

<b>SUBJECT:</b> Holiday Leave with Pay	<b>NUMBER:</b> 60.010.01
<b>DIVISION:</b> Chief Human Resources Office	<b>EFFECTIVE DATE:</b> 11-17-2015
<b>APPROVED: Signature on file with Chief Human Resources Office</b>	

**POLICY STATEMENT:** Oregon state government provides employees with paid leave on legal holidays and other days, as appropriate.

**AUTHORITY:** ORS 187.010; 187.020; 240.240; 240.551

**APPLICABILITY:** Classified unrepresented, management service, and unclassified “executive” service; Temporary employees, only where noted

**ATTACHMENTS:** Holiday Calendar

**DEFINITIONS:** See State HR Policy 10.000.01, Definitions; and OAR 105-010-0000

**POLICY:**

- (1) The following are paid legal holidays:
  - (a) New Year's Day on January 1
  - (b) Martin Luther King Jr.'s Birthday on the third Monday in January
  - (c) Presidents' Day on the third Monday in February
  - (d) Memorial Day on the last Monday in May
  - (e) Independence Day on July 4
  - (f) Labor Day on the first Monday in September
  - (g) Veterans Day on November 11
  - (h) Thanksgiving Day on the fourth Thursday in November
  - (i) The Friday after Thanksgiving Day
  - (j) Christmas Day on December 25
  - (k) Every day appointed by the Governor as a holiday
  - (l) Every day appointed by the President of the United States as a day of mourning, rejoicing, or other special observance only when the Governor also appoints that day as a holiday
  - (m) At the discretion of the Governor, the state grants a day of paid leave to be taken between the day before Thanksgiving and January 31. For more information on this Day of Leave, refer to State HR Policy 60.000.10 Special Leaves with Pay.

(2) Holiday Observance

- (a) When a holiday falls on Sunday, the state recognizes the following Monday as a holiday; and when a holiday falls on Saturday, the state recognizes the preceding Friday as a holiday.
- (b) A day appointed by the Governor as a holiday.
- (c) A day appointed by the President of the United States and subsequently by the Governor as a day of mourning, rejoicing or other special observance is observed on the appointed day.

(3) Holiday Leave Application

- (a) A full time employee receives eight hours of time off with pay for each legal holiday. A full-time employee on leave without pay receives time off with pay on a pro-rata basis for each legal holiday.
- (b) A part-time employee receives time off with pay on a pro-rata basis for each legal holiday.
- (c) An unrepresented temporary employee is not eligible for time off with pay on a legal holiday.
- (d) If an employee is on vacation or sick leave when a legal holiday occurs, code the day as holiday leave.

(4) Holidays and Alternate Work Schedules

- (a) An appointing authority may adjust an employee's irregular or flexible work schedule for the eight hours of paid holiday leave.
- (b) When a legal or recognized holiday falls on an employee's regularly scheduled day off, other than Saturday or Sunday, the employee may receive eight hours of compensatory time or schedule his or her day off for another day, generally in the same pay period.
- (c) At the option of the appointing authority, an employee who normally works a rotating shift must observe a holiday on the actual day specified in section (1) above even though the holiday may fall on Saturday or Sunday.
- (d) The agency head may designate an alternate day of observance for any of the above listed holidays for all employees of the agency. When an approved alternate day of observance falls on a normal state business day, the agency maintains the minimum staff coverage unless the agency has effectively communicated to the public that the agency is closed in observance of a holiday on an alternate day.
- (e) If an employee works for a 24/7 operation and is scheduled to work on a holiday, see section (5)(a) below.

(5) Working on a Holiday

- (a) An employee, whether FLSA exempt or non-exempt, may only work on a holiday when required by or with the permission of his or her supervisor. An employee who works on a holiday without supervisory approval may be subject to disciplinary action.
- (b) An employee who is approved to work on a holiday may choose to either receive 8 hours (or prorated amount) of holiday pay OR receive 8 hours (or prorated amount) compensatory time.
- (c) In addition to either 8 hours (or prorated amount) of holiday pay or 8 hours (or prorated amount) of compensatory time, the employee will also receive compensation at time and one-half for all hours worked on the holiday. An appointing authority may choose to pay time and one-half worked in cash or compensatory time. Employees may save compensatory time according to State HR Policy 20.005.20 and the Fair Labor Standards Act.

(d) An unrepresented temporary employee required by management to work on a holiday receives straight time pay.

(6) Transfer, Hire or Separation and Holidays

(a) When an employee moves between agencies without separation and a holiday occurs between the separation date in one agency and the subsequent hire date in another agency, the gaining agency is liable for compensation for the holiday.

(b) If an employee is hired or terminated on a holiday, the employee receives pay for the holiday.