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gretchen *HB*
ARTICLE 58--HOLIDAYS

Section 1. The following holidays shall be recognized and paid for at the regular straight time rate of pay:

(a) New Year's Day on January 1.

(b) Martin Luther King, Jr.'s Birthday on the third Monday of January.

(c) Presidents' Day on the third Monday in February.

(d) Memorial Day on the last Monday in May.

(e) Juneteenth on June 19.

(f) Independence Day on July 4.

(g) Labor Day on the first Monday in September.

~~(h) Indigenous People's Day on the second Monday in October.~~

(i) Veterans' Day on November 11.

(j) Thanksgiving Day on the fourth Thursday in November.

~~(k) The Friday after Thanksgiving~~ **Native American Heritage Day on the day after Thanksgiving.**

(l) Christmas Day on December 25.

(m) Every day appointed by the Governor as a holiday.

Section 2. Subject to the operational needs of the Agency, with at least thirty (30) days' notice to their supervisor, an employee shall be granted time off to observe religious or cultural holidays not recognized in Section 1 of this Article. If approved, the employee shall have the option of utilizing accrued leave other than sick leave, taking leave without pay, or temporarily modifying their work schedule in accordance with Article 90, Section 4.

Section 3. Special Day. In addition to the holidays specified in this Article, full-time employees shall receive eight (8) hours of paid leave. Part-time, seasonal, and job share employees shall receive a prorated share of eight (8) hours of paid leave at their regular straight time rate of pay based upon the same percentage or fraction of month, as they are normally scheduled to work. Employees may request the option of using this paid leave on any workday during the calendar year. Approved usage of this leave shall be taken in a single block of time and granted on a basis which shall preclude the closure of state facilities.

Section 4. Holiday Eligibility. All employees will receive up to eight (8) hours of holiday pay for recognized holidays in Section 1 above, pursuant to (a), (b) and (c) below. Holiday pay shall be based on an eight (8) hour day.

(a) If an employee is hired or separates on a holiday, the employee shall receive pay for the holiday.

(b) A full-time employee receives eight (8) hours of holiday pay for each paid holiday.

(c) Part-time, hourly, seasonal part-time and seasonal full-time hourly employees will receive a prorated share of the eight (8) hours of holiday pay based on the number of paid hours worked as compared to the total number of possible work hours in the month or pay period. The holiday shall not count as part of the total possible work hours in the month or pay period or the total hours worked and shall be calculated as follows:

$$\frac{\text{Total Paid Hours}}{\text{Total Hours in Month or Pay Period}} \times \text{Holiday Hours in the Month}$$

NOTE: Nothing in this Article is intended to change the Employer's practice with respect to scheduling and closures permitted under this Agreement, nor the granting of paid leave during such times.

(d) Transfers To and From Another Agency:

(1) When compensable, non-workdays such as a holiday, sick leave, or vacation leave which come between the separation date in the losing Agency unit and the subsequent hire date in the gaining Agency, the gaining Agency is liable for all of the compensable non-workdays.

(2) The beginning date of employment in the gaining Agency must be the first compensable non-workday following separation from the losing Agency.

Section 5. Work on a Holiday. Employees required to work on days recognized as holidays which fall within their regular work schedules shall be entitled, in addition to their regular monthly salary, to compensatory time off, or to be paid in cash as provided in Articles 32.1-32.5 (Overtime). Compensatory time off or cash paid for all time worked shall be at the rate of time and one-half (1 ½). The rate at which an employee shall be paid for working on a holiday shall not exceed the rate of time and one-half (1 ½) their straight time rate of pay.

Section 6. Observance.

(a) When a holiday specified in Section 1 of this Article falls on a Saturday, the preceding Friday shall be recognized as the holiday. When a holiday specified in Section 1 of this Article falls on a Sunday, the following Monday shall be recognized as the holiday.

(b) When a holiday specified in Section 1 of this Article falls on a regularly scheduled day off, the employee shall have the choice of receiving an alternate eight (8) hours of compensatory straight time or straight-time pay. Part-time, seasonal, and job share employees will receive

64 a prorated amount of compensatory time or straight-time pay based on the calculation in
65 Section 3(b).

66 (c) However, the Parties recognize that some positions must be staffed on holidays, and that
67 employees in these positions cannot be released from duty on those holidays. Part (a) of this
68 Section shall not apply to employees in these positions and the holiday shall be observed on
69 the actual day specified in Section 1. Employees filling such positions will be notified in
70 writing prior to hiring or when their work assignment is changed that they may have to work
71 on certain holidays.

72 Section 7. Leave Accounts. An employee's leave account shall not be charged for a holiday which
73 occurs during the use of earned vacation or earned sick leave.

74 Section 8. Work Out-of-Class. Employees assigned to work out-of-classification in accordance
75 with Article 26 Section 10--Work Out-of-Classification shall receive holiday pay at the higher
76 rate of pay, if the holiday falls during their work out-of-classification assignment.

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