

CHAPTER 15

HOLIDAYS

BARGAINING UNITS REFER TO CONTRACT

BOARD APPROVED HOLIDAYS FOR CLASSIFIED EMPLOYEES

New Year's Day (January 1)
Martin Luther King Day (Third Monday in January)
Lincoln Day (As designated by the District)
Washington Day (As designated by the District)
Memorial Day (Last Monday in May)
Independence Day (July 4)
Labor Day (First Monday in September)
Veterans' Day (As designated by the District)
Thanksgiving Day (Fourth Thursday in November)
Christmas Day (December 25)
Plus Five (5) Board Declared Holidays

15.1 HOLIDAYS

15.1.A HOLIDAY PAY: A regular employee shall receive full pay for those holidays listed in Section 88203 of the Education Code or for those days designated as holidays in lieu of the regular holidays in accordance with Section 88205 or Section 88205.5 of the Education Code and for days declared to be holidays by the Board of Education under the following conditions:

1. The employee must be in paid status during any portion of the last working day of his assignment preceding the regular holiday, or the designated in lieu holiday, or during any portion of the first working day of his assignment following the regular holiday, or the designated in lieu holiday. He will receive full pay for the regular holiday or the designated in lieu holiday, if the first day of his assignment is a regular holiday or a designated in lieu holiday, and he has been in paid status during any portion of the next following working day, or if the last day of his assignment is a regular holiday or a designated in lieu holiday, and he has been in paid status during any portion of the last working day preceding the holiday. A person shall not be entitled to holiday pay if his assignment terminates on a day immediately preceding a regular holiday or a designated in lieu holiday, or if he is initially employed on a day immediately succeeding a regular holiday or a designated in lieu holiday. However, if an employee meets the paid status requirement for a regular holiday, but would not meet the paid

status requirement for a designated in lieu holiday, he shall be entitled to the regular holiday.

2. A legal holiday that occurs during the winter recess shall be paid as a holiday if the employee was in paid status on the last day that school was in session or on the first day of the school session after the recess. Assigned time shall be the basis for all holiday pay, pro rated.

REFERENCE: Education Code Sections 88203, 88205, 88080 and 88081

15.1.B HOLIDAYS OCCURRING DURING VACATION: When a holiday occurs during an employee's vacation or a paid leave of absence, except military leave, the holiday shall be paid as a holiday and not charged against vacation or leave benefits.

REFERENCE: Education Code Sections 88203, 88205, 88080 and 88081

15.1.C MULTIPLE ASSIGNMENTS: A regular classified employee serving on multiple assignments shall receive pay for holidays in each assignment independently, according to his status in each particular assignment.

REFERENCE: Education Code Sections 88203, 88205, 88080 and 88081

15.1.D WEEKEND HOLIDAYS: When a holiday falls on the first day of an employee's weekend, the preceding work day shall be treated as the holiday. When a holiday falls on the second day of an employee's weekend, the following work day shall be treated as the holiday. The two days that employees are not regularly required to work when they are assigned on a typical workweek will be considered their "weekend".

REFERENCE: Education Code Sections 88203, 88205, 88080 and 88081

15.1.E OVERTIME PAY FOR WORKING HOLIDAYS: Regular employees who are required to work on holidays (excluding those on Saturday or Sunday) shall, in addition to the pay to which they are entitled under this Rule, be paid or provided compensating time off, as follows:

1. Three (3) time the regular rate of pay on regular holidays, except that if a holiday is designated in lieu of the regular holiday, work on the in lieu holiday shall be so compensated and work on the regular holiday shall be compensated at straight time.

2. Two (2) times the regular rate of pay for work on a regular holiday for which an "in lieu" holiday has been designated, only for those employees who would be entitled to the regular holiday, but would not be entitled to the "in lieu" holiday.

REFERENCE: Education Code Sections 88203, 88205, 88080 and 88081

- 15.1.F OVERTIME: Whenever a classified employee is required to work on a designated holiday, he/she shall be paid compensation, or given compensating time off, for such work at the rate of three (3) times the regular rate of pay.

REFERENCE: Education Code Sections 88203, 88205, 88080 and 88081

- 15.1.G BOARD DECLARED HOLIDAY: A holiday, if Board authorized, must be scheduled by the individual with the immediate supervisor's approval unless date(s) are designated by the Board of Trustees.

REFERENCE: Education Code Sections 88206, 88080 and 88081

- 15.1.H LOCAL HOLIDAY: The Board may declare a local holiday with or without pay.

REFERENCE: Government Code Section 6700 - 6717

- 15.2 HOLIDAYS FOR NONTRADITIONAL WORK WEEKS: A regular classified employee assigned to a work week other than Monday through Friday (i.e., Tuesday through Saturday, etc.) shall be provided a substitute holiday when the regular holiday falls on a day on which the employee is not normally assigned to work.

REFERENCE: Education Code Sections 88206, 88080 and 88081

- 15.3 LIMITED TERM OR SUBSTITUTE EMPLOYEE: As a general rule, a substitute or other temporary employee shall not be entitled to paid holidays or other holiday compensation.

- 15.3.A TEMPORARY ASSIGNMENT: A permanent or probationary employee serving in a temporary assignment (limited-term substitute or provisional) shall be entitled to paid holidays and other holiday compensation the same as any other regular classified employee (see Personnel Commission Rules and Regulations, Chapter 15.1.A.1).

1. When a holiday immediately follows the completion of a specific assignment by a permanent employee in a position other than the one to which he/she is regularly assigned the employee shall be paid for the holiday at the rate for his/her regular assignment.
2. When a holiday immediately precedes the first day of service by a regular employee in a new assignment either on a limited-term or permanent basis, the employee shall be compensated for the holiday at the rate of his/her assignment immediately preceding the holidays.

15.3.B LONG-TERM ASSIGNMENT: A person employed to fill a long-term temporary assignment (limited-term substitute or provisional) shall be entitled to paid holidays or holiday compensation under the following conditions:

1. A "long-term" assignment refers to work performed in a single position for more than twenty (20) consecutive working days.
2. The holiday(s) for which the person is to be compensated occur(s) during the working period following the twenty-first (21) day in the same position.
3. The person worked the last scheduled work day before the holiday and the first scheduled work day following the holiday.

REFERENCE: Education Code Sections 88203, 88080 and 88081