

## 6.02 HOLIDAYS

### What Holidays are Observed

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

<u>HOLIDAYS</u>	<u>DATE OBSERVED</u>
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
Friday after Thanksgiving Day	Fourth Friday in November
Christmas Day	December 25

The Friday after Thanksgiving is a paid holiday for all non-represented employees who are eligible for holidays and for represented employees whose collective bargaining agreements recognize the Friday after Thanksgiving as a paid holiday. For those represented employees, when the Friday after Thanksgiving falls on an employee's regularly scheduled day off, it shall be observed on the employee's next scheduled work day immediately following this holiday.

The four following holidays are to be considered rolling holidays only when they fall on a Saturday or a Sunday and the City observes them on the prior Friday or following Monday: Independence Day, Veteran's Day, Christmas and New Year's Day.

~~All City offices and bureaus~~ The Auditor's Office shall remain open the day preceding any holiday, except the Friday after Thanksgiving Day holiday or 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 Auditor's Office Human Resources Administrative Rules, ~~bureau work rules~~ and collective bargaining agreements.

### Holiday Pay

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. For non-represented employees and represented employees if allowed by their collective bargaining agreement, if an employee's scheduled day off falls on a holiday, and it is not one of the four rolling holidays listed above, the employee will receive a deferred holiday with pay, to be taken at the mutual convenience of that employee and ~~the~~ the ~~director of the bureau or designated~~ supervisor. Non-represented employees may carry over up to two deferred holidays, ~~and a~~ and a Any deferred holidays over two not taken as of the end of the first pay period in January shall be forfeited. ~~Emergency Communications Supervisors are entitled to carry over up to three deferred holidays (up to 45 hours) per calendar year and any deferred holidays over three not taken as of the end of the first pay period in January shall be forfeited.~~

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For non-represented employees and represented employees if allowed by their collective bargaining agreement, holiday pay will correspond to the employee's regular work schedule. As examples: If scheduled to work ten (10) hours on the holiday the employee's holiday pay will be 10 hours. If scheduled to work four (4) hours on the holiday the employee's holiday pay will be 4 hours.

For all other employee groups holiday pay will be limited to no more than 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**

For employees who work Monday through Friday with Saturday and Sunday off, if one of the rolling holidays 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.

For employees who have Variable Workweek Schedules (See **Administrative Rule 8.01**) with either Friday or Monday as their regular days off, the holiday will be observed as follows: If the holiday falls on the employee's first scheduled day off, the day before the holiday shall be considered as a holiday and paid as such. If the holiday falls on the employee's second scheduled day off, then first scheduled work day after shall be considered as a holiday and paid as such.

For employees with other Variable Workweek Schedules the holiday will be observed as follows: If the holiday falls on the employee's first scheduled day off, the day before the holiday shall be considered as a holiday and paid as such. If the holiday falls on the employee's second or third scheduled day off, the first scheduled workday after shall be considered as a holiday and paid as such.

~~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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### **Veterans Entitled to Veterans Day Off**

Eligible veterans who are otherwise scheduled to work on Veterans Day may request the day off. Such requests must be made at least 21 calendar days prior to the holiday and must include documents showing the veteran is eligible. Eligible veterans are those who served on active duty in the Armed Services for at least 6 months and who received a discharge under honorable circumstances. Service in the reserves or National Guard does not qualify unless the veteran was deployed or served on active duty for at least 6 months. The eligible veteran's supervisor must respond to the request at least 14 days

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prior to Veterans Day and include whether the request is being granted and whether the day off will be paid or unpaid. The request can-not be denied except ~~for upon~~ a showing of significant disruption or undue hardship. If denied, the veteran is entitled to another day off within the year. Pay status for the day off shall be governed by these rules and applicable collective bargaining agreements.

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**Who is Not Eligible For Holiday Pay**

~~Deputy Chiefs in the Bureau of Fire and Rescue assigned to a 51.9223 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. Consultants 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 compensation for each designated City holiday. Permanent part-time employees shall be allowed pro-rated holiday pay or prorated deferred holiday hours. Compensation is based on an employee's average weekly work hours. For weekend holidays as listed above, job-share and part-time employees who have either Friday or Monday as regular days off, the holiday will be observed as follows: If the holiday falls on the employee's first scheduled day off, the day before the holiday shall be considered as a holiday and paid as such. If the holiday falls on the employee's second scheduled day off, then the first scheduled work day after the holiday shall be considered as a holiday and paid as such.

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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 will receive a deferred holiday with pay. -The deferred holiday shall be taken at the mutual convenience of the employee and their ~~supervisor-bureau~~, and any deferred holidays over two not taken as of the end of the first pay period in January 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 required to work on a holiday the employee is entitled to holiday premium pay at one and one half 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: 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 (24 hours) 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:

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

A personal holiday may be scheduled:

- After continuous City service period of not less than 30 days (or corollary length of time for part-time and job share employees) and
- In accordance with the above stated rules for permanent full time employees and
- At the mutual convenience of the employee and the bureau; and
- 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.

## Religious Observances

~~A bureau Managers~~ 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 Auditor's Office~~ to make an accommodation if to do so would result in undue hardship on the ~~bureau office~~ or its employees. The Auditor's Office will consult with the Bureaus making a determination that an undue hardship exists should do so only in consultation with legal counsel the City Attorney's Office in making a determination that an undue hardship exists.

## Administrative Rule History

~~Adopted by Council March 6, 2002, Ordinance No. 176302~~  
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