



## Administrative Regulations

### Office of the Mayor

#### Title: HOLIDAY POLICY

**A.R. Number:** 5.2 **Effective Date:** 12/17/2021 **Page:** 1 of 3

**Supersedes:** Holiday Policy **A.R.:** 5.2 **DATED:** 12/22/2020

## I. PURPOSE

The purpose of this policy is to provide employees with a paid holiday benefit while continuing to meet, and not exceed, the overtime and compensatory time standards detailed in the Fair Labor Standards Act (FLSA).

## II. POLICY

The following are declared as official paid holidays for all departments and agencies:

New Year's Day	January 1 <sup>st</sup>
Martin Luther King, Jr's. Birthday	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Spring Holiday	Friday before Easter
Memorial Day	Last Monday in May
Juneteenth	June 19 <sup>th</sup>
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday in September
Election Day	1 <sup>st</sup> Tuesday in November
Veterans Day	November 11 <sup>th</sup>
Day Before Thanksgiving (2021 only)	November 24 <sup>th</sup>
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Day After Thanksgiving	Friday following Thanksgiving
Winter Holidays (2021 only)	December 23 <sup>rd</sup> and December 24 <sup>th</sup>
Additional Winter Holiday (2021 only)	December 27 <sup>th</sup>
New Year's Day 2022 (2021 only)	December 31 <sup>st</sup>

## III. PROCEDURES

- A. Employees are to receive the holidays shown above in addition to one (1) floating holiday. The floating holiday shall be earned by any individual employed prior to May 1st of a given calendar year and may be observed on any regular scheduled work day mutually convenient to the employee and Appointing Authority during that calendar year. Except for Fire Shift Personnel, the floating holiday must be taken in a full eight (8) hour day increment. Whenever a holiday falls on a Saturday or Sunday, it shall be observed on the day determined by the Director of Human Resources.
- B. Employees must be in pay status before and after a holiday in order to receive pay for that holiday. In extenuating circumstances the Chief Administrative Officer may grant pay for the holiday if an employee is not in pay status as described above. For the purpose of computing total hours of work, holiday hours shall not be counted as work hours except for sworn police and fire personnel. If non-exempt employees are required to work on a holiday or if a holiday falls on a normal day off, such employees shall be treated as follows:
  1. Non-exempt employees, who would normally be off (not included in the Special Provisions for Shift Personnel as outlined in Personnel Rule 6.2) but are required to work on a holiday, shall receive regular pay for the holiday plus receive the number of normally scheduled hours as either holiday hours or compensation at the Appointing Authority or designee's choice. (Ex. An employee works 8 hours on the holiday Wednesday, July 4. The employee receives 8 hours pay at the regular rate plus 8 hours of holiday leave credit or 8 hours additional pay at the regular rate).



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2. A non-exempt employee (not included in the Special Provisions for Shift Personnel as outlined in Personnel Rule 6.2) whose normal day off falls on a holiday and who is not required to work on that day, shall receive the number of normally scheduled hours as either holiday hours or compensation as the Appointing Authority or designee's choice (Ex. An employee's regular work schedule is Tuesday through Saturday, normal days off are Sunday and Monday, and the holiday is Monday, January 1. The employee receives the day off and receives 8 hours of holiday leave credit for Monday).
  3. A non-exempt employee, who is scheduled to work on the holiday and does so, shall receive the normal pay for that day plus receive the number of normally scheduled hours as either holiday hours or compensation at the Appointing Authority or designee's choice.
- C. The Appointing Authority or designee shall determine the type of compensation under the provisions of Subsection A. 1, 2, or 3 above. Holiday leave shall be taken off after the holiday, at a time convenient to both the non-exempt employee and the Appointing Authority.
  - D. Employees who wish to observe other holidays for religious or ethnic reasons (racial, religious, linguistic, or cultural heritage) may make arrangements with their Appointing Authorities prior to the holiday. If such arrangements are approved, the employee leave must be charged to the employee's vacation leave or floating holiday.
  - E. If an exempt employee under the FLSA guidelines is required to work on a holiday, the employee shall not receive overtime pay or compensatory time, but may be permitted if approved by the employee's Appointing Authority, to take another day off as mutually agreed to by the employee and the Appointing Authority.
  - F. Special Provisions for Shift Fire Personnel – Fire personnel who work a schedule authorized by 29 U.S.C. §207(k) shall receive twelve (12) hours of holiday leave credit for each designated holiday or the equivalent of one point five (1.5) times for any portion of a holiday. These Fire personnel shall only be entitled to leave credit and shall not receive pay in addition to their regular pay. At the time of separation from city service, such employees shall be reimbursed for unused holiday leave credits up to a maximum of 144 hours. Refer to Personnel Rule 6.2 for additional guidelines.
  - G. Special Provisions for Other Shift Personnel – All other employees who work a shift in a 24 hour/7 day a week operation shall receive eight (8) hours of holiday leave for each designated holiday including the floating holiday. Unless authorized by the Appointing Authority or designee, these employees shall only be entitled to leave credit and shall not receive pay in addition to their regular pay. At the time of separation from city service, such employees shall be reimbursed for unused holiday leave credits up to a maximum of 120 hours. Refer to Personnel Rule 6.2 for additional guidelines.
  - H. Special Provisions for Employees Working Alternative Work Schedules – Full time employees, not identified as shift employees, who work an alternative work schedule (i.e. 4 day/10 hours) shall earn eight (8) hours of holiday. Whenever possible, employees should revert back to a 5 day/8 hour schedule during holiday weeks. Refer to Personnel Rule 6.2 for additional guidelines.



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**IV. AUTHORITY**

29 U.S.C., §207(k)  
Fair Labor Standards Act

**V. REGULATION UPDATE**


The Department of Human Resources shall be responsible for modifications to this Policy.

**RECOMMEND APPROVAL:**



**CHIEF ADMINISTRATIVE OFFICER/DESIGNEE**

**APPROVED:**



**MAYOR**