



Ohio Administrative Code

Rule 3339-20-08 Holidays, standard work week, overtime pay, and compensatory time.

Effective: June 19, 2023

(A) Definitions.

For the purposes of this rule only, full-time employee is defined as one whose regularly scheduled hours of duty total forty in a work week. Part-time employee is defined as one whose regular scheduled hours of duty is less than forty in a work week.

(B) Holidays.

University holidays shall be as follows: New Year's day, Martin Luther King Jr. day, President's day, Memorial day, Juneteenth, Independence day, Labor day, Columbus day, Veterans day, Thanksgiving day, Christmas day and any day appointed and recommended by the governor of Ohio or the president of the United States. Employees shall be paid for these holidays as specified in the rules herein.

The university may elect to observe the following holidays on days other than observed by the rest of the state: President's day, Columbus day, and Veterans day. If any of the holidays declared in this rule falls on Saturday or Sunday, the university shall designate either the preceding Friday or the following Monday as the day that the holiday is observed.

When an employee works on the day observed as a holiday, the employee shall be entitled to pay for such time worked at one and one-half times the employee's regular rate of pay in addition to the employee's holiday pay, or to be granted compensatory time off at time and one-half thereafter, at the employee's option. Payment at such rate shall be excluded in the calculation of hours in active pay status for the purposes of calculating overtime.

Except as noted in the rule herein, a full-time employee is entitled to eight hours of pay for each holiday regardless of the employee's work shift and work schedule. Part-time employees shall receive holiday pay for the hours they normally would have been scheduled to work.



An employee who is scheduled to work on a holiday and who does not report to work the day before, the day of, or the day after the holiday due to an unexcused absence, shall not receive holiday pay as provided in the rule herein.

An employee also shall not be paid for a holiday unless the employee was in active pay status on the scheduled work day immediately preceding the holiday, except that an employee need not be in active pay status on that work day in order to be paid for the holiday if the employee is on furlough. An appointment into the classified service may not be made effective on a holiday unless the employee is scheduled to work on that day.

An employee may be required to work on a holiday if there is a business necessity. Since many important religious observances occur on days not designated as legal holidays, the university will reasonably accommodate requests for leaves of absence or vacation expressly for the purpose of engaging in religious observances.

An employee who reasonably believes that s/he was wrongfully denied a request for time off for religious observances must contact the department of human resources for resolution at least seven calendar days before the religious observance.

(C) Standard work week and overtime.

The standard work week will begin on Saturday and end on Friday. When any classified employee who is in active pay status more than forty hours in any work week, the employee shall be compensated for such time over forty hours, except as otherwise provided in this section, at one and one-half times the employee's regular rate of pay. Overtime will be calculated in compliance with the Fair Labor Standards Act. Such compensation for overtime work is normally paid at the conclusion of the pay period.

All overtime work must be pre-authorized. Employees who work over time without prior authorization from their supervisor may be subject to disciplinary action up to and including dismissal. Employees may be exempted from the payment of compensation as required by this section only under the criteria for exemption from the payment of overtime compensation established



in the Federal Fair Labor Standards Act.

(D) Compensatory time.

If the employee elects to take compensatory time off in lieu of overtime pay for any overtime worked, such compensatory time shall be granted on a time and one-half basis. Employees may use compensatory time off at a time mutually convenient to the employee and the university.

Compensatory time is not available for use until the week following being earned.

An employee may accrue compensatory time to a maximum of two hundred forty hours, except that public safety employees and other employees who meet the criteria established in the Federal Fair Labor Standards Act may accrue a maximum of four hundred eighty hours of compensatory time. An employee shall be paid at the employee's regular rate of pay for any hours of compensatory time accrued in excess of these maximum amounts or if a change in the employee's status exempts the employee from the payment of overtime compensation. Upon the termination of employment, any employee with accrued but unused compensatory time shall be paid for that time at a rate that is the greater of the employee's final regular rate of pay or the employee's average regular rate of pay during the employee's last three years of employment with the state.