

## **CHAPTER 16 – HOLIDAYS**

(Only applies to Classified Management and Confidential employees.)

### 16.1 Eligibility

In accordance with these rules, all probationary and regular classified employees will be entitled to payment for authorized holidays on a pro-rata basis.

### 16.2 Board Approved Holidays for Classified Employees

All regular classified employees shall be entitled to the following paid holidays which occur during their assigned work year, subject to eligibility provisions of this rule:

- New Year's Day
- Martin Luther King Day
- Lincoln's Day
- President's Day
- Friday of Spring Recess
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve (in lieu of Admissions Day)
- Christmas Day
- Last working day before New Year's Day

### 16.3 Other Paid Holidays

All regular classified employees shall be entitled to a paid holiday for any day declared a holiday by the District's Board of Education for classified and/or certificated employees. For purposes of this rule, a holiday is defined as follows:

- A. Any day specifically declared and called a holiday by the Board of

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Education for either classified or certificated employees.

B. Any day, by whatever name, that is given with or without pay as a non-duty day to certificated employees by the Board of Education that falls during a regular school term. The exception to this rule would be those days that fall during the normal Christmas Recess, Spring Recess, and other established intersession periods.

#### 16.4 Holiday Pay

A regular employee shall receive full pay for those holidays listed in Section 45203 of the Education Code or for those days designated as holidays in lieu of the regular holidays in accordance with Section 45205 or Section 45206.5 of the Education Code and for days declared to be holidays by the Board of Education under the following conditions:

- a. The employee must be in paid status during any portion of the last working day of his/her assignment preceding the regular holiday, or the designated in lieu holiday, or during any portion of the first working day of his/her assignment following the regular holiday, or the designated in lieu holiday. Employees will receive full pay for the regular holiday or the designated in lieu holiday, if the first day of his/her assignment is a regular holiday or a designated in lieu holiday, and the employee has been in paid status during any portion of the next following working day, or if the last day of the assignment is a regular holiday or a designated in lieu holiday, and the employee 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 the assignment terminates on a day immediately preceding a regular holiday or a designated in lieu holiday, or if the employee 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, s/he shall be entitled to the regular holiday.
- b. 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 recess.

Education Codes; 37220, 45203, 45205, 45260 and 45261

##### 16.4.1 Holidays Occurring During Vacation

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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.

Education Codes: 37220, 45203, 45205, 45260 and 45261

#### 16.4.2 Multiple Assignments

A regular classified employee serving in multiple assignments shall receive pay for holidays in each assignment independently, according to his status in each particular assignment.

Education Codes: 37220, 45203, 45205, 45260 and 45261

#### 16.4.3 Weekend Holidays

When a holiday falls on the first day of an employee's weekend, the preceding day shall be treated as the holiday. When the holiday falls on the second day of an employee's weekend, the following day shall be treated as a 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".

Education Codes: 37220, 45203, 45205, 45260 and 45261

#### 16.4.4 Overtime Pay for Working Holidays

Regular employees, except those in management classes, 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:

- a. Time and one-half for work on regular holidays, except that if a holiday is designated in lieu of the regular holiday, shall be so compensated and work on the regular holiday shall be compensated at straight time.
- b. Time and one-half 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.

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Education Codes; 37220, 45203, 45205, 45260 and 45261

16.5 Winter and Spring Recess Holiday Eligibility

A regular classified employee of the District who is not normally assigned to work during the winter or spring recess periods shall be paid for any holidays during such recess periods, provided the employee was in a paid status during any portion of his/her scheduled working days either immediately preceding or succeeding the recess period.

16.6 Overtime

Whenever a classified employee is required to work on a designated holiday, the employee shall be paid at the rate of time and one-half (1 ½) for all hours worked on the holiday in addition to the amount of money which the employee would have received had the employee not worked during the holiday.

Education Codes; 37720, 45203, 45205, 45260 and 45261

16.7 Holidays for Non-traditional Workweeks

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.

Education Codes; 45206, 45260, and 45261

16.8 Limited Term or Substitute Employee

A substitute, limited term or other temporary employee shall not be entitled to paid holidays or other holiday compensation.

16.8.1 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 16.1.1.1).

16.8.2 Long-term Assignment

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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:

- a. A “long-term” assignment refers to work performed in a single position for more than twenty (20) consecutive working days.
- b. 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.
- c. The person worked the last scheduled work day before the holiday and the first scheduled work day following the holiday.

Education Codes; 45203, 45260 and 45261.