

## HOLIDAYS

*Application: Classified and restricted employees covered under the Virginia Personnel Act.*

## PURPOSE

The purpose of this policy is to permit agencies to provide eligible employees with paid time off for specific holidays as mandated in the Code of Virginia.

## POLICY SUMMARY

This policy includes the following:

[Employee Responsibilities and Requirements](#)

[Agency Responsibilities and Requirements](#)

[General Provisions](#)

[Compensation](#)

[Glossary and Relevant Terms](#)

## AUTHORITY

This policy is issued by the Department of Human Resource Management (DHRM) pursuant to the authority provided in [§2.2-1201](#) and [§2.1-2827](#) of the Code of Virginia. DHRM reserves the right to revise or eliminate this policy as necessary.

Agencies may supplement this policy to accommodate specific business needs. Supplemental policies must be consistent with the provisions of DHRM policy and must be communicated to all agency employees.

## RELATED POLICIES

[Policy 1.25 – Hours of Work](#)

[Policy 3.10 – Compensatory Leave](#)

[Policy 4.57 – Virginia Sickness and Disability Program](#)

[Policy 4.60 – Workers’ Compensation](#)

## EMPLOYEE RESPONSIBILITIES AND REQUIREMENTS

Non-exempt employees should ensure that they have maintained enough leave to cover any absence that occurs on the last scheduled workday before a holiday. Additionally, non-exempt employees should ensure that they have maintained enough leave to cover absences on the first scheduled workday after the holiday. This includes any partial day holidays.

## AGENCY RESPONSIBILITIES AND REQUIREMENTS

Agencies should communicate the holiday schedule or alternate holiday schedule to employees in a timely manner. They should also communicate agency policy for compensating employees who work on holidays or who are on their rest day when the holiday occurs. Employees may receive either pay or compensatory leave in accordance with established agency policy.

## GENERAL PROVISIONS

### Holidays Observed

The Commonwealth observes 12 designated paid holidays as defined in [§ 2.2-3300](#) of the Code of Virginia. In addition, other full or partial workdays may be designated as holidays by the Governor or by the President of the United States.

The Commonwealth observes the following paid holidays:

<b>Holiday</b>	<b>Date</b>
<b>New Year’s Day</b>	January 1
<b>Lee-Jackson Day</b>	Friday preceding the 3 <sup>rd</sup> Monday in January
<b>Martin Luther King, Jr. Day</b>	3 <sup>rd</sup> Monday in January
<b>George Washington Day</b>	3 <sup>rd</sup> Monday in February
<b>Memorial Day</b>	Last Monday in May
<b>Independence Day</b>	July 4
<b>Labor Day</b>	First Monday in September
<b>Columbus Day and Yorktown Victory Day</b>	2 <sup>nd</sup> Monday in October
<b>Veteran’s Day</b>	November 11
<b>Thanksgiving</b>	4 <sup>th</sup> Thursday in November
<b>Day After Thanksgiving</b>	4 <sup>th</sup> Friday in November
<b>Christmas</b>	December 25

When a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday. When a holiday falls on a Sunday, the holiday shall be observed on the following Monday. Holidays are defined as eight hour workdays.

Alternate Holiday Schedule

Agencies required to remain open during holidays may establish alternate schedules that must provide the same number of holidays as required above.

Religious Holidays

Agencies should make reasonable accommodation in granting leave requests for the religious holiday needs of employees unless the accommodation will result in undue hardship to the agencies. Employees may use accrued or earned annual, family/personal, compensatory, overtime, or recognition leave. Employees should make these requests in advance to allow agencies to be able to accommodate these requests.

Transfers

Employees shall observe the holidays of the receiving agency. No adjustments may be made for possible holidays lost or gained.

Alternate Work Schedules

Full-time employees who work alternate work schedules (e.g., 9, 10, or 12 hour shifts) will receive compensation for the holiday equal to 8 hours. Employees must use accrued leave or flex their schedules (with supervisory approval) for the remainder of the work cycle to cover the entire shift.

Overtime Pay

For non-exempt employees, only hours physically worked over 40 hours in any one workweek shall be compensated at the overtime rate, regardless of how many hours are worked on the holiday. For non-exempt employees working alternate work cycles, such as a 28 day work cycle, overtime hours will be calculated after the requisite workweek or work period has been completed.

**COMPENSATION**

Holiday Pay Eligibility

<b>On the last workday before and the first workday after a holiday....</b>	<b>Non-Exempt Employees<sup>1</sup></b>	<b>Exempt Employees</b>
<b>Employee Works</b>	Yes	Yes
<b>Employee is on Leave with Pay</b>	Yes	Yes
<b>Employee is on Leave Without Pay (for any portion of scheduled work hours)</b>	No	Yes, unless on <u>extended</u> leave without pay and unavailable for work

Notes:

<sup>1</sup> Non-exempt employees must work and/or be in paid leave status on the last workday before, and the first workday after an observed holiday to receive holiday pay.

Holiday Pay Calculation

<b>On the observed holiday, the....</b>	<b>Hours Worked Pay<sup>1</sup></b>	<b>Holiday Pay<sup>2</sup></b>
<b>Employee is normally scheduled to work and is not required to work due to the holiday</b>	No	Yes
<b>Employee is normally scheduled to work and does work</b>	Yes	Yes
<b>Employee is normally scheduled to not work and does work</b>	Yes	Yes
<b>Employee is normally not scheduled to work and does not work</b>	No	Yes <sup>3</sup>

Notes:

<sup>1</sup> Hours Worked Pay should equal the number of hours actually worked. It may be provided in pay or in compensatory leave.

<sup>2</sup> Holiday Pay should equal 8 hours for full-time employees and should be prorated for Q-status and part-time employees proportionate to the normal hours worked.

<sup>3</sup> Employees may receive pay or compensatory leave for the number of holiday hours proportionate to their work schedules, not to exceed 8 hours.

Holiday Timing

<b>When the holidays falls on....</b>	
<b>The first day of the pay period</b>	New employees are eligible to receive holiday pay if they are scheduled to begin employment on the first workday following the holiday.
<b>The last day of the pay period</b>	Employees with scheduled separations on the last day of the pay period will be eligible to receive holiday pay if they worked or were on paid leave the day prior to the holiday.
<b>The last day of the month</b>	Employees scheduled to retire on the first day of the following month will receive holiday pay if they worked or were on paid leave on the last workday prior to the holiday.

Leaves of Absence

<b>Leave of Absence Type</b>	<b>Eligible for Holiday Pay</b>	<b>Other Notes</b>
<b>Leave with Pay</b>	Yes	Not charged accrued leave for the holiday when a holiday occurs during leave with pay. Also applies to Bone Marrow Donation and Emergency/Disaster Leave.
<b>Short-Term Disability</b>	Yes	Based on the percentage of income replacement the employee is receiving. May use accrued leave to supplement disability benefit to receive 100% of pre-disability income.
<b>Long-Term Disability Working</b>	Yes	Based on the percentage of time the employee is scheduled to work. May use accrued leave to supplement disability benefit to receive 100% of pre-disability income.
<b>Long-Term Disability</b>	No	Ineligible to receive pay or leave for holidays.
<b>Workers' Compensation</b>	Yes	If the holiday occurs during the 92 calendar days for which Workers' Compensation salary supplements are payable.

## GLOSSARY AND RELEVANT TERMS

**Alternate Work Schedule** – Schedules that differ from the normal 5 day, 40-hour workweek schedule. They may include, but are not limited to, four 10-hour days, rotating shifts, flexible hours, and job sharing.

**Holiday** – Official workday designated by the Code of Virginia or Executive action to be observed as paid time off. For full-time employees a holiday equals 8 hours and a half-day holiday equals 4 hours. For Q-status and part-time employees a holiday equals a prorated amount of time proportionate to hours worked.

**Leave with Pay** – Approved absence from work that is paid with accrued or earned leave.

**Leave without Pay** – For purposes of this policy, an absence from work that is unpaid.