

SUBJECT: Holiday Leave with Pay	NUMBER: 60.010.01
DIVISION: Human Resource Services Division	EFFECTIVE DATE: DRAFT 1/25/10
APPROVED:	

POLICY STATEMENT: Oregon state government provides 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, 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) 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) [President's 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) [Christmas Day on December 25](#)
 - (j) [Every day appointed by the Governor as a holiday](#)
 - (k) [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](#)
 - (l) [At the discretion of the Governor, a day of paid leave in conjunction with Thanksgiving, Christmas or New Year's Day.](#)

(2) [Holiday Observance](#)

- (a) Whenever a holiday falls on Sunday, the following Monday is recognized as a holiday, and whenever a holiday falls on Saturday, the preceding Friday is recognized 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 is granted 8 hours of time off with pay for each legal holiday. A full-time employee on leave without pay is granted time off with pay on a pro-rata basis for each legal holiday.
- (b) A part-time employee is granted time off with pay on a pro-rata basis for each legal holiday.
- (c) Unrepresented temporary employees are 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 that 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 8 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 in the same pay period. If necessary, schedule it no later than 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 (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.
 - (i) When an approved alternate day of observance is 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.
 - (ii) For agencies with represented employees, prior to designating an alternate day of observance covering represented employees, the agency must obtain a negotiated written agreement with the labor organization through the DAS Labor Relations Unit.

(5) Working on a Holiday

- (a) An employee may only work on a holiday when required his or her supervisor. The employee is compensated at time and one-half in addition to paid holiday leave. Employees working on a holiday without supervisory approval may be subject to disciplinary action.
- (b) Unrepresented temporary employees required by management to work on a holiday receive straight time pay.
- (c) An appointing authority may choose to pay for work on a holiday in cash or compensatory time. Employees may save compensatory time in accordance with State HR Policy 20.005.20 Fair Labor

Standards Act.

(6) Transfer, Hire or Separation and Holidays

- (a) When an employee moves between agencies without a separation of service 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. The hire date in the gaining agency is be the day following the date of separation from the losing agency.
- (b) If an employee is hired or terminated on a holiday, the employee is paid for the holiday.

(7) Governor's Leave – refer to HR State Policy 60.000.10 Special Leaves with Pay.

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