

**DAS Statewide Policy**

**SUBJECT:** Holidays **NUMBER:** 60.010.01  
**DIVISION:** Human Resource Services Division **EFFECTIVE DATE:** 11/30/04

**APPROVED:** Signature on file with the Human Resource Services Division

**POLICY STATEMENT:** State employees shall observe legal compensable holidays.

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

**APPLICABILITY:** Classified unrepresented, management service, unclassified executive service, unclassified unrepresented, and unrepresented temporary employees

**ATTACHMENTS:** None

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

**POLICY:**

(1) State employees shall observe legal compensable holidays.

(a) Legal Holidays

(A) The following are legal compensable holidays:

- (i) New Year's Day on January 1;
- (ii) Martin Luther King Jr's Birthday on the third Monday in January;
- (iii) President's Day on the third Monday in February;
- (iv) Memorial Day on the last Monday in May;
- (v) Independence Day on July 4;
- (vi) Labor Day on the first Monday in September;
- (vii) Veterans Day on November 11;
- (viii) Thanksgiving Day on the fourth Thursday in November;
- (ix) Christmas Day on December 25;
- (x) Every day appointed by the Governor as a holiday;
- (xi) 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.

(B) The agency head may **designate an alternate day of observance** for any of the above listed holidays. **The alternate day is** to be observed by all employees of the agency. When an approved alternate day of observance is a normal state business day, **the agency shall maintain 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**. **Note: For agencies with represented employees, prior to designating an alternate day of observance covering represented employees, HRSD must negotiate a written agreement with the union.**

(b) Application of Holiday Pay:

(A) A full time employee shall be granted 8 hours time off with pay for each legal holiday. A full-time employee on leave without pay shall be granted time off with pay on a pro-rata basis for each legal holiday.

(B) A part-time employee shall be granted time off with pay on a pro-rata basis for each legal holiday.

(C) **For a full time** employee **who** is on an irregular or flexible work schedule, the appointing authority shall make appropriate schedule adjustments **for the 8 hours of paid leave**.

(D) Unrepresented temporary employees **are not eligible for holiday leave**. **Unrepresented temporary employees** working on a holiday shall receive straight time pay. **However, an** unrepresented temporary employee may receive a differential of time and one-half if the agency has demonstrated and documented cost savings and business reasons for the exception. The exception for an unrepresented temporary employee to receive holiday differential will be for a specific employee, for a specific holiday and reason.

(c) A holiday which occurs during vacation or sick leave shall not be charged against such leave.

**(d) Recognition of Holidays Falling on Days Off**

(A) Whenever a holiday falls on Sunday, the following Monday shall be recognized as a holiday, and whenever a holiday falls on Saturday, the preceding Friday shall be recognized as a holiday. However, a day appointed by the Governor as a holiday or a day appointed by the President of the United States as a day of mourning, rejoicing or other special observance, which day the Governor also appoints as a holiday, shall be observed on the day appointed.

(B) When a designated holiday falls on an employee's regularly scheduled day off, other than Saturday or Sunday, the holiday shall be subsequently rescheduled to another day within the same pay period. However, if necessary it may be scheduled no later than during the following pay period.

(C) At the option of the appointing authority, an employee who normally works a rotating shift shall observe a holiday on the actual day specified in section (a) above even though the holiday may fall on Saturday or Sunday.

(e) An employee required **by his/her supervisor** to work on a holiday shall be compensated at time and one-half in addition to pay for the holiday. The appointing authority shall choose to pay for this work in cash or compensatory time. Cash payment need not be made at the end of the pay period in which the holiday was worked. Compensatory time may be saved.

(f) When a holiday occurs between the separation date in one agency and the subsequent hire date in another agency, the gaining agency shall be liable for compensation for the holiday. The hire date in the gaining agency shall be the day following the date of separation from the losing agency.

(g) When a holiday occurs on what would normally be the first or last workday of the pay period, an employee who is hired on the first workday or who separates on the last workday shall receive pay for the holiday.