



Administrative Regulations

Office of the Mayor

Title: HOLIDAY POLICY

A.R. Number: 5.2 Effective Date: 7/1/2023 Page: 1 of 4

Supersedes: HOLIDAY POLICY A.R.: 5.2 DATED: 11/5/2022

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

At minimum, the City of Richmond observes the eleven (11) federal holidays. Observation of additional holidays is at the discretion of the Mayor and Chief Administrative Officer (CAO). The Department of Human Resources (HR) shall notify employees of the upcoming annual holiday schedule prior to the beginning of the new calendar year. The official holiday calendar shall be available on the Department of Human Resources webpage.

III. PROCEDURE

- A. Whenever a holiday falls on a Saturday or Sunday, it shall be observed on the day determined by HR with CAO approval.
- B. Employees must be in active pay status before and after a holiday in order to receive pay for that holiday. 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 nonexempt 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. Nonexempt employees who are required to work on a holiday shall receive one and one-half times (1.5) regular pay for the holiday and holiday hours equaling one workday, according to the employees' regular schedule (i.e.: an employee who works eight (8) hours on the holiday Wednesday, July 4, will receive eight (8) hours' pay at one and one-half (1.5) the regular rate plus eight (8) hours of holiday leave credit.)
 2. A nonexempt employee (not included in the Special Provisions for Shift Personnel below) 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 holiday hours. (i.e.: if an employee's regular work schedule is Tuesday through Saturday with normal days off as Sunday and Monday, and the holiday is Monday, January 1, the employee receives the day off and receives eight (8) hours of holiday leave credit for Monday.)
- C. The appointing authority/department head or designee shall determine the type of compensation under the provisions of Subsection B. 1, 2, or 3 above. Holiday leave shall be



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taken off after the holiday at a time agreed upon by both the nonexempt employee and the appointing authority/department head.

- 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 authority/department head prior to the holiday. If such arrangements are approved, the employee leave must be charged to the employee's vacation leave.
- 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/department head, to take another day off as mutually agreed to by the employee and the appointing authority/department head.
- 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 one-hundred and forty-four (144) hours. Holiday hours shall be credited and can be used at the beginning of a fiscal year quarter but shall not be compensable until after the actual holiday. For example, employees earn twenty-four (24) hours on July 1 for the July 4 and Labor Day holidays and may use these hours immediately. However, if compensation is authorized by the appointing authority/department head or designee, the employee shall not be paid until the pay period when these holidays occur. In addition, the holiday must be observed before it can be included in reimbursement for unused holiday hours.
- G. Special Provisions for Other Shift Personnel – All other employees who work a shift in a twenty-four (24) hour/seven (7) day a week operation shall receive eight (8) hours of holiday leave for each designated holiday including mental health days. Unless authorized by the appointing authority/department head 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 one-hundred and twenty (120) hours. Holiday hours shall be credited and can be used at the beginning of a fiscal year quarter but shall not be compensable until after the actual holiday. For example, employees earn sixteen (16) hours on July 1 for the July 4 and Labor Day holidays and may use these hours immediately. However, if compensation is authorized by the appointing authority/department head or designee, the employee shall not



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be paid until the pay period when these holidays occur. In addition, the holiday must be observed before it can be included in reimbursement for unused holiday hours.

- H. Special Provisions for Employees Working Alternative Work Schedules – Full time employees, not identified as shift employees, who work an alternative work schedule shall earn eight (8) hours of holiday. Whenever possible, employees should revert to a five (5) day/eight (8)-hour schedule during holiday weeks. If this is not practical, then the employee and supervisor shall arrange the employee’s schedule, so the employee works the required hours of the workweek. (I.e., a full-time employee is expected to work twenty-four (24) hours during the week of Thanksgiving and have sixteen (16) hours of holiday leave. If the employee typically works ten (10) hours on Tuesday, Wednesday, Thursday, and Friday then the employee may have to work eight (8) hours on Monday, Tuesday, and Wednesday or twelve (12) hours on Tuesday and Wednesday.)

This policy is pursuant to 29 U.S.C. §207(k) of the Fair Labor Standards Act.

IV. RESPONSIBILITY

Appointing Authority/Department Head – The appointing authority/department head or designee is responsible for authorizing or granting holiday pay.

Department of Human Resources (HR) – HR is responsible for oversight and administration of this policy. HR is the central repository for all personnel files and information. HR shall make available all necessary procedures and forms to departments and employees and provide guidance when questions arise.

Employees – Employees are responsible for abiding by the requirements and processes of this policy.

V. DEFINITIONS

Words and phrases contained within this policy are interpreted by the Director of Human Resources and can be made available upon request.



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I. REGULATION UPDATE

Modifications to this policy shall be the responsibility of the Department of Human Resources under the advisement of the Chief Administrative Officer.

Approval


CHIEF ADMINISTRATIVE OFFICER


MAYOR