Holiday Policy

Brief

<table>
<thead>
<tr>
<th>Title</th>
<th>Holiday Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Publication date</td>
<td>2/21/2017</td>
</tr>
<tr>
<td>Effective date</td>
<td>12/3/2015</td>
</tr>
</tbody>
</table>

BRIEF

Policy Summary

This policy describes eligibility for holiday pay for Berkeley Lab employees. The Laboratory provides 12 paid holidays each calendar year, allowing eligible employees to observe national or state holidays. These are listed below. See the Berkeley Lab Holiday Calendar for current year's dates.

- New Year's Day (or the announced equivalent)
- Third Monday in January
- Third Monday in February
- Last Monday in May
- July 4
- Labor Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- December 24 or 26 (or the announced equivalent)
- Christmas Day
- December 31 or January 2
- One floating holiday that may be used, at the employee's discretion, on Cesar Chavez Day (the last Friday in March), Veterans Day (November 11), or during the annual winter holiday shutdown

Who Should Read This Policy

- This policy applies to employees who work either full-time or part-time schedules in the following employee classifications: Career, Term, Postdoctoral Fellow, Limited, Visiting Researcher, and Student Assistant.
- Employees who work variable time in the following employee classifications are not eligible for holiday pay: Limited and Student Assistant.
- Employees in the following employee classifications are not eligible for holiday pay: Rehired Retiree, Faculty, and Graduate Student Research Assistants (GSRAs).
- This policy applies to nonrepresented employees. Represented employees should consult their collective bargaining agreement.

To Read the Full Policy, Go To:

The POLICY tab on this wiki page

Contact Information

For more information, employees may contact their division's Human Resources (HR) Center.

Feedback on HR policies or procedures is welcomed. Send comments to hrpolicies@lbl.gov.
POLICY

A. Purpose

This policy describes eligibility for holiday pay for Berkeley Lab employees.

B. Persons Affected

• This policy applies to employees who work either full-time or part-time schedules in the following employee classifications: Career, Term, Postdoctoral Fellow, Limited, Visiting Researcher, and Student Assistant.
• Employees who work variable time in the following employee classifications are not eligible for holiday pay: Limited and Student Assistant.
• Employees in the following employee classifications are not eligible for holiday pay: Rehired Retiree, Faculty, and Graduate Student Research Assistants (GSRAs).
• This policy applies to nonrepresented employees. Represented employees should consult their collective bargaining agreement.

C. Exceptions

Requests that exceed what is allowed under current policy or that are not expressly addressed by current policy are considered exceptions to policy. Any request for an exception to policy requires, at minimum, approval by the Chief Human Resources and Diversity Officer (CHRO).

D. Policy Statement

1. Berkeley Lab Holidays
   a. The Laboratory observes the following holidays listed below and in the Berkeley Lab Holiday Calendar. These holidays are granted with pay to eligible employees. The days listed below, or announced equivalents, are usually observed as holidays:
      • New Year’s day (or the announced equivalent)
      • Third Monday in January
      • Third Monday in February
      • Last Monday in May
      • July 4
      • Labor Day
      • Thanksgiving Day
      • Friday following Thanksgiving Day
      • December 24 or 26 (or the announced equivalent)
      • Christmas Day
      • December 31 or January 2
      • One floating holiday that may be used, at the employee’s discretion, on Cesar Chavez Day (the last Friday in March), Veterans Day (November 11), or during the annual winter holiday shutdown
   b. When one of the days listed above occurs on a Sunday, the following Monday is observed as a holiday. When a holiday falls on a Saturday, the preceding Friday is observed as a holiday unless an alternate day is designated by the Laboratory Director (or the designee).
   c. Berkeley Lab will be open on both Cesar Chavez Day and Veterans Day, and will be closed during the winter holiday shutdown. Employees electing to use the floating holiday on either Cesar Chavez Day or Veterans Day will be required to use a third vacation day or leave without pay during the winter holiday shutdown.
   d. The floating holiday must be taken during the calendar year and cannot be accrued for future use.

2. Eligibility for Holiday Pay
   a. Full-time employees are eligible for holiday pay:
      i. If they are on pay status during the week in which the holiday occurs or
ii. If they are on pay status on their last scheduled workday before the holiday and on their first scheduled workday following the holiday or
iii. If the holiday:
   1. Immediately precedes their appointment date, and the holiday is the first workday of the month or
   2. Immediately follows their last day of work, and the holiday is the last workday of the month or
   3. Occurs during an approved leave of absence or a work deferment that does not exceed 20 calendar days (including holidays)
   b. **Part-time employees** will receive holiday pay for the number of hours per holiday in proportion to the percentage of their appointment (See Section D.3, *Holiday Pay Policy for Part-Time Employees*, below).
   c. **New or rehired parttime employees** are not eligible for holiday pay for a holiday that occurs before the first day of their appointment or after they are separated from employment with the University of California.
   d. **Variable-time employees** do not earn paid time off for holidays.

3. **Holiday Pay Policy for Part-Time Employees**: Part-time employees scheduled to work half time or more are allowed holiday time off with pay in accordance with the following table:

<table>
<thead>
<tr>
<th>Percentage of Full Time</th>
<th>Hours of Holiday Pay per Holiday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 50</td>
<td>0</td>
</tr>
<tr>
<td>50–56</td>
<td>4</td>
</tr>
<tr>
<td>57–68</td>
<td>5</td>
</tr>
<tr>
<td>69–81</td>
<td>6</td>
</tr>
<tr>
<td>82–93</td>
<td>7</td>
</tr>
<tr>
<td>94–100</td>
<td>8</td>
</tr>
</tbody>
</table>

4. **Holiday Pay for New Employees**: A new full-time employee will be paid for any holiday immediately preceding his or her first day of work if the holiday is the first working day of a pay period. This rule does not apply to part-time employees.

5. **Holiday Pay for Separating Employees**: A separating full-time employee will receive pay for any holiday immediately following his or her last actual day of work (or vacation leave) if the holiday is the last working day of a pay period. This rule does not apply to part-time employees.

6. **Pay Policy for Work Performed on a Holiday**
   a. **Exempt employees** do not normally receive extra compensation when their assignment requires work on a holiday.
   b. **Non-exempt employees** are paid regular pay, including any shift differentials, for time worked on a holiday. They normally receive a full day’s holiday pay, plus pay for any portion of the day worked, to the nearest hour for monthly salaried personnel and to the nearest quarter hour for hourly rated personnel. A nonexempt employee who is scheduled to work on a holiday but takes time off due to illness is eligible only for holiday pay.
   c. **Irregular Schedules**: Non-exempt employees who are working irregular full-time schedules are entitled to the same number of paid holiday hours granted to regularly scheduled employees. An employee receives holiday pay if his or her regular day off falls on a holiday observed by the Laboratory.
   d. **Cesar Chavez Day and Veterans Day**: Non-exempt employees working on Cesar Chavez Day and Veterans Day will be paid for hours worked only. They will not receive additional holiday pay.

7. **Holiday Pay Policy During Leave of Absence Without Pay**
   a. **Short Term Leave**
      i. A full-time employee on an approved, nondisciplinary leave of absence without pay for no more than 20 calendar days is eligible to be paid for any holidays occurring during the leave period.
      ii. A part-time employee on an approved, nondisciplinary leave of absence without pay for no more than 20 calendar days is eligible to be paid for any holidays occurring during the leave period at the prorated rate listed in the table above (See Section D.3, *Holiday Pay for Part-Time Employees*).
   b. **Extended Leave**: An employee on leave without pay for more than 20 calendar days is not eligible to be paid for any holidays that occur during the leave period or immediately before it period begins.

8. **Special or Religious Holidays**: The observance of a religious holiday that is not part of the holiday schedule can be charged to accumulated vacation credit with prior supervisory approval. If no credit has been accumulated, the time off will be handled as leave without pay.

9. **Disciplinary Suspensions and Unauthorized Absences**: Employees who have been suspended for disciplinary reasons for a period that includes or immediately precedes or follows a holiday, and employees who have an unauthorized absence immediately preceding or following a holiday, will not receive holiday pay for that holiday.
E. Roles and Responsibilities

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Human Resources and Diversity Officer (CHRO)</td>
<td>Has the functional responsibility for this policy</td>
</tr>
<tr>
<td>Employees</td>
<td>Have the responsibility to adhere to the provisions of this policy and its implementing procedures</td>
</tr>
<tr>
<td>HR Department</td>
<td>Has the responsibility to advise management and employees on this policy</td>
</tr>
<tr>
<td>Managers and supervisors</td>
<td>Have the responsibility to adhere to the provisions of this policy and its implementing procedures</td>
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</table>

F. Definitions/Acronyms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Full Time</td>
<td>Full-time status is fixed time at 40 hours per workweek.</td>
</tr>
<tr>
<td>Part Time</td>
<td>Part-time status is fixed time up to 39 hours per workweek.</td>
</tr>
<tr>
<td>Variable Time</td>
<td>A schedule with no fixed percentage of time or schedule. Hours worked will vary depending on operational needs.</td>
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G. Recordkeeping Requirements

None

H. Implementing Documents

<table>
<thead>
<tr>
<th>Audience</th>
<th>Document number</th>
<th>Title</th>
<th>Type</th>
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<tbody>
<tr>
<td>Lab Staff</td>
<td>02.07.005.001</td>
<td>Berkeley Lab Holiday Schedule</td>
<td>Process</td>
</tr>
<tr>
<td>Lab Staff</td>
<td>02.07.005.002</td>
<td>Limited Floating Holiday Implementation Guidance</td>
<td>Procedure</td>
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<td>Guidance</td>
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<td>Early Release for Holiday Template Memo</td>
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I. Contact Information

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J. Revision History

<table>
<thead>
<tr>
<th>Date</th>
<th>Revision</th>
<th>By Whom</th>
<th>Revision Description</th>
<th>Section(s) Affected</th>
<th>Change Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/2/2012</td>
<td>1</td>
<td>M. Bello</td>
<td>Rewrite for wiki</td>
<td>All</td>
<td>Minor</td>
</tr>
</tbody>
</table>
Rehired Retirees have not been paid holiday pay as they were classified as variable-time employees. With process change to allow Rehired Retirees to be classified as exempt status employees with fixed time schedule, technical change to note that rehired retirees continue to not be eligible for holiday pay.

Who Should Read This Policy, Persons Affected

Who Should Read this Policy
B
D.1.a
E

Policy Summary

Editorial changes

Minor

Correct typo in Section D.7.a, Short Term Leave.

D.7.a

Editorial
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