



**DEPARTMENT OF HUMAN RESOURCE MANAGEMENT**

**POLICY 4.25 HOLIDAYS**

**APPLICATION:** Full-time, Quasi Full-time, and Part-time classified employees.

**PURPOSE:**

It is the policy of the Commonwealth to permit agencies to provide eligible employees with paid time off for specific holidays as mandated in the Code of Virginia or authorized by the Governor.

**POLICY SUMMARY:**

This policy provides guidelines to agencies for administering required paid holidays.

**AUTHORITY & INTERPRETATION:**

Title 2.2 of the Code of Virginia

The Director of the Department of Human Resource Management is responsible for official interpretation of this policy, in accordance with §2.2-1201 of the Code of Virginia. The Department of Human Resource Management reserves the right to revise or eliminate this policy.

**RELATED POLICIES:**

- 1.25, Hours of Work
- 3.10, Compensatory Leave
- 4.57, Virginia Sickness and Disability Program
- 4.60, Workers' Compensation

**POLICY HISTORY:**

EFFECTIVE DATE	DESCRIPTION
09-16-93	Policy published in Policies & Procedures Manual.
06-30-06	Policy revised.
06-10-07	Policy revised.
05-02-12	Policy revised.
07-01-20	Removal of Lee-Jackson Day holiday and addition of Election Day holiday in accordance with change in Code of Virginia. Policy was reformatted.



DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

POLICY 4.25 HOLIDAYS

ADMINISTRATIVE PROCEDURES

PROCEDURES

Agency and Employee Responsibilities

General Provisions	Application
Agency Responsibilities	Agencies should: <ul style="list-style-type: none"> <li>communicate the holiday schedule or alternate holiday schedule to employees in a timely manner;</li> <li>communicate agency policy for compensating employees who work on holidays or who are on their rest day when the holiday occurs; and</li> <li>determine whether employees will receive pay or compensatory leave for working on a holiday.</li> </ul>
Non-Exempt Employee Responsibilities	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 and the first scheduled workday after the holiday. This includes any partial day holidays.

Chart of Official Commonwealth Holidays

Holiday	Date
New Year's Day	January 1
Martin Luther King, Jr. Day	3 <sup>rd</sup> Monday in January
George Washington Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Columbus Day and Yorktown Victory Day	2 <sup>nd</sup> Monday in October
Election Day	Tuesday after 1 <sup>st</sup> Monday in November
Veteran's Day	November 11
Thanksgiving	4 <sup>th</sup> Thursday in November
Day After Thanksgiving	4 <sup>th</sup> Friday in November
Christmas Day	December 25

### **General Provisions**

General Provisions	Application
Holidays Observed	<ul style="list-style-type: none"> <li>• The Commonwealth observes twelve designated paid holidays as defined in the Code of Virginia, <a href="#">§ 2.2-3300</a>.</li> <li>• Other full or partial workdays may be designated as holidays by the Governor or by the President of the United States.</li> </ul>
Holiday Pay	<p>Official State Holidays defined in the Code of Virginia equate to 8-hour workdays. Employees having alternate work schedules, e.g., 10-hour days or 12-hour days, are awarded 8 hours of holiday pay. If they wish to take an entire day off, they must charge personal leave for the remaining hours they are scheduled to work.</p> <p>Additional time off may be awarded by the Governor or U.S. President. The number of holiday hours awarded will be noted in the announcement.</p>
Quasi-Full-Time and Part-Time Classified Employees	<p>Holiday hours are pro-rated for employees working less than full-time proportionate to hours normally scheduled. An employee scheduled to work 20 hours per week, will be eligible for 50% of holiday pay (typically, 4 hours). See Alternate Work Schedule information on page 6.</p>
Alternate Holiday Schedule	<p>Agencies required to remain open during holidays may establish alternate schedules that must provide the same number of holidays as required above.</p>
Religious Holidays	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Employees may use accrued or earned annual, family/personal, compensatory, overtime, or recognition leave.</li> <li>• Employees should make these requests in advance to allow agencies to be able to accommodate these requests.</li> </ul>
Transferring between agencies with different holiday schedules	<ul style="list-style-type: none"> <li>• Employees who transfer between agencies that observe different holiday schedules will observe the holidays of the agency they are transferring to.</li> <li>• No adjustments will be made for holidays lost or gained.</li> </ul>
Overtime Pay	<ul style="list-style-type: none"> <li>• For non-exempt employees, only hours physically worked over 40 hours in any one workweek shall be compensated at the overtime rate of time and one-half, regardless of how many hours are worked on the holiday.</li> <li>• 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.</li> </ul>

### ***Holiday Pay Eligibility***

General Provisions	Application
Non-Exempt Employees	<p>To be eligible to receive holiday pay and/or compensatory leave non-exempt employees must:</p> <ul style="list-style-type: none"> <li>• be present at work or on paid leave on their last scheduled work day before the holiday; AND</li> <li>• be present at work or on paid leave on their first scheduled work day after the holiday.</li> </ul> <p>Employees who do not have leave to cover this period of time will not be eligible to receive pay for the holiday(s).</p>
Exempt Employees	FLSA exempt employees are eligible for holiday pay unless they are on extended leave without pay and unavailable for work on the entire last scheduled workday before the holiday and first scheduled workday after the holiday.

### ***Holiday Timing***

General Provisions	Application
When a Holiday Falls on the First Day of the Pay Period	New employees are eligible to receive holiday pay if they are scheduled to begin employment on the first workday following the holiday.
Return from LWOP	Employees scheduled to return from leave without pay on the first workday following the holiday, will be eligible to receive holiday pay.
When a Holiday Falls on the Last Day of the Pay Period	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.
When a Holiday Falls on the Last Day of the Month	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.
When a Holiday Falls on a Weekend	<ul style="list-style-type: none"> <li>• When a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday.</li> <li>• When a holiday falls on a Sunday, the holiday shall be observed on the following Monday.</li> <li>• Holidays are defined as eight hour workdays.</li> </ul>

### **Holiday Pay Eligibility Chart**

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

### **Leave of Absence**

General Provisions	Application
Leave With Pay	<ul style="list-style-type: none"> <li>• Employees will not be charged accrued leave when a holiday occurs during leave with pay. Instead, the time will be recorded as a holiday, and no alternate holiday will be given.</li> <li>• In addition to accrued leave, this includes absences for Bone Marrow Donation and Emergency/Disaster Leave.</li> </ul>
Short-Term Disability (STD)	<ul style="list-style-type: none"> <li>• Employees receiving STD benefits receive holiday pay based on the percentage of income replacement they are receiving (100%, 80%, or 60%).</li> <li>• If employees are receiving less than 100% income replacement, they can supplement with accrued leave to receive 100% of their pre-disability income for the holiday.</li> <li>• Holiday hours count towards the 7 calendar day waiting period for employees participating in the VSDP.</li> </ul>
Long-Term Disability - Working	<ul style="list-style-type: none"> <li>• Employees on long-term disability-working receive holiday pay based on the percentage of time they are scheduled to work.</li> <li>• Employee's on long-term disability-working, receiving an LTD benefit, may use accrued leave to supplement their disability benefit to receive 100% pre-disability income replacement for the holiday.</li> </ul>

General Provisions	Application
Long-Term Disability	Employees on long-term disability are not eligible to receive pay or leave for the holidays.
Workers' Compensation Leave	<ul style="list-style-type: none"> <li>• Employees on Workers' Compensation leave (not VSDP) receive salary supplements provided by the Commonwealth (see <a href="#">Policy 4.60, Workers' Compensation</a>).</li> <li>• When a holiday occurs during the 92 calendar days supplement period, it will be counted as part of the 92 calendar days for which the supplements are payable and the employees will not receive an alternate day off for the holiday.</li> </ul>

### **Alternate Work Schedule Holiday Pay Calculation**

General Provisions	Application					
Alternate Work Schedule	<ul style="list-style-type: none"> <li>• Full-time employees who work alternate work schedules (usually 9-, 10-, or 12-hour shifts) will receive compensation for the holiday equal to an eight-hour day.</li> <li>• Full-time employees who work alternate work schedules may be scheduled to work more than eight hours on a holiday. Such employees are granted eight hours of pay for the holiday.</li> <li>• Employees must use accrued leave or flex their schedule (with supervisor's approval) for the remainder of the work cycle to cover their entire shift.</li> </ul>					
<b>Formula for Calculating Leave Charged or Earned:</b> (8 Holiday Pay Hours + Hours Worked on Holiday) – Hours Scheduled to Work = Hours of Leave Charged (if negative) or Hours of Pay or Compensatory Leave Earned (if positive)						
<b>Situation</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
Holiday Pay Hours	8	8	8	8	8	8
Plus (+) Hours Worked on Holiday	0	2	4	8	12	6
<b>Total</b>	<b>8</b>	<b>10</b>	<b>12</b>	<b>16</b>	<b>20</b>	<b>14</b>
Minus (-) Hours Scheduled to Work	12	12	12	12	12	10
Equals (=) Hours of Leave Charged (if negative) Or Pay or Compensatory Leave Earned (if positive)	-4	-2	0	4	8	4

**A, B:** If the employee is scheduled for 12 hours and works less than 4 hours, the employee is charged with leave.

**C:** If the employee works 4 hours, no leave is charged and no additional pay or compensatory leave is earned.

**D, E:** If the same employee works more than 4 hours, pay or compensatory leave is earned for those hours over 4.

**F:** If the employee is scheduled for 10 hours and works more than 2 hours, pay or compensatory leave is earned for those hours over 2.

## GLOSSARY

Alternate Work Schedule	Schedules that differ from the normal 5 day, 40-hour workweek schedule, which may include, but are not limited to, four 10-hour days, rotating shifts, flexible hours, and job sharing.
Holiday	<ul style="list-style-type: none"><li>• Official workday designated by the Code of Virginia or Executive action to be observed as paid time off.</li><li>• For full-time employees a holiday equals 8 hours and a half-day holiday equals 4 hours.</li><li>• For quasi full-time and part-time employees a holiday equals a prorated amount of time proportionate to hours worked.</li></ul>
Leave With Pay	Approved absence from work that is paid with accrued or earned leave.
Leave Without Pay	An absence from work that is unpaid.
Pay Periods	10th of the month through the 24th and the 25th of the month through the 9th of the following month.