

June 7, 2007

MEMORANDUM

TO: Vice Presidents, Deans, Directors, and Department Chairs

FROM: Dale O. Anderson, Director of University Human Resources

RE: Use of Holiday Leave

In recent weeks, University Human Resources has had several inquiries pertaining to the accrual and use of Holiday Leave when a staff employee is expressly required to work on a day that is observed as a holiday by the campus. The applicable Board of Regents Policy, “VII-7.30 *Policy on Holiday Leave*,” gives each Institution’s CEO or designee the authority to develop procedures as necessary to administer the Policy on the campus. As the designee for President Mote on this matter, I have been directed to implement the following rules for the various staff categories, effective June 10, 2007:

- 1) For staff in the **Nonexempt Bargaining Unit**, the applicable 2004-2007 *Memorandum of Understanding* stipulates that if the nonexempt employee is required to work on a mandated holiday, he/she has the option of either receiving compensation at the employee’s regular rate of pay for time worked that day (including overtime if applicable), or the employee may request the scheduling of a substitute holiday, subject to management approval. The substitute holiday shall be taken within ninety (90) days of the holiday worked. Any Holiday Leave earned but not taken within 90 days of the holiday worked is lost.
- 2) For staff in the **Exempt Bargaining Unit**, the applicable 2004-2007 *Memorandum of Understanding* provides that if an exempt employee is required to work by their supervisor on an observed holiday, the employee shall be provided a substitute holiday within the next ninety (90) days. This substitute holiday shall be scheduled either at the discretion of the department, or by request of the employee, subject to management approval. Any Holiday Leave earned but not taken within 90 days of the holiday worked is lost.
- 3) For all other staff employees who are **Excluded** from the Exempt and Nonexempt bargaining units (except as noted below)¹, the campus is extending the same Holiday Leave provisions to these Excluded staff as is available to their bargaining unit

¹ Members of the **Sworn Police Officers** bargaining unit, and other staff in the Department of Public Safety are excluded from the provisions of this memorandum. Their rules on Holiday Leave are governed by the 2004-2007 *Memorandum of Understanding* and/or applicable Board of Regents policy.

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counterparts. Therefore, paragraphs 2 and 3 above apply, consistent with the employment category status (Nonexempt or Exempt). Any Holiday Leave earned but not taken within 90 days of the holiday worked is lost.

If any regular staff employee's normally scheduled day off occurs on a holiday, the employee shall receive a different day of Holiday Leave selected either by the employee (subject to management approval), or designated by the department. Any Holiday Leave earned but not taken within 90 days of the holiday is lost. Part-time employees (50%-time or greater FTE) receive pro-rated holiday leave based on their percentage of time.

Please note that the only permissible carry-over of Holiday Leave into a new year by a staff employee is that which was earned but not used within the prior 90 days. A "Leave Balances" WOW report is available to assist departments in managing leave balances, including Holiday Leave. The report is located under the "PHR Queries & Reports-Employee Folder" in WOW.

Finally, the PHR Service Center will be contacting units that have employees with Holiday Leave balances that exceed what is allowable. As part of this discussion, Service Center staff will review any excessive balance(s) with campus units to determine what is appropriate, review the Holiday Leave provisions from the applicable MOU or policy, and set into place a timetable for the employee to expend excessive Holiday Leave that has been validated as having been earned. Any validated excess Holiday Leave will not be taken from the holiday balance, but there will need to be a plan in place for its usage.

Should you have any questions pertaining to this matter, please contact the PHR Service Center at (301) 405-7575.

cc: PHR Creators and Approvers