



# Holiday Compensation - *Legal and Floating Holidays*

*Last Updated on August 13, 2024*





# Recognized Legal Holidays

- The City recognizes the following twelve legal holidays:
  - January 1<sup>st</sup> (New Year's Day)
  - the third Monday in January (Martin Luther King, Jr.'s Birthday)
  - the third Monday in February (Presidents' Day)
  - the last Monday in May (Memorial Day)
  - June 19<sup>th</sup> (Juneteenth)
  - July 4<sup>th</sup> (Independence Day)
  - the first Monday in September (Labor Day)
  - the second Monday in October (Indigenous Peoples' Day)
  - November 11<sup>th</sup> (Veterans' Day)
  - the fourth Thursday in November (Thanksgiving Day)
  - the fourth Friday in November (the day after Thanksgiving)
  - December 25<sup>th</sup> (Christmas Day)



# Legal Holiday Pay

- When a legal holiday occurs on a day when an employee is scheduled to work, that employee will receive time off work with pay; eight (8) hours of legal holiday pay (LHP) for the day for a total of ninety-six (96) LHP hours per year.
- When a legal holiday occurs on a day when an employee is not scheduled to work, that employee earns eight (8) hours of in-lieu legal holiday (HBE) to be taken off at a later time.



# LHP for Alternative Work Schedules

Employees working alternative work schedules receive the same amount of LHP as employees working regular work schedules despite the variances in the length of their shifts. To do otherwise would create a windfall for these employees as all work annually 2,080 hours.

- 5/8 – 5 shifts x 8 hours x 52 weeks = 2,080 hours
- 4/10 – 4 shifts x 10 hours x 52 weeks = 2,080 hours
- 9/80 – ((8 shifts x 9 hours) + (1 shift x 8 hours)) x 26 pay periods = 2,080 hours

*If an employee working a 4/10 were to receive a 10 hour LHP benefit, that employee would end up receiving 120 hours of LHP versus an employee working a regular schedule only receiving 96 hours LHP even though both work 2,080 hours annually.*



# Working on the Legal Holiday

- Employees who are regularly scheduled to work on a legal holiday and work on the legal holiday.
  - Salaried Employees ('Z' Symbol) – Shall be paid legal holiday pay ('LHP') for the legal holiday and earn compensatory time off ('CTE') at the rate of time-and-one-half (1.5x) for work on the legal holiday.
  - Hourly Employees (non-'Z' Symbol) – Shall be paid holiday premium pay ('HPP') at the 1.5x rate for all regularly scheduled hours worked in addition to being paid for the legal holiday with LHP.



# Working on the Legal Holiday

- Employees who are not regularly scheduled to work on a legal holiday, but work on the legal holiday.
  - Salaried Employees ('Z' Symbol) – Shall earn compensatory time off ('CTE') with rate determined by criteria of applicable MOU.
  - Hourly Employees (non-'Z' Symbol) – Shall be paid overtime ('OST' or 'OTP') with rate determined by criteria of applicable MOU.



# Holidays that Fall on an Employee's Regular Day Off

- Employees assigned to seven (7) day-operation departments or employees working a five (5) day work week other than Monday through Friday shall be allowed another day off if a holiday falls on one of their regularly scheduled days off.



# Legal Holidays for Part-time Employees

- For most MOUs, part-time employees shall receive holiday time off based upon the ratio of 1/10 of the employee's regular work schedule.
- However, under several MOUs, part-time employees shall receive holiday time off based upon the ratio of 1/10 of the total regularly scheduled hours worked in the bi-weekly pay period immediately preceding the pay period in which the holiday falls. See table on slide 13 for applicable unions.
- The computation of holiday time off shall be rounded to the nearest hour.



# Legal Holidays and Paid Status

- For most MOUs, employees must only be on paid status either the day before or after the legal holiday in order to be paid for the legal holiday.
- However, under several MOUs, employees must be on paid status both the day before and after the legal holiday in order to be paid for the legal holiday. See table on slide 13 for legal holiday paid status requirements.



# Holidays that Fall on Saturday

- For legal holidays that fall on Saturday, the legal holiday is observed on Friday, but Saturday remains the legal holiday.
- Pursuant to Administrative Code, Chapter 16, Article 1, Section 16.3, City Offices must remain open on Friday. Each Department Head must make provisions for the minimum staffing of any public offices.
- Employees who are assigned to work on Friday and are required to come into work will be paid regular, straight time wages, and will be granted an in-lieu holiday at a later time to be scheduled by mutual agreement with the Appointing Officer. See table on slide 13 for when in lieu holidays must be used under each MOU.
- Employees regularly scheduled to work on Saturday shall observe the holiday on that day. If required to work on Saturday, hourly employees receive holiday premium pay (HPP) at the rate of time and a half for work on that day in addition to legal holiday pay (LHP).



# Holidays that Fall on Sunday

- For legal holidays that fall on Sunday, the legal holiday is the Monday following that Sunday.
- Most City offices will be closed with the exception of seven-day/twenty-four-hour operation departments.
- Employees regularly scheduled to work Monday through Friday shall be off and receive legal holiday pay (LHP), the equivalent of their normal workday hours, not to exceed 8 hours. If required to work, hourly employees receive holiday premium pay (HPP) at the rate of time and a half for work on that day in addition to legal holiday pay (LHP).
- Employees regularly scheduled to work on Sunday observe the holiday on the day it occurs. If required to work, hourly employees receive holiday premium pay (HPP) at the rate of time and a half for work on that day in addition to legal holiday pay (LHP). However, no employee may receive holiday pay for both Sunday and Monday.



# Floating Holidays

- **Floating Holidays:** Additional days off are available for employees to schedule with their appointing officer as outlined in their respective MOUs.
- Like legal holidays, for full time employees one (1) floating holiday is equivalent to eight (8) hours of pay.
- See slide 13 for a breakdown of when employees gain access to these floating holidays, and whether floating holidays carry over from one year to the next.



# Legal and Floating Holiday Pay

MOU	Legal Holidays			Floating Holidays	
	In-Lieu	Part-time	Paid Status	Access	Carry Over
Auto. Mach., L1414	Current	N/A	N/A	6 Months	May
Build. Inspec.	Current or Next	N/A	N/A	Upon Appt.	Shall
Carpenters, L22	Current or Next	N/A	N/A	Upon Appt.	May
Craft Coalition	Current or Next	N/A	N/A	Upon Appt.	Shall
Electricians, L6	Current or Next	Work Schedule	N/A	Upon Appt.	Shall
Laborers, L261	Current or Next	Hours Worked	N/A	6 Months	May
Oper. Eng., L3	Current or Next	Work Schedule	Before or After	Upon Appt.	Shall
Painters	Current or Next	N/A	N/A	Upon Appt.	Shall
Plumbers, L38	Current or Next	Work Schedule	N/A	Upon Appt.	Shall
Stat. Eng., L39	Current or Next	Hours Worked	N/A	Upon Appt.	Shall
TWU, L200	Paid	Work Schedule	Before & After	Upon Appt.	Shall
TWU, L250-A, Auto.	Current or Next	N/A	N/A	Upon Appt.	Shall
IFPTE, L21	Current or Next	Work Schedule	Before or After	Upon Appt.	Shall
Team. L856, Misc.	Current or Next	Work Schedule	Before or After	Upon Appt.	Shall
TWU, L250-A, Multi.	Current or Next	Work Schedule	N/A	Upon Appt.	Shall
MAA	Current or Next	Work Schedule	N/A	Upon Appt.	Shall
MEA Misc.	Current or Next	Work Schedule	Before or After	Upon Appt.	Shall
SEIU Misc.	Current or Next	Work Schedule	Before & After	Upon Appt.	May
SEIU Nurses	Current	Work Schedule	Before & After	6 Months	May
Sup. Nurses	Current or Next	Work Schedule	Before & After	Upon Appt.	Shall
UAPD	Current or Next	Work Schedule	Before & After	Upon Appt.	Shall
DA Invest. Assoc. (DAIA)	Current or Next	Work Schedule	Before or After	Upon Appt.	Shall
Dep. Prob. Off. (DPOA)	Current or Next	Work Schedule	N/A	Upon Appt.	Shall
Deputy Sheriffs (DSA)	Current or Next	Work Schedule	Before & After	Upon Appt.	Shall
Sheriffs' Mgr. (MSA)	Current or Next	Work Schedule	Before or After	Upon Appt.	Shall
Sup. Prob. Officers	Current or Next	Work Schedule	N/A	Upon Appt.	Shall

### Legal Holidays

<u>Current</u>	– must be used in the current fiscal year in which earned
<u>Current or Next</u>	– must be used in current or next fiscal year in which earned
<u>Paid</u>	– receive pay in lieu of an in-lieu legal holiday
<u>Hours Worked</u>	– Pro-rated based on hours worked in previous pay period
<u>Work Schedule</u>	– Pro-rated based on regular work schedule
<u>N/A</u>	– does not have provision in their MOU
<u>Before or After</u>	– Ineligible for LHP if unpaid status day before <u>or</u> after the legal holiday
<u>Before &amp; After</u>	– Ineligible for LHP if unpaid status the day before <u>and</u> after the legal holiday
<u>N/A</u>	– do not have provision in their MOU

### Floating Holidays

<u>Access</u>	When can employees use the floating holidays? <u>Upon Appt.</u> - Access upon appointment <u>6 months</u> - must wait initial 6 months until access
<u>Carry Over</u>	Will unused floating holidays accrued in one year carry over to the next year? <u>May</u> – May be carried over to next fiscal year; typically upon request <u>Shall</u> – Automatically carries over to next fiscal year



# Examples for Employees Working 4/10s

Scenario	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Hours
One	6 OTP		10 WKP	10 WKP	10 WKP	10 WKP		40 WKP 6 OTP
Two	2 OST 4 OTP		8 WKP 2 SLP	10 WKP	10 WKP	10 WKP		38 WKP 2 SLP 2 OST 4 OTP
Three	2 OST 4 OTP		8 WKP 2 SLP	10 WKP 5 OTP	10 WKP	10 WKP		38 WKP 2 SLP 2 OST 9 OTP
Four	2 OST 4 OTP		8 LHP 2 VAP	10 WKP	10 WKP	10 WKP		30 WKP 8 LHP 2 VAP 2 OST 4 OTP
Five	2 OST 4 OTP		8 LHP 2 VAP 10 HPP	10 WKP	10 WKP	10 WKP		30 WKP 8 LHP 2 VAP 2 OST 4 OTP 10 HPP

Scenarios	Pay Codes
<p><b>One</b> – Employee works regular work week plus works 6 additional hours on Saturday</p> <p><b>Two</b> – Same as above, but employee is out sick for 2 hours on Monday</p> <p><b>Three</b> – Same as above, but employee works 5 additional hours on Tuesday</p> <p><b>Four</b> – Same as Scenario One, but Monday is a legal holiday and the employee does not come into work and supplements with 2 hours of vacation</p> <p><b>Five</b> – Same as above, but the employee works on the legal holiday</p>	<p>WKP – Regular Hours Worked (<i>counted</i> towards overtime) (pensionable)</p> <p>LHP – Legal Holiday Pay (<i>counted</i> towards overtime) (pensionable)</p> <p>VAP – Vacation Leave (<i>not</i> counted towards overtime) (pensionable)</p> <p>SLP – Paid Sick Leave (<i>not</i> counted towards overtime) (pensionable)</p> <p>OST – 1x Overtime (<i>non</i>-pensionable)</p> <p>OTP – 1.5x Overtime (<i>non</i>-pensionable)</p> <p>HPP – 1.5x Holiday Premium Pay (<i>non</i>-pensionable)</p>