



## 6.02 HOLIDAYS

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### **What Holidays are Observed**

The following holidays shall be recognized and observed as paid holidays:

<b><u>HOLIDAYS</u></b>	<b><u>DATE OBSERVED</u></b>
New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veterans' Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25

All City offices and bureaus shall remain open the day preceding any holiday, unless the holiday is on a Monday. Employees who wish additional time off around a designated holiday must use vacation or other accrued leave and comply with applicable Human Resources Administrative Rules, bureau work rules and collective bargaining agreements.

An employee is entitled to holiday pay if the employee is in pay status for the entire scheduled workday preceding and following the holiday. Any employee who is on leave but is in paid status the day before and the day following the holiday will receive holiday pay. If an employee's scheduled day off falls on a holiday, the employee is entitled to a postponed holiday with pay, to be taken at the mutual convenience of that employee and the director of the bureau or designated supervisor. Non-represented employees may carry over up to two deferred holidays and any deferred holidays over two not taken by the end of the calendar year shall be forfeited.

Holiday pay will be limited to eight hours for any one legal holiday. If an employee is on a schedule where his/her normal workday is greater than eight hours, vacation or compensatory time must be taken to satisfy the variable schedule requirement, or taken without pay. For example, if an employee is on a 4/10 schedule, two (2) hours of vacation or compensatory time would have to be used. If an employee does not choose, vacation hours shall be used to satisfy the variable schedule requirement. Alternatively, additional hours can be worked on another day at the supervisor's discretion.

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### **Weekend Holidays**

If a recognized holiday occurs on a Saturday or Sunday, the holiday will be observed as follows: If the holiday falls on a Saturday, the Friday before the holiday shall be considered as a holiday and paid as such. If a holiday falls on a Sunday, the following Monday shall be considered as a holiday and paid as such.

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For employees in units which operate 7 days a week, Saturday will be considered the holiday for the purpose of premium pay if the holiday occurs on Saturday, or Sunday if the holiday occurs on Sunday.

Employees in these continuous operation units who are scheduled to work on a holiday, which occurs on Saturday or Sunday, will be permitted to defer the holiday with pay until a later date. Deferred holidays will be taken at a time mutually agreeable to the bureau and the employee.

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**Who is Not Eligible For Holiday Pay**

Deputy Chiefs in the Bureau of Fire and Rescue assigned to a 52.08 hour work schedule are not eligible for holiday pay. Consultants are not eligible for holiday pay. Retirees, temporary and seasonal employees appointed less than 2 weeks before a holiday are not eligible for holiday pay.

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**Holidays for Job-Sharing and Part-Time Employees**

Benefits eligible employees who share a budgeted full-time position and serve for 40 hours each pay period shall be allowed 4 hours of pay for each designated City holiday. Permanent part-time employees shall be allowed pro-rated holiday pay.

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**Compensation for Work on Holidays by FLSA Exempt Employees**

FLSA exempt employees should not be directed or authorized to work on a holiday except in unusual circumstances where their presence at work is critical. FLSA exempt employees who work on a holiday are entitled to defer the holiday with pay until a later date. The deferred holiday shall be taken at the mutual convenience of the employee and the bureau, and any deferred holidays over two not taken by the end of the calendar year are not carried forward and shall be forfeited. An employee who leaves City employment for any reason will not receive pay for unused deferred holidays.

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**Compensation for Work on Holidays by FLSA Covered Employees**

If called back to work on a holiday the employee is entitled to overtime pay for actual time on the job plus pay for 8 hours at the regular rate. See, [Administrative Rule on Hours of Work and Overtime Compensation for FLSA Covered Employees](#).

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**Personal Holidays**

Unless otherwise provided in a collective bargaining agreement, full-time employees are entitled to three personal holidays in addition to the holidays provided under the first section of this rule. Personal holidays shall be maintained in a separate quota account and will be added to each eligible employee's personal holiday account at the end of the first pay period in January of each year. New employees will be credited with three personal holidays after 30 days continuous service. No employee may receive more than three personal holidays in one calendar year.

Benefits eligible permanent part-time employees and job share employees who serve for 40 hours each pay period shall be allowed 12 hours of personal holiday time as follows:

1. For employees not represented in collective bargaining, after 173 hours of continuous job sharing or part time employment; or
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2. For employees represented in collective bargaining, after 1,040 hours of continuous job sharing or part time employment; and
  3. In accordance with the above stated rules for permanent full time employees.

A personal holiday may be scheduled:

1. After continuous City service period of not less than 30 days (or corollary length of time for part-time and job share employees)and
2. in accordance with the above stated rules for permanent full time employees and
3. At the mutual convenience of the employee and the bureau; and
4. through the last pay period of the calendar year.

Personal holidays must be used in the year accrued and cannot be carried over to the next calendar year. An employee who leaves City employment for any reason will not receive pay for unused personal holidays.

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#### **Religious Observances**

A bureau should attempt to accommodate an employee's request to be away from work for religious holiday observances. Such time off shall be charged to vacation, compensatory time off or, if no leave available, as unpaid leave. However, nothing shall obligate the bureau to make an accommodation if to do so would result in undue hardship on the bureau or its employees.

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#### **Administrative Rule History**

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