

## Holidays

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**Statutory Authority**

The Human Resources Act provides that the Human Resources Commission shall establish a holiday schedule that shall not exceed 11 paid holidays per year except in those years in which Christmas Day falls on a Tuesday, Wednesday, or Thursday, the schedule shall not provide for more than 12 paid holidays.

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**Covered Employees**

Full-time or part-time (half-time or more) permanent, probationary, trainee and time-limited employees are eligible for holidays.

A holiday for full-time employees is 8 hours. Part-time employees receive holidays on a pro-rata basis. Example: A half-time employee receives 4 hours for a holiday.

Temporary, intermittent, and part-time (less than half-time) are not eligible for holidays.

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**Eligibility for Holidays**

An employee is eligible for a holiday when the employee is:

- in pay status through the holiday, or,
- in pay status for one-half or more of the workdays and holidays in the month when a short leave without pay is involved.

An employee is not eligible for a holiday when:

- the holiday occurs before the beginning date of employment, or
- after the last day of work when an employee separates or goes on extended leave without pay (over half the workdays and holidays in a month).

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Exceptions: (1) If a holiday falls at the first of a month and the employee begins work on the first available workday, pay is received for the holiday or (2) If the holiday falls at the end of the month and the employee is in pay status through the last available workday, pay is received for the holiday.

### Holiday Schedule

The following holidays have been designated for observance. The schedule of actual dates is issued on a calendar year basis. Each agency shall post or issue written notice of the holiday schedule.

| Holiday   | Number of Days |
|---|----------------|
| New Year's Day  | 1              |
| Martin Luther King, Jr.'s Birthday  | 1              |
| Good Friday   | 1              |
| Memorial Day  | 1              |
| Independence Day  | 1              |
| Labor Day   | 1              |
| Veterans Day  | 1              |
| Thanksgiving  | 2              |
| Christmas   | 2 or 3         |
| Note: Employee who works a schedule that is less than 12 months shall only be eligible for the holidays that occur during the months scheduled to work. |                |

### Religious Observances

The agency shall make efforts to accommodate an employee's request to be away from work for certain religious holiday observances; however, nothing shall obligate the agency to make accommodation if, in accommodating the request, it would result in undue hardship on the agency or its employees.

The following factors shall be considered in accommodating religious holidays:

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- the accommodation creates no greater risk to the health and safety of the employee, fellow employees, or the general public;
- by accommodating the unscheduled religious holiday, expenses to the State will not increase;
- meaningful work can be provided under the circumstances in which the employee will be working; and
- supervision can be provided if deemed necessary.

Religious holidays shall be accommodated by:

- adjusting the work schedule of the employee to the extent that it does not significantly impact the rights of other employees, or
- allowing the employee to exchange another State government public holiday for the religious holiday. The unscheduled religious holiday and the State government public holiday shall occur in the same calendar year.

If the religious holidays cannot be accommodated by the above, the Vacation Policy shall be used. If an employee has accrued vacation leave, no request for vacation leave shall be denied unless it would create an emergency condition which cannot be prevented in any other manner.

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### Alternative Holiday Schedules

Institutions of higher education and agencies requiring a seven-day, twenty-four hour operation may adopt alternative holiday schedules in keeping with operational needs, provided the employees are given the same number of holidays as approved by the Human Resources Commission. Such special holiday schedules must be filed with the Office of State Human Resources.

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### Additional Holiday Schedules

When the specific date of the legal holiday observance falls on Saturday or Sunday, agencies with a seven-day a week operation shall adopt an additional holiday schedule

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for employees regularly scheduled to work on the specific date of the legal holiday observance rather than the State public holiday.

Example: If July 4 falls on Saturday and Friday, July 3, is the State government legal holiday, the agency shall adopt, in addition to the State government public holiday schedule, a schedule that designates Saturday, July 4, instead of Friday, July 3, as the holiday for employee regularly scheduled to work on July 4.

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### Holiday Premium Pay

Either the State government public holiday(s) or the day(s) designated for observance, pursuant to the Alternative Holiday Schedules and the Additional Holiday Schedules shall be specified as premium pay holidays (additional half-time plus equal time off).

Example: When Christmas day falls on Saturday, and Friday and Monday are the State government public holidays, agencies may designate Saturday and Sunday as the holidays for employees scheduled to work on those days. Then, if employees work on Saturday and Sunday, they shall be paid holiday premium pay those two days. In this case, these employees who work on Friday and Monday would not be eligible for holiday premium pay.

For employees required to work on a holiday, it is necessary to schedule holiday compensatory time off before or after the actual holiday. If possible, the time off should be scheduled within thirty days prior to or thirty days after the holiday occurs.

Advisory Note: In the BEACON HR/Payroll System, holiday compensatory time shall be given **before** any other leave/time (over-time compensatory time, gap hours compensatory time, on-call compensatory time, travel compensatory time and vacation or bonus leave).

- If equal time off is not given within 12 months, it shall be paid in the employee's next regular paycheck.
- Should the employee separate before the holiday occurs, it shall be deducted from the final paycheck.

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- Should the employee separate after the holiday occurs and before the time off is given, it shall be paid in the employee's final paycheck.
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### Weekend Holidays

Unless a special schedule has been adopted by institutions of higher education and agencies with twenty-four hour operations, when a designated holiday falls on Saturday, the preceding Friday will be observed and when the holiday falls on Sunday, the following Monday will be observed.

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### Workdays above 8 Hours

Where a workday greater than eight hours has been established, all hours above 8 shall be charged to vacation leave to equalize holiday benefits.

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