

3364-25-05 Holidays/holiday pay.**(A) Policy statement**

The university of Toledo grants time off, if possible, with pay to eligible employees for all holidays recognized in accordance with state law. Eligible employees include full-time and regular part-time staff. Temporary and student employees are ineligible for holiday pay.

(B) Procedure

The following holidays will be observed by the university of Toledo in accordance with state law:

<u>Date</u>	<u>Holiday</u>
<u>January 1</u>	<u>New Year's day</u>
<u>Third Monday in January**</u>	<u>Martin Luther King day**</u>
<u>Third Monday in February**</u>	<u>President's day**</u>
<u>Last Monday in May</u>	<u>Memorial day</u>
<u>July 4</u>	<u>Independence day</u>
<u>First Monday in September</u>	<u>Labor day</u>
<u>Second Monday in October**</u>	<u>Columbus day**</u>
<u>November 11</u>	<u>Veteran's day</u>
<u>Fourth Thursday in November</u>	<u>Thanksgiving day</u>
<u>December 25</u>	<u>Christmas day</u>

**The university of Toledo board of trustees may "float" two days, as paid recognized holidays in place of the days marked by asterisks.

- (1) The president is the university administrative officer responsible for the implementation of this policy.
- (2) The university shall provide identification of specific holidays to be observed in compliance with state law.
- (3) As part of the ten state holidays designated by state law and the board of trustees, the university shall observe state holidays on the Friday after Thanksgiving and on either the day before or after the state holiday on the twenty-fifth day of December. The designation

of these two holidays by the president of the university shall be made each year prior to September 1.

- (4) Intermittent, emergency, and seasonal part time non student employees are entitled to holiday pay for that portion of the day they normally would have been scheduled to work on a day designated by the university as a holiday. To be eligible for holiday pay, the employee must have worked (or been in active pay status) the last scheduled day preceding the holiday. Holiday pay for intermittent employees will be based on the nature of the current assignment. Holiday pay will only be granted when the assignment exceeds thirty calendar days. When an intermittent employee is called in for a specific assignment of less than thirty days, holiday pay will not be granted.
- (5) An employee, whose salary or wage is paid in whole or in part by the state, shall be paid for the holidays as provided herein and shall not be required to work on those holidays, unless, in the opinion of the employee's responsible administrative authority, failure to work on those holidays would impair the public service. 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 illness of the employee or of a member of the employee's immediate family shall not receive holiday pay as provided by this division, unless the employee can provide documentation of extenuating circumstances that prohibited the employee from so reporting to work. 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.
- (6) If any of the holidays as provided herein falls on Saturday, the Friday immediately preceding shall be observed as the holiday. If any of the holidays as provided herein falls on Sunday, the Monday immediately succeeding shall be observed as the holiday. Employees whose work schedules are based on the requirements of a "seven days a week" work operation shall observe holidays on the actual days specified as provided herein.
- (7) If an employee's work schedule is other than Monday through Friday, the employee shall be entitled to eight hours of holiday pay

for holidays observed on the employee's day off regardless of the day of the week on which they are observed.

- (8) A full-time permanent employee is entitled to a minimum of eight hours of pay for each holiday regardless of the employee's work shift and work schedule. A flexible hours employee, who is normally scheduled to work in excess of eight hours on a day on which a holiday falls, either shall be required to work an alternate schedule for that week or shall receive additional holiday pay for the hours the employee is normally scheduled to work. Such an alternate schedule may require a flexible hours employee to work five shifts consisting of eight hours each during the week including the holiday, and, in that case, the employee shall receive eight hours of holiday pay for the day the holiday is observed.
- (9) Part time regular employees shall receive holiday pay on a pro-rated basis, based upon the daily average of actual hours worked, excluding overtime hours worked, in the previous calendar quarter. The figure shall be calculated for the preceding calendar quarter on the first day of January, April, July, and October of each year.
- (10) When an employee who is eligible for overtime pay under this policy is required by the employee's responsible administrative authority to work 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 regular 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.
- (11) Since many religious observances occur on days not designated as legal holidays, deans, directors and supervisors are expected to observe liberal policies concerning the granting of leaves of absences without pay or vacation time expressly for the purpose of engaging in religious observances or attendance at special worship services.
- (12) Unclassified employees and others who hold faculty rank and do not teach full time must observe the regular university ten day holiday schedule. Other paid days off in the academic calendar (where classes are not held) are for the teaching faculty, and are not holidays for non-teaching professionals.

- (13) The president shall retain the sole prerogative to grant exceptions to the observed holidays.

Effective: 11/03/2016

CERTIFIED ELECTRONICALLY

Certification

10/19/2016

Date

Promulgated Under: 111.15
Statutory Authority: 3364
Rule Amplifies: 3364