official designated within this Administrative Code, the Allegheny County Court of Common Pleas, Allegheny County Council, and/or the Chief Executive of Allegheny County may, at their sole discretion, grant employees within their offices any one or any combination of the following paid holidays:
1. Primary Election Day, as designated by the Commonwealth of Pennsylvania;
 2. Good Friday, as designated annually;
 3. Flag Day, on June 14; or
 4. General Election Day, as designated by the Commonwealth of Pennsylvania.
- C. Should any of the dates delineated within this Section fall upon a weekend or other day on which County offices are generally closed, the County shall observe the holiday and grant paid leave to County employees on a date within three (3) calendar days of the delineated date. In the event that Juneteenth National Freedom Day falls upon a Tuesday or Wednesday, the holiday shall be observed on the Monday preceding June 19th, and in the event that such holiday falls on a Thursday, it shall be observed on the Friday following June 19th.
- D. Nothing contained herein shall be read or interpreted to supersede, preempt, or otherwise alter any provision of an in-force collective bargaining or other contractual agreement that applies to any County employee.
- E. In the event that the date of any holiday designated herein is altered by applicable Federal or

Commonwealth law, observance of such holiday shall be in accordance with such statute(s).

- F. The abolition or discontinuance of the observation of any Federal or Commonwealth holiday shall have no effect upon the provisions of this Section in the absence of its amendment.

SECTION 3. Severability.

If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

SECTION 4. Repealer.

Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.